

REPORT OF CORPORATE DIRECTOR (PLACE)**STATUTORY FLOOD RISK MANAGEMENT SCRUTINY:
SECTION 19 REPORTS: STORM HENK FLOODING JANUARY 2024****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 presents its Section 19 Reports in relation to the flooding caused by Storm Henk across the County from the 2nd-6th January 2024.

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 (FWMA).
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. NCC does this by working together with other organisations including the Environment Agency (EA), who manage flooding from larger rivers and watercourses known as Main Rivers, such as the River Trent and the River Erewash etc; Internal Drainage Boards (IDB) managing low lying areas; District, Borough, Parish and Town Councils; and infrastructure/ utility providers, such as Severn Trent Water (STW) and Highways England. This partnership work is overseen by the Strategic Flood Risk Management Board, jointly chaired by NCC and Nottingham City Council (NciC) and attended by all Risk Management Authorities (RMAs).
4. The LLFA provides a countywide Flood Risk Management service supported by the Local Flood Risk Management Strategy & Action Plan (LFRMS) and the Preliminary Flood Risk Assessment (PFRA).
5. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).
6. Section 19 of the FWMA gives NCC, as LLFA, the following duties:
 - A. 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.

B. Where an authority carries out an investigation under subsection (1) it must:

- (a) Publish the results of its investigation.
- (b) Notify any relevant risk management authorities.

Purpose of a Section 19 report

- 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 RMAs have exercised or will exercise their responsibilities, it does not identify specific measures to alleviate future flood risk. It is up to each RMA if they then wish to carry out further investigation into possible flood prevention and protection measures that could be implemented.
- 8. At Transport and Highways Committee on 31 Oct 2013 it was decided that Section 19 Reports should be prepared where NCC is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).
- 9. This threshold was triggered in 16 areas from the 2nd-6th January 2024 as a result of Storm Henk. Each area has a separate Section 19 report included in Appendices A-P.

Storm Henk Flooding Overview (Reports in Appendices A – P)

- 10. Following Storm Babet (20th-23rd October) which caused over 1250 properties to suffer internal flooding across the county, Nottinghamshire continued to experience persistent rainfall causing catchments to be saturated. The Met Office reported that between 1st October 2023 and 4th January 2024, parts of the East Midlands received more than 170% long term average rainfall, as shown in Figure 1 below.
- 11. In the immediate days before Storm Henk (27th December - 1st January), data from Environment Agency rainfall gauges show parts of Nottinghamshire received over 75mm of rainfall. This continued the heavy saturation of catchments and maintained high levels in watercourses across the County.
- 12. On the 2nd January 2024 Storm Henk hit the County bringing further rainfall over already saturated catchments. As a result, significant flooding impacts were experienced by homes, businesses and communities, with the livelihoods and welfare of many residents across the County were severely impacted. The following days saw 344 homes and 40 businesses internally flooded, and 69 roads officially closed with many more impacted by the flooding, resulting in significant disruption to the public across the highway network.
- 13. The Environment Agency recorded up to 23.6mm of rain falling in parts of the County on the 2nd January during Storm Henk. Figure 2 shows the rainfall for the period 27th December 2023 to the 2nd January 2024, with rainfall as a result of Storm Henk on 2nd shown by the crosshatching.

