



## **REPORT OF THE CORPORATE DIRECTOR, PLACE FLOOD RISK MANAGEMENT SECTION 19 REPORTS**

### **Purpose of the Report**

1. This report sets out the County Council's duties as the Lead Local Flood Authority to report on flooding incidents under Section 19 of the Flood and Water Management Act 2010 and contains individual Section 19 reports in relation to flooding in June 2020, for Members' approval and endorsement.

### **Information**

2. Following the severe flooding in many parts of the country during the summer of 2007, the Government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations. Two key pieces of legislation have brought this forward; the Flood Risk Regulations 2009 which transposed the EU Floods Directive into UK Law and the Flood and Water Management Act 2010.
3. Nottinghamshire County Council (NCC) is a Lead Local Flood Authority (LLFA) and has powers and statutory duties to manage and co-ordinate local flood risk management activities. Nottinghamshire County Council does this by working together with other organisations including the Environment Agency (EA), who manage flooding from generally larger rivers known as Main Rivers, such as the River Trent; The Trent Valley Internal Drainage Board (TVIDB) managing low lying areas; District, Borough, Parish and Town Councils; and infrastructure/ utility providers, such as Severn Trent Water (STW) and Highways England (HE).
4. This partnership work is overseen by the Strategic Flood Risk Management Board, jointly chaired by Nottinghamshire County Council and Nottingham City Council (NCiC) and attended by all Risk Management Authorities (RMAs).
5. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).
6. Section 19 of the Flood and Water Management Act gives Nottinghamshire County Council as a Lead Local Flood Authority, the following duties:
  1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:

- (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
- (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

2. Where an authority carries out the above investigation it must:-

- (a) Publish the results of its investigation.
- (b) Notify any relevant RMAs.

7. It should be noted that the purpose of a Section 19 Report is to outline what happened during a flooding incident and whether the relevant Risk Management Authorities have exercised or will exercise their responsibilities - it does not identify specific measures to prevent future flooding. It is up to the Lead Local Flood Authority and other Risk Management Authorities if they wish to then carry out further investigation into possible flood prevention and protection measures that could be implemented.
8. At Transport and Highways Committee on 31 October 2013 it was resolved that Section 19 Reports should be undertaken where the Authority is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).

## Section 19 Report Summary

9. Two rainfall events close together in mid June resulted in properties on a number of streets in Ashfield being affected by localised floods following storms on Sunday 14<sup>th</sup> June. Huge downpours meant some streets became submerged in water. Three households unfortunately suffered internal flooding. Following on from Sunday's event the Met Office issued a yellow weather warning for thunderstorms and heavy rain on Wednesday the 17<sup>th</sup> June. Torrential downpours ensued around teatime which resulted in localised flooding with around 30mm of rain landing in less than an hour. The majority of the internal flooding to residential and business premises was caused by the pluvial flash flood.
10. There were no reports of river flooding received. NCC responded immediately with the reactivation of the Flooding Hardship Fund payment of £300 per business and £120 per residential property. To date we have the following numbers confirmed as internally flooding between Sunday 14<sup>th</sup> June and Thursday 18<sup>th</sup> June.
- |                      |   |                              |
|----------------------|---|------------------------------|
| ▪ Beeston/Chilwell   | - | 34 Businesses 56 Residential |
| ▪ Ruddington         | - | 21 Businesses                |
| ▪ Kirkby in Ashfield | - | 3 Residential                |
| ▪ Worksop            | - | 3 Residential                |
| ▪ East Markham       | - | 1 Residential                |
11. A significant issue which made the difference between properties being flooded or not in Beeston and Ruddington were bow-waves caused by traffic driving quickly through flood waters this combined with initial investigations would suggest the cause of the flooding to be pluvial. The ability of the infrastructure to accommodate the torrential rain was clearly beaten on this occasion. It is recognised that flooding can have a devastating impact on businesses and this coupled with the impact of Covid 19 will be a significant challenge in terms of recovery for the communities impacted.

