

APPENDIX O

SECTION 19 REPORT – KIRKBY IN ASHFIELD – STORM BABET, OCTOBER 2023

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 RMAs 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 RMAs.
3. The objective of this report is to investigate which RMAs had relevant flood risk management functions during the flooding in October 2023 and whether the relevant RMAs 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 for this area of Nottinghamshire are Ashfield District Council (ADC), Nottinghamshire County Council (NCC) as Lead Local Flood Authority (LLFA), VIA East Midlands Ltd as Highways Authority on behalf of NCC.
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. Kirkby in Ashfield is a market town in Nottinghamshire with a population of approximately 25,265 people according to the 2001 census.
7. On the 20th October, during Storm Babet, Kirkby in Ashfield suffered a flood event caused by sustained heavy rainfall. Between the 18th and 20th of October, 125mm of rainfall was recorded at the Sutton in Ashfield rain gauge as show by Figure 1 below.
8. This storm came after a prolonged period of persistent rain which had saturated the ground resulting in flooding of roads and properties quicker than they would following a dry period.

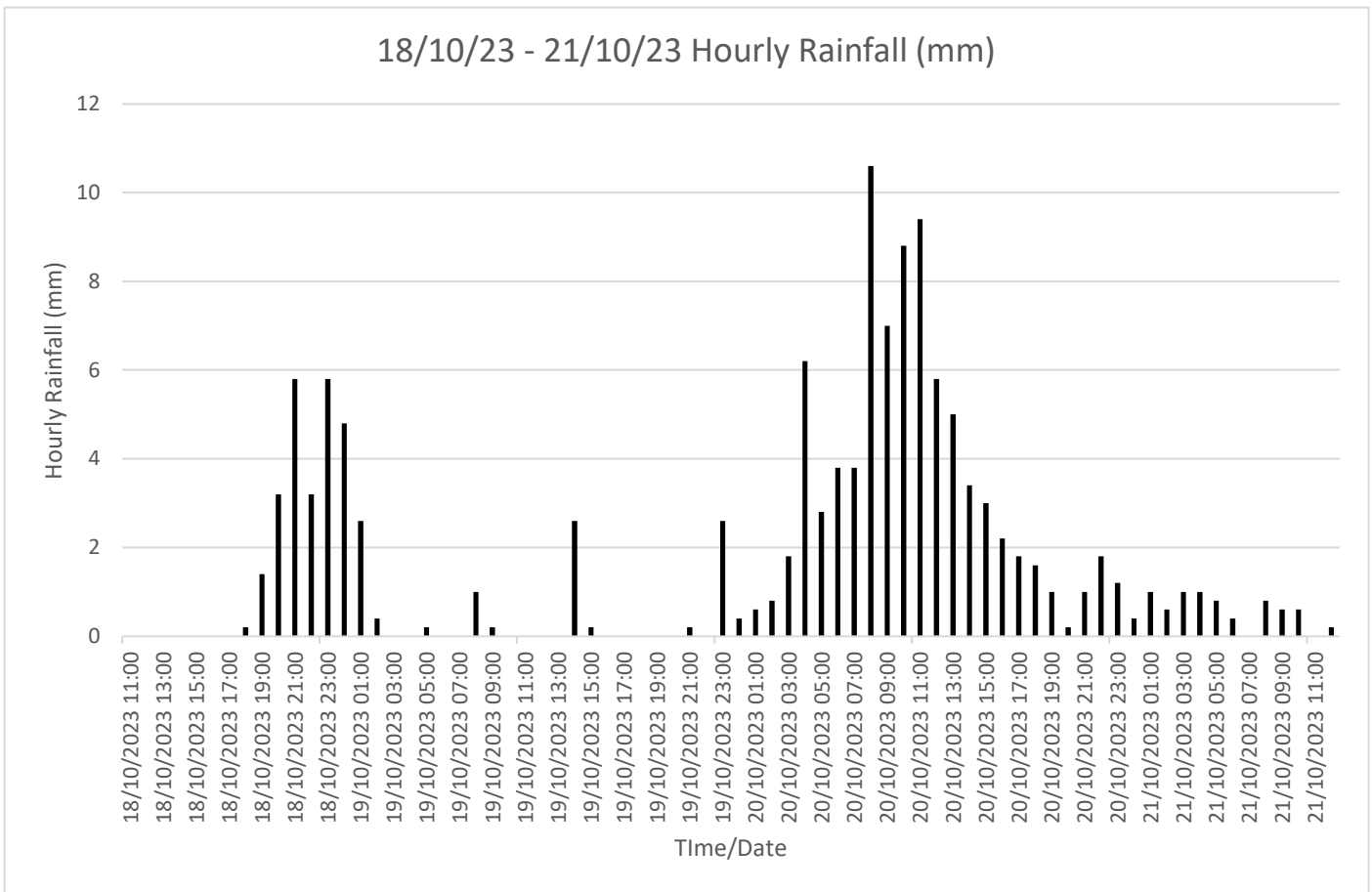


Figure 1. Sutton in Ashfield Hourly Rainfall 18th October 2023. Data supplied by the Environment Agency.

9. The internal flooding was localised in nature across 4 areas of Kirkby in Ashfield. Figures 3 – 5 highlight these specific areas and identify the affected roads and where internal property flooding was present.
 - a) Figure 3:
 - i. Cherry Avenue – 1 property,
 - ii. Sutton Road – 2 properties,
 - b) Figure 4:
 - i. Kirkby Mill View – 1 property,
 - c) Figure 5:
 - i. Lindley’s Lane – 1 property.

