

Committee Name and Date of Committee Meeting

Improving Places Select Commission – 22 October 2024

Report Title

Section 19 Report for Storm Babet

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Andrew Bramidge – Strategic Director for Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

In accordance with the Flood and Water Management Act 2010 Rotherham Metropolitan Borough Council, as the Lead Local Flood Authority, has carried out an investigation into the incidents of flooding caused by Storm Babet in October 2023 and prepared the Section 19 report. This report details how the flooding occurred, which risk management authority is responsible and what can be done to reduce the risk in the future.

Recommendations

1. It is recommended that the Report is noted by the Improving Places Select Commission.

List of Appendices Included

Appendix 1 Section 19 – Storm Babet
Appendix 2 FAQ – Storm Babet
Appendix 3 Community Engagement Events.
Appendix 4 Presentation

Background Papers

The section 19 is a requirement of the Flood and Water Management Act 2010.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None.

Council Approval Required

No

Exempt from the Press and Public
No

Section 19 Report for Storm Babet

1. Background

- 1.1 Storm Babet resulted in the most severe and widespread disruptive weather impacts of 2023. Multiple severe flood warnings were issued by the Environment Agency. Over 1000 homes in England were also affected by flooding across Yorkshire, the East Midlands and the Humber area. Yorkshire recorded its wettest 3-day period on record. This rain came on top of very wet weather earlier in October with some central and eastern parts of England recording more than twice the October whole month average rainfall in the first three weeks of the month. Rotherham Borough was heavily affected across the catchment, with internal flooding to 182 properties and 9 businesses. 148 properties were affected in the Catcliffe and Treeton area alone.
- 1.2 Under Section 19 of the Flood and Water Management Act 2010 (Part 1.3 Section 19), as the LLFA, RMBC has the duty to investigate flood incidents and publish the results of the investigation.

The act states that:

On becoming aware of a flood in its area, a LLFA must, to the extent that it considers it necessary or appropriate, investigate.

- a) which RMA 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.

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.

2. Key Issues

- 2.1 Rotherham Council's Local Flood Risk Management Strategy states that a Section 19 investigation will be carried out if there are 5 or more properties flooded internally. Rotherham Council has adopted the Planning Portal definition relating to internal flooding. This defines a habitable room, above floor level. It states 'any room used or intended to be used for sleeping, cooking, living, or eating purposes. Enclosed spaces such as bath or toilet facilities, service rooms, corridors, laundries, hallways, utility rooms or similar spaces are excluded from this definition'. 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 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.

3. Options considered and recommended proposal

3.1 Within the document several options have been considered for reducing flood risk for the areas affected by Storm Babet. A brief overview is highlighted below, the full explanation of the options can be found in the Community Flood Information Sheet for each area.

3.2 Catcliffe

Options to reduce the risk of future flooding are currently being investigated, and the Council is committed to funding three option appraisals to determine the most effective solution. These studies will be conducted as a desktop analysis to identify the best approach and are expected to be completed within 12 months. Following this, consideration will be given to the benefits of bringing the chosen option to a completed design, which will include:

- The feasibility study (a study to determine the viability and the benefits)
- Surveys and investigations for ecology, environmental, topographic and ground conditions
- Calculations
- Scheme design drawings (outline and detailed)
- Third party approvals (Environment Agency, utility companies, etc.)
- Landowner agreements
- Planning applications

Similar complex flood alleviation schemes have been delivered through the Councils 'Shovel Ready' project and have taken 3 years to reach pre construction detailed design.

Option 1 Upstream storage of storm water outside of the Rotherham catchment area to reduce peak flows of water within the River Rother.

Option 2 Increase the standard of protection defences around Catcliffe and Treeton Village.

Option 3 Alterations to the existing bridge on Treeton Lane to improve the flow path of the River Rother.

A Flood Alleviation Scheme to construct a new pumping station will have all designs and plans completed by April 2025. The pumping station will over pump surface water from the catchment area into the River Rother when levels in the river make this unachievable naturally (by gravity feed). This scheme will not reduce the risk of flooding from the River Rother but automate the existing pumping regime and allow better use of the Councils resources.