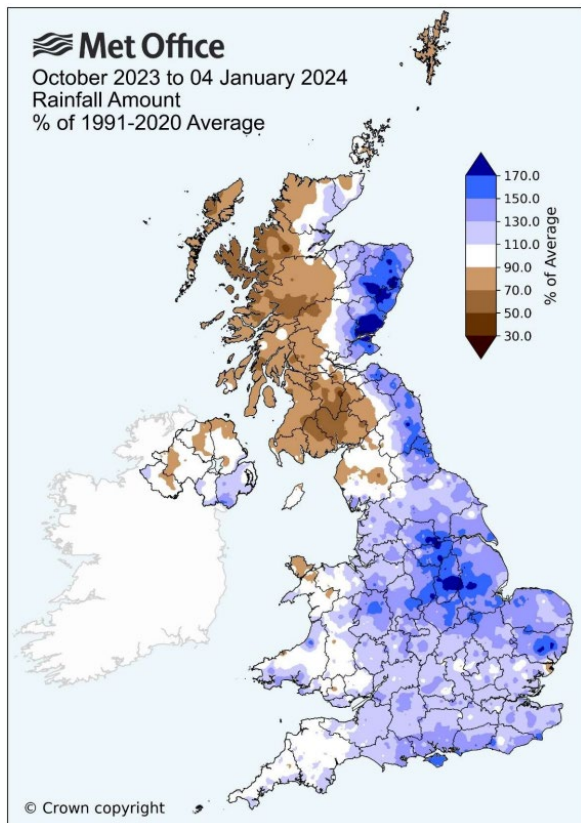


Figure 1. October 2023 to 4th January 2024 % of Rainfall Average received (Met Office)

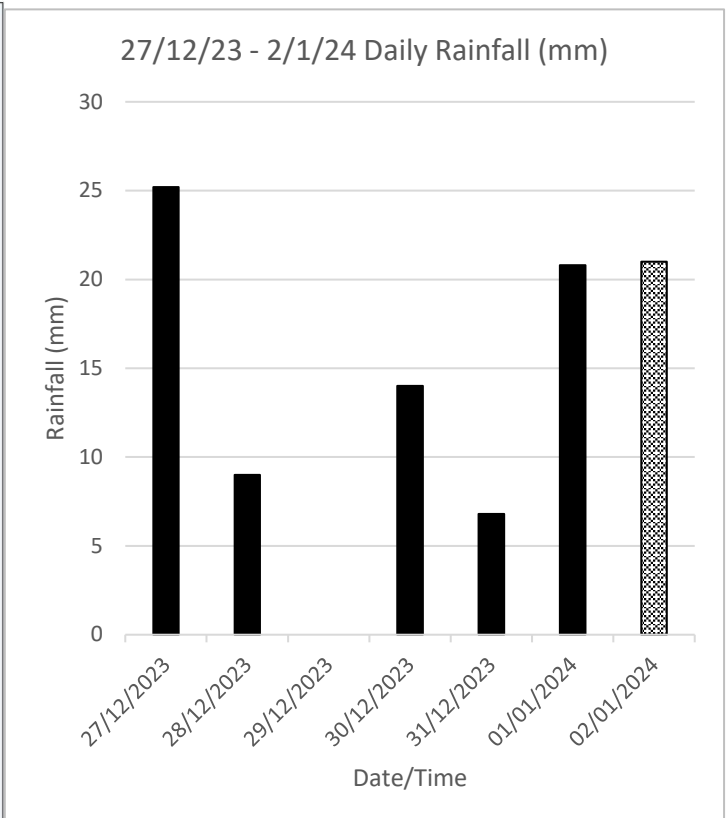


Figure 2. Daily rainfall for 27th December to 2nd January (Staythorpe Gauge) (The Environment Agency)

14. As a result of the further rainfall brought by Storm Henk and high river levels the Environment Agency issued 7 Flood Alerts and 46 Flood Warnings, with the saturation of the catchments resulting in higher levels of runoff into watercourses and rivers than would have occurred following a dry period.
15. Rainfall over the saturated catchment combined with high river levels from neighbouring counties flowing into the River Trent was also a key contributor to near-record levels being set at many points along the river. Many smaller watercourses were unable to discharge effectively into the River Trent due to the high water levels.
16. Data from the Environment Agency shows the River Trent at Clifton Bridge peaked at 18.30 on the 4th January, and Torksey peaked at 13.45 on the 6th January. Figure 3 also shows Torksey reached new record water level of 7.423m, beating the previous record of 7.31m recorded in November 2000.
17. The flooding therefore experienced as a result of Storm Henk falling on heavily saturated ground was more focused around fluvial sources, with the Trent Corridor in particular being affected. This is in contrast with Storm Babet in October 2023 where much of the flooding originated from ordinary watercourses rather than Main Rivers, however there are overlaps/exceptions in both cases.