10. During Storm Babet most highway drainage assets were unable to cope with discharging the amount of water that fell within the small time period, as this was beyond their design capacity. This led to various instance of highway flooding which subsequently flooded properties due to a combination of run off and bow waves from vehicles driving through the flood water.

11. In some locations across Kirkby in Ashfield these issues were also exacerbated by additional surface water flows from adjacent fields, farmland and green spaces. Figure 2 below shows the affected areas across Kirkby in Ashfield.



Figure 2: Reference View for affected areas across Sutton in Ashfield. Cherry Avenue (1), Sutton Road (2), Kirkby Mill View (3), Lindley's Lane (4).



Figure 3: Reference View for affected roads: Cherry Avenue & Sutton Road.



Figure 4: Reference View for affected roads: Kirkby Mill View.



Figure 5: Reference View for affected roads: Lindley's Lane.

Risk Management Authorities and their responsibilities

12. 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 (Via East Midlands Ltd. on behalf of Nottinghamshire County Council)

- i. Maintenance of the public highways including highway drainage assets.

13. Ashfield District Council

- i. 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.

Risk Management Authority Responses to Flood

14. 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:

15. Nottinghamshire County Council.

Officers from across the County Council played a key role in the response to the Major Incident that had significant impacts across the county. The following lists the key actions taken by Nottinghamshire County Council:

- a) Initiated its Community Flood Recovery Grant to support individuals affected by internal flooding as a short-term recovery aid.
- b) Attended site after flooding occurred to verify scale of internal flooding, offer support, guidance and advice to affected residents and businesses.
- c) Information gathered on site was fed back to relevant RMA's and partners.
- d) Collated flood impact data from other RMA's and partners and published verified data on Resilience Direct.
- e) Visited flood affected residents and businesses to establish sources and mechanisms of flooding and severity of flood impacts.
- f) Chaired and attended Strategic / Tactical / Recovery Coordination Group meetings initiated by the Local Resilience Forum.
- g) Provided 24-hour support through the Emergency Planning team.
- h) Carried out relevant actions requested by Strategic / Tactical / Recovery Coordination Groups.
- i) Initiated and led the Section 19 Flood Investigation, including liaison with relevant RMA's, parish councils, community groups, affected residents and businesses.
- j) Leading on procurement and delivery of DEFRA Property Flood Resilience Repair Grant Scheme.
- k) Liaised with and supported existing community flood signage schemes during the flooding.
- l) Delivered sandbags to affected areas and communities.
- m) Closed 77 roads across Nottinghamshire to promote road safety and avoid additional flood damage to at risk areas.
- n) Supported District and Borough partners by sharing resources during the emergency response.
- o) Utilised existing communication channels to update the public, partners and Elected Members with key messages during the event.

16. Ashfield District Council:

- a) From a pro-active aspect, ADC carried out inspections of the watercourses and drainage assets we are responsible for in Sutton, Kirkby and Jacksdale on the 19th October 2023 to ensure grids etc. were clear and water was flowing.

- b) Senior Officers from ADC attended all Nottingham & Nottinghamshire LRF Strategic, Tactical, and Recovery Co-ordinating Group Meetings and the LRF Communication Cell which had also been stood up.
- c) Stood up ADC Internal Incident Management Team in response to the situation.
- d) Made reference to the LRF's Local Flood Plans for guidance (covering Hucknall & Jacksdale areas but principles applied to Sutton and Kirkby response also).
- e) Operationally, provided emergency response support in management of the flood event, working with colleagues from the LLFA prioritising attendance to affected properties, deploying sandbags to prevent internal flooding of domestic premises.
- f) Opened a Rest Centre at Hucknall Leisure Centre for evacuees from severely flooded domestic properties in Hucknall. However this was also available for use by residents from other communities in the District of Ashfield (and other LA areas) should this have been required throughout the flood event.
- g) Provided flood advice communications to members and other stakeholders through the various social media channels and platforms available to the Authority including a new Flood Advice page on the ADC website with links to well established flood advice resource such as NCC and Environment Agency web pages.
- h) Held an internal Storm Babet debrief identifying several learning outcomes and actions.
- i) Attended the Nottingham & Nottinghamshire LRF Storm Babet debrief meeting at the Environment Agency's Trentside offices – awaiting report and recommendations / learning outcomes.
- j) Actively engaged in the Section 19 Flood Investigation and provided support to the Lead Local Flood Authority.

Additional information and future actions

- 17. 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 contained within this report.
- 18. Ashfield District Council have proposed the following actions:
 - a) Implementation of learning outcomes/recommendations from ADC's internal Storm Babet debrief including new Flood Advice page on website, Rest Centre review with NCC colleagues, production of Flood Action Card for the ADC Major Emergency Plan, undertake business continuity test/exercise(s), roll out of the LRF's 'Concept of Operations' training course for all ADC Executive and Assistant Directors.
 - b) Implementation of any additional learning outcomes/recommendations from the LRF's Storm Babet debrief applicable to ADC when these are made available.
 - c) Review need to increase internal stock of sandbags.
 - d) Work with LLFA partners in any flood attenuation/prevention works in future.
- 19. 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. NCC will continue to work closely with partners and communities to identify ways of proactively reducing the risk, likelihood and consequences of future flooding events.
- 20. The Flood Risk Management team will look at the suitability of its Property Flood Resilience Programme for communities affected by Storm Babet and will take recommendations through the Cabinet Member later this year for consideration.