



## **APPENDIX B**

### **SECTION 19 REPORT – BINGHAM – NOVEMBER 2019**

#### **Introduction**

Section 19 of the Flood and Water Management Act 2010 states:

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) of Section 19 it must:
  - (a) Publish the results of its investigation.
  - (b) Notify any relevant Risk Management Authorities.
3. The objective of this report is to investigate which Risk Management Authorities had relevant flood risk management functions during the flooding in November 2019 and whether the relevant Risk Management Authorities have exercised, or propose to exercise, their risk management functions (as per section 19 (1) of the Flood and Water Management Act 2010).
4. The Risk Management Authorities with a duty to respond to this flooding incident are Nottinghamshire County Council (NCC) as Lead Local Flood Authority (LLFA), Network Rail and Rushcliffe Borough Council (RBC).
5. It should be noted that this duty to investigate does not guarantee that flooding problems will be resolved and cannot force others into action.

#### **Background**

6. On the 7<sup>th</sup> November 2019, parts of the East Midlands experienced a month's worth of rainfall in just 24 hours. Via East Midlands Ltd., on behalf of Nottinghamshire County Council, facilitated 66 road closures across the county, placed over 750 flood signs on the network to warn motorists of issues and delivered over 5000 sandbags. It was reported by the Environment Agency that Nottinghamshire experienced 225% of its average monthly rainfall between the 7<sup>th</sup> and 14<sup>th</sup> November. A major incident was declared at 09:50 on Thursday 7<sup>th</sup> November by the Tactical Co-Ordinating Group.

With the ground already saturated following one of the wettest autumn's on record, further intense rainfall on 14<sup>th</sup> November resulted in extensive flooding across the

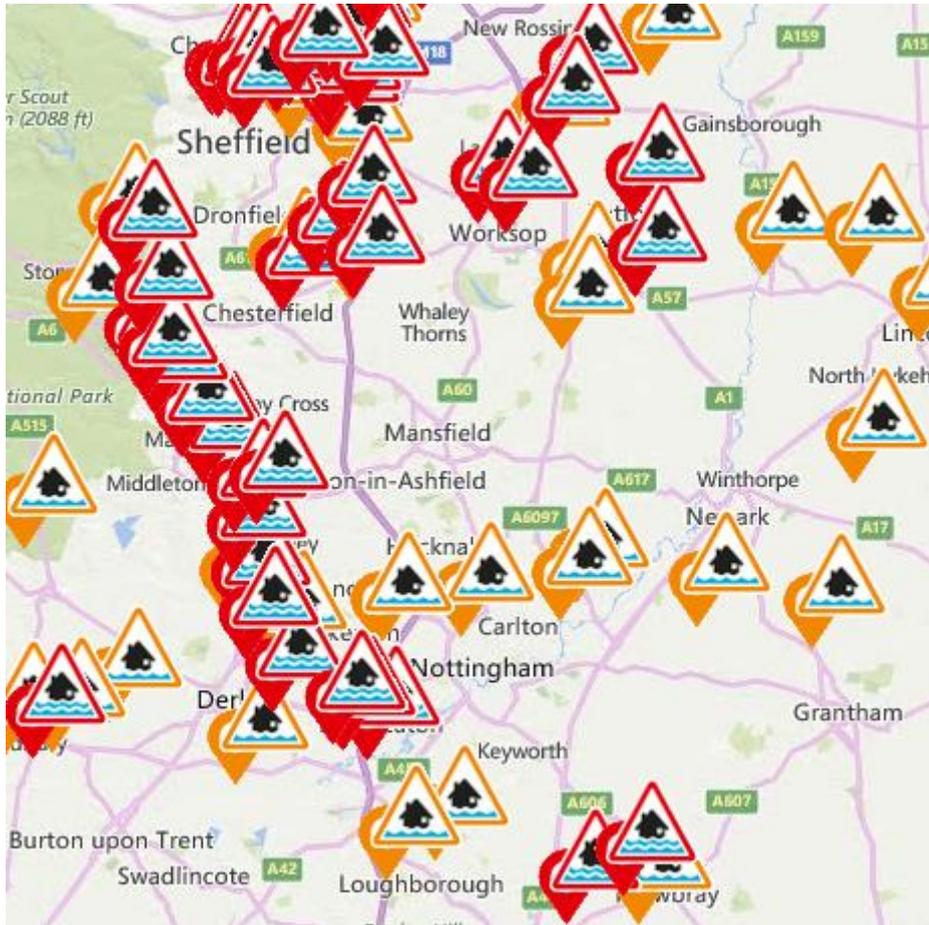
Nottinghamshire area, including Bingham (Figure 1), with a population of approximately 9100 at the 2011 Census.