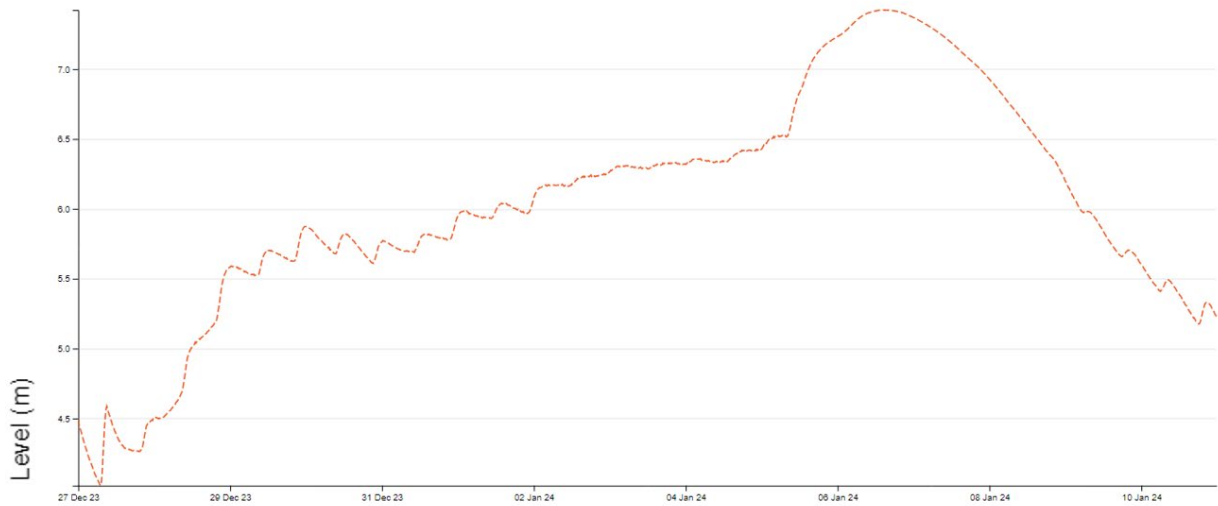


Figure 3. River Levels on the River Trent at Torksey
(The Environment Agency)

18. The impacts of the flooding triggered the activation of a multi-agency response from the Local Resilience Forum (LRF). The LRF uses a structure to manage the response to flooding which includes Strategic, Tactical and Recovery Coordination Groups (SCG, TCG, RCG). Representatives from all RMAs, emergency services and support organisations such as the Red Cross attended their relevant groups. NCC's Emergency Planning Team supported the Tactical and Recovery Coordination Group meetings and orchestrated the relevant actions requested by these groups.
19. The impact of the storm was such that a Major Incident¹ was declared by the Nottingham and Nottinghamshire Local Resilience Forum via the Tactical Coordination Group on Thursday 4th January.
20. The LRF's chief officer group is responsible for overseeing the co-ordination of emergency planning within Nottingham and Nottinghamshire. The group meets regularly, is led by Nottinghamshire Police, and consists of senior managers from the principal emergency planning and response organisations. The role of the LRF includes:
- a. Agreeing joint strategic and policy approaches relating to Nottingham & Nottinghamshire's preparedness and response.
 - b. Approving the community risk register, and ensuring it provides a robust basis for planning.
 - c. Ensuring that multi-agency plans, procedures, training and exercises are in place.
 - d. Directing and overseeing the activities of subgroups which concentrate on specific subjects.
 - e. Ensuring that appropriate resources are made available to working groups.
 - f. Co-ordinating the individual approaches and responsibilities of each organisation to ensure they complement each other.
 - g. Considering the implications of legislation and national initiatives.

¹ An event or situation with a range of serious consequences which requires special arrangements to be implemented by one or more emergency responder agency. A major incident is beyond the scope of business-as-usual operations, and is likely to involve serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security.

Further information can be found in the LRF Constitution and LRF Strategy.

