

Somerset Council
Scrutiny Committee
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Preliminary Report Section 19s 2023 Flood Events

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1. Summary

- 1.1. This Scrutiny Committee item details a preliminary report to the Section 19 reports for ten flooding events in 2023. These are currently being drafted, and are due to be published later this year.
- 1.2. 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 major incidents. These specific reports gather information on the happenings during multiple flood events during 2023-24, and detail ongoing work and recommendations.
- 1.3. The investigations cover one flood event in May affecting six localities, one event in September affecting three localities, one event in December, and one in January. Each area has been assigned its own Section 19 report, totalling eleven reports. This preliminary report outlines for process for how the 2023-24 investigations will be written, as well as detailing a policy for how reports will be written moving forward.
- 1.4. This item links to the council plan's ambition to create a greener, more sustainable Somerset, as part of its duty to manage flooding – a major impact of climate change.

2. Issues for consideration / Recommendations

- 2.1. Details of individual houses such as addresses have been omitted. Flooding is a sensitive topic due to loss of property and livelihood. Recurring flooding leaves residents anxious of repeat events. Reports need to be published so lessons can be learned, mitigations put in place, repeat events avoided and flood responses improved.

- 2.2.** Ordinarily, investigations would be started and completed within twelve months of a flood event. In this instance the Flood & Coastal Team were unable to resource this function and temporary staffing has had to be sought, leading to delays. This paper recommends that this preliminary report is published on the Somerset Council website for public viewing immediately, so that the affected communities may be assured that a process for the pending Section 19 investigations is in place.

3. Background

- 3.1.** Flood investigations and reporting are often 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 says:
- (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 no prescribed time frame within legislation in which a Section 19 report must be published following a major flood event.
- 3.4.** Somerset Council has set a threshold of ten internally flooded properties within a locality, this threshold having been exceeded in several instances throughout the throughout the county in 2023.
- 3.5.** Data has been gathered from many relevant stakeholders both during and in the aftermath of each flooding event, including from residents, parish councils, the Environment Agency, MET office and Risk Management Authorities. This data has been, or is being, collected and filed, ready for accessing and review at the appropriate time.
- 3.6.** A Section 19 report will often 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. This preliminary report provides a high-level investigation that can provide a prompt overview of the flood events to the impacted communities & stakeholders. This phase provides an insight into areas for further investigation in the

following Section 19 reports while demonstrating that Council is responding to the urgency of the matter and engaging with the communities.

- 3.7.** This Preliminary Report does not contain the finalised Section 19 reports for each of the nine incidents but lays out the intended course of action for writing these reports. This includes the identification of relevant stakeholders, data collection methodologies, an explanation of the chosen groupings based on number of properties flooded and topography of the area.
- 3.8.** Following the release of this report, full Section 19 investigations be undertaken for the areas defined in phase one with additional investigation and data gathering undertaken to provide best insight into the mechanism of flooding, impact, lessons learned, involvement of Response Management Authorities during the events and recommendations stemming from this.
- 3.9.** According to this preliminary report, the eleven Section 19 Reports for 2023 will be finalised and published by December 2024.

4. Consultations undertaken

- 4.1.** Data has been gathered from many relevant 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 help create a picture of what happened during each event.
- 4.2.** Many 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.** The report as provided commits the Council to delivery of the full suite of Section 19 reports stemming from flood events in 2023 and early 2024. This will ensure that the Council meet the statutory requirements of the Flood & Water Management Act 2010, and also those expectations of those parties directly impacted by the flooding.
- 5.2.** The full implications of the Section 19 reports will be far broader, providing advice and insight into risks that may or may not inform future planning, such

as the Countywide Strategic Flood Risk Assessment, the Local Plan and other Planning matters.

- 5.3.** Equalities implications: no equalities implications associated with this report.
- 5.4.** Legal Implications: no legal implications associated with this report.
- 5.5.** Human Resources: no HR implications associated with this report.
- 5.6.** Community Safety: no implications associated with this report.
- 5.7.** Health & Wellbeing Implications: no implications associated with this report.

6. Background papers

- 6.1.** Appendix 1 - Preliminary Report - S19s (2023-24)

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