

**REPORT OF CORPORATE DIRECTOR (PLACE)**

**STATUTORY FLOOD RISK MANAGEMENT SCRUTINY:  
SECTION 19 REPORT RE FLOODING IN RAVENSHEAD APRIL 2023**

**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 Section 19 Report in relation to the flooding in Ravenshead on 29 April 2023.

**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 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 (STW) and National Highways (formerly the Highways Agency). 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.

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 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.
8. At Transport and Highways Committee on 31 October 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). This threshold was triggered in Ravenshead on 29 April 2023; hence the Section 19 Report is included as an appendix, setting out the findings following the Authority's investigation.

### **Section 19 Summary for Ravenshead**

9. As a result of the flooding in Ravenshead on 29 April 2023 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix A.
10. The report identifies the main sources of flooding as excessive overland flows and surface water run-off, as a result of short duration, intense rainfall. This run-off followed flow paths predicted by surface water flood risk mapping and accumulated in low topographic areas.
11. Consequently, seven residential properties and one business were subject to internal flooding with more suffering flooding to gardens and outbuildings. The main areas affected are set out in detail in Appendix A.
12. Individual RMA response to the flood event are detailed in Appendix A. As indicated, all relevant RMAs carried, and continue to carry out, their respective duties.

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

13. The Section 19 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**

14. 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.
15. 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**

16. The costs of preparing and publishing the Section 19 Report are contained within existing budgets.

## **Implications for Residents**

17. 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**

18. It is anticipated that the Section 19 Report may support delivery of sustainable projects that reduce flood risk across the county whilst also reducing the negative impacts the flooding has on the environment.

## **RECOMMENDATION/S**

It is recommended that:

- 1) The Committee approves the publishing of the Section 19 report in Appendix A in line with Section 19 of the Flood and Water Management Act 2010 and our LLFA responsibilities.
- 2) The Committee endorses the work outlined in this report.

**DEREK HIGTON, CORPORATE DIRECTOR (PLACE)**

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

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### **Constitutional Comments (31/07/2023)**

The recommendations are within the remit of the Place Select Committee by virtue of its terms of reference and paragraph 13(b) of the Overview and Select Committee Procedure Rules.”

### **Financial Comments (GB 25/07/2023)**

The costs associated with preparing and publishing the Section 19 report are funded from within existing revenue budgets.

### **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.

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

- Newstead - County Councillor Christopher Barnfather
- Calverton - County Councillor Boyd Elliot