21. NCC has a duty of care for all its communities, ultimately to provide support to its communities through all phases of an emergency, from response to recovery. The main elements of Nottinghamshire County Council's role during a flood emergency, as set out in the NCC Flood Response Plan, can be summarised as:
 - a. Operational on the scene response / support – providing sandbags, closing off unsafe roads, structural assessments (e.g. bridges), gully emptying and pumping where appropriate.
 - b. Identifying and supporting vulnerable residents (at flood risk) that are known to NCC.
 - c. Supporting emergency services and other responding agencies e.g. with evacuation.
 - d. Providing emergency accommodation / transport for evacuees and addressing any other welfare needs.
 - e. Ensuring NCC critical service delivery remains uninterrupted.
 - f. Warning and informing the public, providing timely information and advice.
 - g. Responding to animal health / welfare issues e.g. stranded livestock.
 - h. Representation at multi-agency coordinating groups.

22. As a Highways Authority, Nottinghamshire County Council has a wide range of statutory duties; those relevant to flood response include:
 - a. Primarily to keep the highway safe.
 - b. Maintaining the surface of most rights of way / highways.
 - c. Preventing the closure or obstruction of highways, as far as possible.

23. During the flood event Via East Midlands Ltd. provided a critical front line response across Nottinghamshire for highway issues. They responded to 178 calls for support from communities at risk including sandbag requests and closed 69 roads across the County.

24. Nottinghamshire County Council's Emergency Planning team facilitated and participated in Tactical Coordination Groups and the Council's internal Risk, Safety and Emergency Management Board (RSEMB). They provided a first point of contact for Flood Wardens, volunteer groups and other NCC internal teams involved in the event.

25. In the weeks following the storm, the Flood Risk Management team collated verified internal flooding data that was reported to us from various RMA's and agencies. 344 residential properties and 40 businesses in 65 communities across the County were verified as suffering from internal flooding as a direct result of Storm Henk. Figure 4 below shows the locations where internal property flooding has been recorded and highlights the widespread nature of the incident.