**Figure 1. Location Plan**

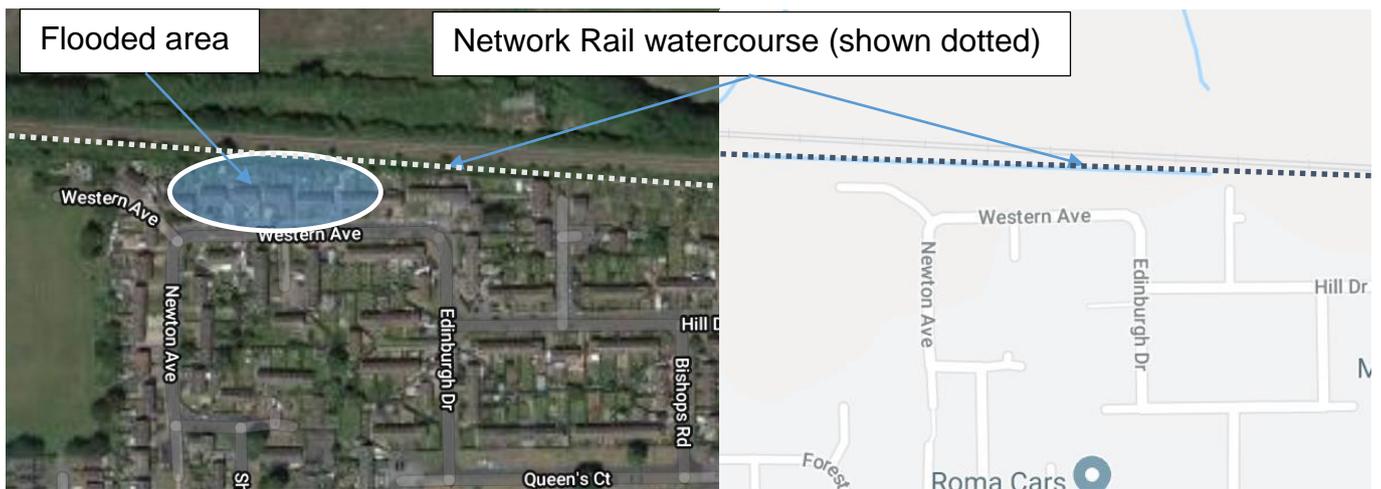
The severe weather led to Nottinghamshire Local Resilience Forum declaring a major incident. In the following days, further intense rainfall caused additional surface water and fluvial (river) flooding.

During this period the Environment Agency monitored water levels constantly and issued 38 flood warnings and 16 flood alerts across Nottinghamshire in November as shown in Figure 2 below.



**Figure 2. Flood Warnings and Alerts Issued during November 2019**

On 14<sup>th</sup> November 2019 following the prolonged period of heavy rainfall, 6 properties on Western Avenue in Bingham suffered internal flooding.



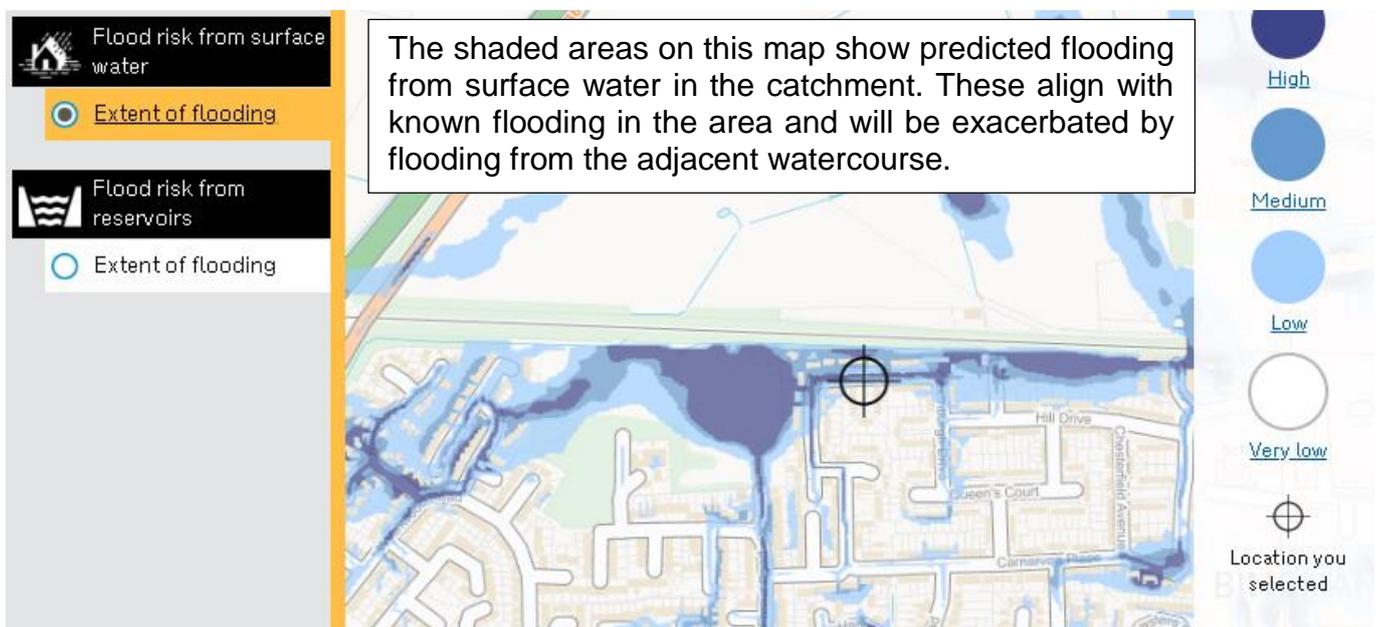
**Figure 3. Western Avenue, Bingham showing flooded area and proximity to Network Rail watercourse**

