

Somerset Council
Scrutiny Committee
– 20.03.2024



Section 19 Reports from 2020-2022 Flood Events

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1. Summary

- 1.1.** The attached documents detail investigations into flooding events that occurred in Somerset during 2020 to 2022. The reports are required under Section 19 of the Flood and Water Management Act, which states that Lead Local Flood Authorities (LLFAs) have a responsibility to investigate flood incidents. These reports gather information on the happenings during three flood events during 2020-2022, and detail ongoing work and recommendations.
- 1.2.** These reports are for events in Croscombe, Bowlish & Shepton Mallet (3-4th October 2020), Chard & Forton (October 2021) and Ilminster (October 2021).
- 1.3.** This item links to the council's ambitions to create a greener, more sustainable Somerset, as well as a flourishing and resilient Somerset. Through investigating flood events, Risk Management Authorities and local communities can improve on procedures, implement mitigation strategies, and reduce the impact of future events, contributing to a more resilient Somerset. Furthermore, as the LLFA (Lead Local Flood Authority), Somerset Council has a statutory duty to manage flooding, and these reports assist in improving the council's ability to mitigate, respond to and prepare for such flooding events.

2. Issues for consideration / Recommendations

- 2.1.** Scrutiny Panel is asked to approve these three Section 19 reports for publishing on the Somerset Council public website, for residents and relevant Risk Management Authority partners to access.
- 2.2.** While flooding is an emotive topic, with Somerset as a region having experienced high numbers of incidents repeatedly over the last decade, these

reports provide an objective analysis of the circumstances which led to properties flooding. The intention of a Section 19 report is to give residents the opportunity to provide testimony of what occurred, in combination with Environment Agency and MET Office rainfall data, topographical information, and expert insight into how the flooding occurred and how agencies responded. The reports do not contain sensitive information and details of individual houses such as addresses have been omitted.

- 2.3.** To date, there has been a backlog of Section 19 Reports for historical flooding events, with investigations typically being published around 12-18 months after the incident. In particular, the Croscombe report has been largely delayed due to ongoing and extensive consultation with the local community. With a temporary dedicated resource now devoted to investigating flooding events, this process will become more streamlined for future reports. Investigations are also under way for events in May and September 2023, a preliminary report for which is also being brought to this Scrutiny Panel contemporaneously.

3. Background

- 3.1.** Flood investigations and reporting are known as ‘Section 19 reports’ as under Section 19 of the Flood and Water Management Act, Lead Local Flood Authorities have a responsibility, to the extent it deems necessary, to investigate flood incidents. The function of a Section 19 report is to gather information on the happenings during a particular flood event.

- 3.2.** The legislation states:

(1) On becoming aware of a flooding in its area, a Lead Local Flood Authority must, to the extent that it considers necessary or appropriate, investigate:

- (a) Which risk management authorities have relevant flood risk management functions, and
- (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, and
- (b) Notify any relevant risk management authorities.

- 3.3.** There is no prescribed time frame within legislation in which a Section 19 report must be published following a major flood event.
- 3.4.** A Section 19 report will often additionally detail any ongoing work with regards to flooding in the area, and will signpost additional work that should be considered, usually in the form of recommendations.
- 3.5.** The report for Croscombe, Bowlish & Shepton Mallet was commissioned by the Strategic Manager for Community Infrastructure in 2022 through the Professional Services Contract with the work being delivered by WSP.

- 3.6. The reports for Chard & Forton and Ilminster were initially drafted during 2022 but due to limited resourcing, have remained unpublished until this time, when a dedicated Section 19 officer has been allocated to manage the publication process and correct the most significant errors within the document.
- 3.7. Each report has been written based on testimonials from residents and parish councils, photographs, Environment Agency and Met Office rainfall data and topographical information. In addition, limited hydrological analysis was undertaken to provide an insight into the channelling and flow paths of the surface water.

4. Consultations undertaken

- 4.1. Data was gathered from stakeholders in the aftermath of each flooding event, including from residents, parish councils, the Environment Agency, MET office and Risk Management Authorities. There has been ample opportunity for communities to provide their testimonies and images which helped create a picture of what happened during each event. It should be noted that the consultation process for these reports was extensive, leading to multiple iterations of the reports being passed between numerous stakeholders.
- 4.2. Testimonials have been received in the form of FORT reports (Flood Online Reporting Tool) – a system which allows property owners, flood risk authorities and volunteers to share details of flood reports and observations. These have fed into each of the Section 19 reports to give a full picture of what happened during each event. Additionally, there exists a significant body of reporting via the flooding inbox (flooding@somerset.gov.uk), through our partners (such as the Environment Agency and Wessex Water) and in first-hand reporting from internal sources.

5. Implications

- 5.1. There are significant implications for the council if these reports are left unpublished. As the LLFA, Somerset Council has a statutory duty to investigate significant flooding incidents (see 1.1). Although no timescale is given to indicate how long after an event the report should be published, the reports are required by residents, insurance companies, Risk Management Authorities, to avoid a repeat event and learn lessons from the response.
- 5.2. Many residents suffered significant damage to their properties during these floods and require answers as to how the flooding became so extensive and what can be done to prevent it from happening again. A Section 19 report gives recommendations which feed into projects led by the council and other risk management organisations that will reduce the risk of future flooding events.

- 5.3.** The reports provide an overview of how relevant Risk Management Authorities (RMAs) responded during the flooding event. It is essential that these reports are published so that lessons can be learned about how RMAs can improve on their communication and response during a flood event to reduce risk to life and property.
- 5.4.** These reports will be used by residents to inform their Property Level Flood Resilience decisions, by Insurers to understand their risk implications, by the Local Planning Authority to inform their Planning advice and by Developers to ensure they are appropriately managing flood risk within their areas of interest.
- 5.5.** Equalities implications: no equalities implications associated with this report.
- 5.6.** Legal Implications: no legal implications associated with this report.
- 5.7.** Human Resources: no HR implications associated with this report.
- 5.8.** Community Safety: no implications associated with this report.
- 5.9.** Health & Wellbeing Implications: no implications associated with this report.
- 5.10.** Social Value Implications: no implications associated with this report

6. Background papers

- 6.1.** Appendix 2 - S19 Croscombe, Bowlish & Shepton Mallet Oct 2020
- 6.2.** Appendix 3 - S19 Chard October 2021
- 6.3.** Appendix 4 - S19 Ilminster Oct 2021

Note For sight of individual background papers please contact the report author