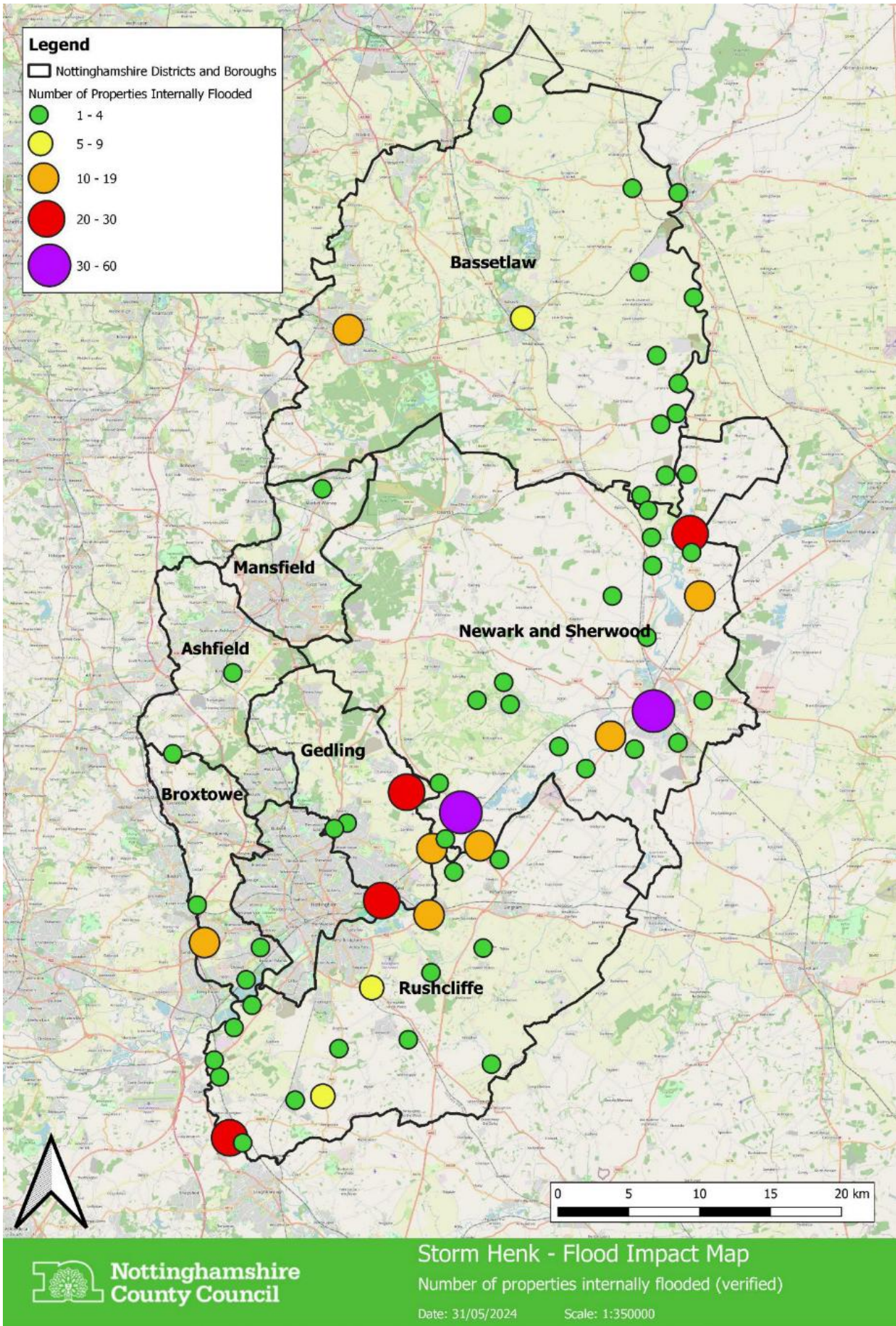


Figure 4. Internal Flooding locations

26. Table 1 below lists the 16 areas by District / Borough where a Section 19 report has been triggered for Storm Henk by 5 or more properties being flooded internally. The LLFA has produced Section 19 reports as separate Appendices A-P.

Bassetlaw	Retford (5-K)	Worksop (18-O)			
Broxtowe	Stapleford (12-L)				
Gedling	Burton Joyce (10-A)	Colwick (21-C)	Woodborough (25-N)		
Newark & Sherwood	Collingham (12-B)	Farndon (18-E)	Girton (25-F)	Gunthorpe (11-G)	Lowdham (60-H)
	Newark on Trent (32-I)				
Rushcliffe	Costock (8-D)	Radcliffe on Trent (15-J)	Tollerton (5-M)	Zouch (27-P)	

Table 1. List of Section 19 Reports by District / Borough
(brackets show number of verified internally flooded properties and Appendix ref.)

27. During Storm Henk, 9 volunteer-led community flood signage schemes (CFSS) were part of the frontline response to flooding in Nottinghamshire, encouraging community resilience and promoting road safety during flooding in their local areas. These were Burton Joyce, Caythorpe, Colston Basset, Girton, Lambley, Lowdham, Sutton Bonnington, Thurgaton, Woodborough.
28. Following Storm Babet and Henk, the CFSS has been recognised by other communities at risk as a scheme which would be beneficial in increasing their community-led resilience to flooding. NCC are contributing significant resources to this by coordinating the schemes, providing personal protective equipment (PPE) and providing signage for use by the volunteers, facilitated by the Flood Risk Management Team.
29. Countywide training events to refresh the training of existing groups and provide training for new groups were held at Castle House, Newark on the 10th February 2024 and at County Hall on the 27th April 2024.
30. Consequently, there are now 485 fully trained volunteers and 28 active schemes, including 10 new communities which have a CFSS that is fully active; Bilsthorpe, Carlton on Trent, Costock, Egmanton, Epperstone, Maplebeck, Normanton on Soar, Pleasley, Radcliffe on Trent and Wysall. A further 13 new locations have registered an interest in developing a scheme for their area.
31. NCC have received notification that our Community Flood Signage Scheme has been shortlisted for the nationally recognised 'Community Involvement' Local Government Chronical (LGC) Award and also shortlisted as a finalist in the 'Community Action' category for the Flood & Coast Excellence Awards 2024.
32. In the aftermath of Storm Henk Nottinghamshire County Council made its Recovery Grant available to those affected by internal flooding and has paid out 141 claims. DEFRA and District / Borough Councils also made grants available to assist residents and businesses in recovery and resilience.
33. To take a strategic approach in the response to the unprecedented flooding suffered across the county as a result of Storm Babet and Storm Henk, the Flood Risk Management Team are developing a sustainable response works programme for all areas that have suffered internal

property flooding. This summarises the works which have been identified as needing to be undertaken to support each community and where collaboration with other risk management authorities is necessary. This is a mixture of detailed studies to understand complex flooding mechanisms, drainage surveys to ensure the appropriate working condition of existing assets, Natural Flood Management (NFM), increased working with Riparian Landowners, increased support for community groups and Property Flood Resilience (PFR).