## Summary of flooding and its causes

7. The area affected sits adjacent to an existing watercourse that sits within land owned by Network Rail. The prolonged rainfall led to this watercourse being overwhelmed and resulted in the flooding of properties.

Subsequent investigations have identified that Network Rail have already identified the need to carry out maintenance work on the section of watercourse to reduce the risk of further flooding incidents. It is understood that initial tree / vegetation maintenance works are necessary to facilitate access to the watercourse, following which they will be able to determine the detail of the required maintenance activities on the watercourse.

Figure 4. below is an extract from the Environment Agency's Flood Risk mapping that clearly shows the predicted high risk of surface water flooding in the area.



**Figure 4. Extract from the Environment Agency's Flood Risk Maps**

## Risk Management Authorities and their responsibilities

8. Nottinghamshire County Council
  - a) Lead Local Flood Authority
    - i. Investigate significant local flooding incidents and publish the results of such investigations.
    - ii. Play a lead role in emergency planning and recovery after a flood event.
    - iii. Lead Local Flood Authorities also have a duty to determine which risk management authorities have relevant powers to investigate flood incidents to help understand how they happened, and whether those authorities have or intend to exercise their powers.
    - iv. By working in partnership with communities, Lead Local Flood Authorities can raise awareness of flood risks.
    - v. Lead Local Flood Authorities should encourage local communities to participate in local flood risk management.

b) Emergency Planning

- i. If a flood happens, all local authorities are 'category one responders' under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency.

c) Highway Authority (Nottinghamshire County Council / Via East Midlands Ltd)

- i. Maintenance of the public highways including highway drainage assets.
- ii. Provided site-based presence and investigations immediately following the event.

9. Rushcliffe Borough Council

- a) Category one responder under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency.

10. Network Rail

- a) Maintaining and operating the rail network and its assets.

**Risk Management Authority Responses to Flood**

11. The following lists the actions taken by each Risk Management Authority in response to the flooding both in the immediate aftermath as well as in the longer term:

a) Nottinghamshire County Council:

- i. Initiated and co-ordinated Emergency Planning procedures.
- ii. Administered the Flooding Hardship Fund.
- iii. Initiated and led the Section 19 Flood Investigation.

b) Rushcliffe Borough Council

- i. Provided emergency response support in management of flooding event.
- ii. Delivered sandbags to affected residents.
- iii. Managed and continue to manage recovery in affected Rushcliffe communities.
- iv. Administered the flood hardship fund and Community recovery grant.
- v. Administered council tax and business rate relief grant scheme.
- vi. Actively engaged in the Section 19 Flood Investigation.

c) Network Rail

- i. Responded to issues and pursuing maintenance works on watercourse to reduce risk of future flooding. The details of proposals are yet to be finalised however officers from both Nottinghamshire County Council and Rushcliffe Borough Council are liaising with Network Rail and will be informed of the detailed proposals when finalised. Nottinghamshire County Council have no previous reports of flooding in this area.

## **Additional information and future actions.**

12. All the Risk Management Authorities involved in this event are committed to continuing the investigations into the causes of this incident. Those investigations may identify further actions not listed below.
13. We will ensure Network Rail are aware of their responsibilities and continue to monitor the condition of the watercourse.
14. The local community spirit and resilience during the flooding must be recognised as without their efforts the impacts of the flooding could have been worse.
15. Where appropriate Nottinghamshire County Council and the Environment Agency administer a Flood Warden scheme, including supporting the provision of local sandbag stores, and a Community Flood Signage Scheme in communities at risk of potential flooding. All equipment and training is provided for free should there be sufficient volunteer interest in the community. Further information on these services are available on Nottinghamshire County Council's website.
16. Rushcliffe Borough Council administer a flood resilience store grant scheme to encourage community resilience. Grants of up to £1050 are available to Parish Councils. They are also administering the Governments flood resilience grant to those properties affected.
17. As the Lead Local Flood Authority we have witnessed and have experience of how flooding devastates communities. The most vulnerable in the community will be our priority. Nottinghamshire County Council will continue to work closely with partners and communities to identify ways of proactively reducing the risk, likelihood and consequences of future flooding events.