

## **REPORT OF CORPORATE DIRECTOR, PLACE**

### **SECTION 19 REPORTS:**

**FLOODING IN CROPWELL BUTLER ON THE 6 JULY 2012**

**FLOODING IN THURGATON ON 23 JULY 2013**

**FLOODING IN MANSFIELD ON 10 JUNE 2016**

**FLOODING IN GOTHAM ON 15 JUNE 2016**

### **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 to present its report in relation to the flooding in Cropwell Butler on the 6 July 2012, Thurgaton on 23 July 2013, Mansfield on 10 June 2016 and Gotham on 15 June 2016.

### **Information and Advice**

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 brought this forward; the Flood Risk Regulations (2009) which transpose the EU Floods Directive into UK Law and the Flood and Water Management Act (2010) (FWMA).
3. The Council is a Lead Local Flood Authority (LLFA) and has powers and statutory duties to manage and co-ordinate local flood risk management activities. The County Council does this by working together with other organisations including the Environment Agency, who manage flooding from generally larger rivers (known as Main Rivers, such as the River Trent), Internal Drainage Boards (IDB) managing low lying areas, District, Borough, Parish and Town Councils and infrastructure/ utility providers, such as Severn Trent Water and Highways England. Partnership work is overseen by the Strategic Flood Risk Management Board, jointly chaired by Nottinghamshire County Council (NCC) and Nottingham City Council (NCiC) and attended by all Risk Management Authorities.
4. Section 19 of the FWMA gives NCC, as LLFA, 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 an investigation under subsection (1) it must:-
- (a) Publish the results of its investigation.
  - (b) Notify any relevant risk management authorities.
5. 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 but it does not identify specific measures to prevent future flooding. It is up to the LLFA if it wishes to then carry out further investigation into possible flood prevention and protection measures that could be implemented.
6. At Transport and Highways Committee on 31 Oct 2013 it was approved that Section 19 Reports should be undertaken where the County Council is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).
7. As LLFA we have taken a view to bring Section 19 Reports to Committee once NCC have investigated the events and have a more mature understanding of the catchments rather than immediately after the event. The extended time period is used proactively to support communities, develop understanding and work collaboratively with other RMA's, partner organisations and local communities to progress from the event to a position of understanding and possible action. This report sees all outstanding events requiring a Section 19 report completed.
8. A further report is being prepared to be brought to Committee in March which will provide a progress update on all current flood alleviations schemes being managed through the Capital investment programme and those being funded in conjunction with other partners.

### **Section 19 Report summary for Cropwell Butler**

9. As a result of the flooding in Cropwell Butler on the 6 July 2012 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix A. These investigations extended beyond the statutory obligations of Section 19 and included on-site investigations, remedial works and liaison with other RMAs.
10. The report identifies the main sources of flooding to be the network of unnamed watercourses that serve the village, with flows exceeding their capacity in a number of locations due in part to a lack of maintenance. Some maintenance works have been carried out by NCC during the investigations to improve the hydraulic efficiency of the system and the Authority worked closely with the Parish Council during the investigations.
11. The report also identifies that all relevant Risk Management Authorities carried, and continue to carry, out their respective duties.

### **Section 19 Report summary for Thurgaton**

12. As a result of the flooding in Thurgaton on the 23 July 2013 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix B.

13. The report identifies the main source of flooding as excessive flows in the Thurgaton Beck. The report acknowledges that the storm that caused flooding in 2013 far exceeded all relevant design standards for the watercourses and drainage systems by a significant margin. It also identifies that all relevant Risk Management Authorities carried, and continue to carry out their respective duties with the IDB working closely with NCC in carrying out a detailed feasibility study into potential flood mitigation measures and funding streams.

### **Section 19 Report summary for Mansfield**

14. As a result of the flooding in Mansfield on the 10th June 2016 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix C.
15. The report identifies that as a result of intense rainfall events, in a period of sustained rainfall, parts of Mansfield experienced major flooding with 17 properties internally flooded. Roads and car parks were also affected during the event. The rainfall event was greater than the design standards for the various drainage systems and excess flows followed natural flow paths and valleys. The report identifies that all relevant Risk Management Authorities carried out, and continue to carry out, their respective duties.

### **Section 19 Report summary for Gotham**

16. As a result of the flooding in Gotham on 15th June 2016 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix D.
17. The report identifies that as a result of intense rainfall events, in a period of sustained rainfall, parts of Gotham experienced major flooding with 17 properties confirmed as internally flooded. Roads were also affected during the event in June. The rainfall event was greater than the design standards for the various drainage systems and a lack of maintenance in some areas of the drainage network exacerbated the problems. The report also identifies that all relevant Risk Management Authorities carried out, and continue to carry out, their respective duties.

### **Other Options**

18. This report delivers a duty defined within the Flood and Water Management Act (2010) and in line with approved Council policy and as such there are no other options.

### **Further investigation**

19. As highlighted earlier the LLFA may carry out further investigations into possible flood prevention and protection measures.
  - a. In the case of Cropwell Butler the LLFA decided that such action was necessary and a number of investigations were carried out in an endeavour to understand any deficiencies in the drainage network and also any mitigation measures that could be implemented to reduce the risk of flooding in the future. This work has provided the necessary information to identify a number of measures, primarily ditch and culvert maintenance that will reduce the risk of future flooding.

- b. For Thurgaton the LLFA has and continues to act as the lead partner to the IDB in financing and completing a detailed feasibility study into potential flood mitigation proposals. This study will hopefully support the IDBs bid for Flood Granting Aid administered by the Environment Agency.
- c. Mansfield flooding issues are being further investigated by NCC Highways in relation to the highway drainage systems and Severn Trent Water are checking the operational effectiveness of the public sewers.
- d. Gotham flooding issues are being further investigated by the LLFA including highway drainage systems and riparian owned watercourses. Severn Trent Water are assessing the operational effectiveness of the public sewers.

## **Statutory and Policy Implications**

- 20. The County Council has a number of new statutory duties and powers under the FWMA and Flood Risk Regulations (2009) including Section 19 Reports.
- 19. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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**

- 20. The costs of the Section 19 reports will be contained within existing budgets.

## **Reason for Recommendation**

- 21. The report delivers a duty defined within the Flood and Water Management Act (2010) and in line with approved Council policy.

## **RECOMMENDATION**

It is RECOMMENDED that the Committee note for information the Section 19 reports as contained in Appendices A, B, C and D.

**Adrian Smith**  
**Corporate Director - Place**

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

Gary Wood – Group Manager Tel 0115 9774270  
Sue Jaques – Team Manager Tel: 0115 9774368

### **Constitutional Comments (SLB 14/12/2016)**

This report is for noting only.

### **Financial Comments (SES 14/12/2016)**

The financial implications are set out in the report.

**Background Papers**

None

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

Cropwell Butler	Cllr Richard Butler
Thurgaton	Cllr Roger Jackson
Gotham: (Soar Valley)	Cllr Andrew Brown
Mansfield East	Cllr Alan Bell, Cllr Colleen Harwood
Mansfield North	Cllr Joyce Bosnjak, Cllr Parry Tsimbiridis
Mansfield South	Cllr Andy Sissons, Cllr Stephen Garner
Mansfield West	Cllr Darren Langton, Cllr Diana Meale