34. The current Local Flood Risk Management Strategy is available in Appendix Q. Lessons learnt and the Flood Risk Management team's response will be reviewed, and our Flood Risk Management Action Plan updated accordingly to reflect this.
35. Where relevant and available, individual Risk Management Authorities responses to the flood event are detailed in the Appendices. Comments have not been received from Trent Valley Internal Drainage Board or Isle of Axholme Internal Drainage Board at this time.
36. This report and Appendices deliver our statutory responsibilities as a Lead Local Flood Authority in terms of Section 19 reports. We continue to work alongside our communities and partners to provide support to enable them to be more resilient to the flood risk.
37. We remain committed to working with our communities and partner organisations to reduce the risk and consequences of flooding across the County, guided by the objectives contained within our Local Flood Risk Management Strategy and Action Plan.

Other options considered

38. To not complete Section 19 reports for the flooding; this would result in Nottinghamshire County Council as Lead Local Flood Authority failing to deliver its obligations under Section 19 of the Flood and Water management Act (2010).

Reason/s for Recommendation/s

39. The production of Section 19 reports delivers a duty defined within the Flood and Water Management Act 2010 and in line with approved County Council Policy.

Statutory and Policy Implications

40. 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.
41. 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

42. The costs of preparing and publishing the Section 19 Report are contained within existing budgets. Costs of future alleviation, protection and community support as described in paragraph 36 will be met from existing revenue and capital budgets or be subject to further approval if additional funding is sought.

Implications for Residents

43. Since becoming an LLFA, NCC 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

44. NCC incorporate sustainable principles within its flood risk management strategy and actively include natural flood management (NFM) and Sustainable Drainage System (SUDS) works within its delivery of flood risk management projects. These methods work with natural processes to reduce flood risk whilst creating important habitat and helping to sequester carbon in line with ambition 9 of the Nottinghamshire Plan: Protecting the environment and reducing our carbon footprint.

RECOMMENDATION/S

It is recommended that Place Select Committee:

- 1) receives the Section 19 reports as detailed at Appendix A-P, in line with the Flood and Water Management Act 2010 and the Council's, as the Lead Local Flood Authority, responsibilities.
- 2) comments on and considers the work carried out in response to the flooding caused by Storm Henk.

DEREK HIGTON, CORPORATE DIRECTOR (PLACE)

For any enquiries about this report please contact:

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Sue Jaques – Flood Risk Manager, Tel: 0115 9774368

Constitutional Comments (JL 28/05/24)

Place Select Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference set out in the Constitution of Nottinghamshire County Council.

Financial Comments (PA 03/06/2024)

The financial implications are set out in paragraph 40 of the report. The costs of preparing and publishing the Section 19 reports will be contained within existing budgets. Costs of future alleviation, protection and community support will be met from existing revenue and capital budgets or be subject to further approval if additional funding is required. The 2024/25 revenue

budget includes £0.399m for Flood Risk Management whilst the 2024/25 capital programme includes £1.586m for Flood Alleviation and Drainage Works and £0.709m for Southwell Flood projects.

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.

- Appendices A-P Section 19 Reports.
- Appendix Q – NCC Local Flood Risk Management Strategy.

Electoral Division(s) and Member(s) Affected

Calverton – Cllr Boyd Elliott

Carlton East – Cllr Mike Adams

Collingham – Cllr Debbie Darby

Cotgrave – Cllr Richard Butler

Farndon and Trent – Cllr Sue Saddington

Keyworth – Cllr John Cottee

Leake and Ruddington – Cllr Reg Adair and Cllr Matt Barney

Radcliffe on Trent – Cllr Roger Upton

Retford West – Cllr Mike Quigley

Southwell – Cllr Roger Jackson

Stapleford and Broxtowe Central – Cllr John Doddy and Cllr John McGrath

Worksop South – Cllr Nigel Turner