12. A significant amount of people were adversely affected by the flooding in June within the 5 communities that reported flooding incidents, with 118 reports of internal flooding. Consequently, two Section 19 Reports have been triggered. These are contained in the attached appendices and relate to the communities of:

Appendix	Place	Page Numbers	Lead Risk Management Authority
A	Beeston/Chilwell	01-06	Nottinghamshire County Council
B	Ruddington	07 - 11	Nottinghamshire County Council

13. Nottinghamshire County Council reopened its flooding hardship fund, making available £120 per household and £300 per business for all those affected by flooding in the County. A Property Flood Resilience Recovery Grant of £5000 was made available from the Department for Environment, Food and Rural Affairs, which was administered by Broxtowe Borough Council.
14. The flooding experienced by these communities has been devastating with many home and business owners being unable to return to their properties. For many months to come the catastrophic impacts of this flooding will be felt by the communities as they begin the task of dealing with the impacts of the flooding on their lives and well-being.
15. Officers from the Flood Risk Management Team joined forces with other agencies to provide much needed support to the affected communities and initiated investigations into the numerous flooding events and associated mechanisms. Supporting the multi-agency recovery, initial visits by the Flood Risk Management team to sites around the county recorded internal flooding at 118 properties.
16. The attached Section 19 reports identify that all relevant Risk Management Authorities carried out and continue to carry out their respective duties.

### **Summary of Actions.**

17. Following the flooding in June several actions were identified as part of the Section 19 process for affected Risk Management Authorities.
18. The County Council has continued to provide support to residents affected by the flooding through drop in sessions; direct contact channels; site visits to provide direct advice; and continuing with investigations into the June events. The County Council has undertaken exploratory work on the conditions of existing drainage networks and will endeavour to ensure they are operating to their optimal capacity and where necessary will provide advice and suggestions to responsible landowners to support this.
19. As part of the future actions the County Council will continue to lead on investigations in areas for which they are the lead Risk Management Authority in order to better understand the mechanisms for flooding. Support will continue to be provided for affected residents and advice for landowners dealing with riparian ownership issues. Funding channels and options will be explored as part of analysing potential hydraulic modelling and capital investment schemes. Further investigations into these events may identify additional actions. The Council will continue to work in partnership with other key Risk Management Authorities.

20. Rushcliffe Borough Council and Broxtowe Borough Council will support investigations and reviews into emergency procedures alongside Nottinghamshire County Council Emergency Planning to ensure their validity for potential future events.

### **Reason/s for Recommendation/s**

21. The report delivers a duty defined within the Flood and Water Management Act 2010 and in line with approved County Council Policy.

### **Statutory and Policy Implications**

22. The County Council has a number of statutory duties and powers under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 including preparation of Section 19 Reports.

23. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

24. Since becoming a Lead Local Flood Authority, Nottinghamshire County Council has worked in collaboration with colleagues, risk management authorities, partners and local communities to help reduce the risk of flooding in Nottinghamshire.

### **Implications for Sustainability and the Environment**

25. It is anticipated that this collaborative work will ultimately result in the delivery of sustainable projects that reduce flood risk across the county whilst also reducing the negative impacts that flooding has on the environment.

## **RECOMMENDATION/S**

It is recommended that:

- 1) Committee approves the publishing of the Section 19 report Appendices A & B in accordance with Section 19 of the Flood and Water Management Act 2010 and our Lead Local Flood Authority responsibilities.
- 2) The Committee endorses the work outlined in the report.
- 3) Committee encourages all agencies involved to seek and implement suitable measures to alleviate flooding as soon as reasonably possible.
- 4) That officers provide updates to Committee on all relevant agencies' progress with alleviation measures as part of the regular Flood Risk Management updates.

**Adrian Smith**

**Corporate Director, Place**

**For any enquiries about this report please contact:**

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### **Constitutional Comments (SG 16/09/2020)**

26. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to flood risk management scrutiny has been delegated.

### **Financial Comments (RWK 27/08/2020)**

27. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All