Whiston

- 3.3 A Flood Alleviation Scheme will start in late 2025, subject to approvals and legal agreements. The scheme aims to provide upstream storage of storm water, natural flood management measures and watercourse improvements to help mitigate flooding in Whiston.

Laughton Common

- 3.4 A Flood Alleviation Scheme will start in late 2025, subject to approvals and legal agreements. The scheme aims to provide upstream storage and watercourse improvements to help mitigate flooding in Laughton Common.

Various Other Affected Areas

- 3.5 Residential and Commercial Property Internal flooding is the highest priority when investigating flooding issues. The delivery of projects to reduce flood risk is prioritised to avoid internal flooding over area flooding. Initial investigations have been carried out and schemes are currently being designed.

4. Consultation on proposal

- 4.1 The Section 19 report is a stand-alone document and will not be subject to further review or consultation. The council have committed to investigate the full next steps and have a detailed outline of the feasibility of the next steps within 12 months.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Next Steps to be reviewed by June 2025.

6. Financial and Procurement Advice and Implications

- 6.1 No Financial or procurement implications.

7. Legal Advice and Implications

- 7.1 The Pitt Review was published in 2008 following the catastrophic floods in 2007 which resulted in 13 fatalities and widespread destruction. The review contained 92 recommendations from lessons learnt. These were addressed to the government, local authorities, Local Resilience Forums (LRF), insurers, the public, and providers of essential services.

In response to the Pitt Review, a new Act of Parliament called The Flood and Water Management Act was implemented.

The Flood and Water Management Act was published in 2010 to take forward the Pitt Review recommendations and create a national approach to flood risk management across England and Wales. The creation of Lead

Local Flood Authorities (LLFA) formed part of the Act along with Risk Management Authorities (RMA) all of whom have responsibilities in the management of flood risk. As the LLFA, Rotherham Metropolitan Borough Council is responsible for the coordination and management of local flood risk (ordinary watercourses, surface water, and groundwater) and is required to work in cooperation with relevant authorities and RMAs. Other agencies and authorities defined as the RMAs (Part 1.1 Section 6) included for the purpose of this rainfall event:

- Environment Agency
- Yorkshire Water
- Severn Trent Water

Under Section 19 of the act (Part 1.3 Section 19), as the LLFA, RMBC has the duty to investigate flood incidents and publish the results of the investigation.

The act states that:

On becoming aware of a flood in its area, a LLFA must, to the extent that it considers it necessary or appropriate, investigate

- a) which RMA 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.

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.

The extent to which a particular flood is investigated is determined on a case-by case basis considering factors such as the source, duration, geographical spread, and severity of impact. In some circumstances, a flood enquiry triggers a formal investigation. The trigger for a formal investigation is when the enquiry meets or exceeds locally agreed criteria. Previous Section 19 reports can be found on the Rotherham Council website.

8. Human Resources Advice and Implications

8.1 No HR Implications.

9. Implications for Children and Young People and Vulnerable Adults

9.1 No Implications for Children, young people and vulnerable adults.

10. Equalities and Human Rights Advice and Implications

- 10.1 The Section 19 investigation looks at how to reduce flood risk to properties that was affected in October 2023 from Storm Babet this will provide a reduction to flood risk for residents, businesses and critical infrastructure, including schools, highways, and other public transport links within the Borough.

All residents, businesses, local Councillors and relevant stakeholders are consulted prior to the delivery of schemes, which includes the submission of planning applications where needed. All queries relating to access to properties or businesses are considered in the provision of the works. All additional requirements required to meet any specific needs of a group or individual during the delivery of our works will be accommodated, where practical and appropriate.

The Council will liaise with the various media outlets and social media portals, including the Council website, to make the wider community aware of the proposed, provide a method for interested parties to influence works and allow regular updates during the progress of the next steps.

The Council has already engaged with communities through Parish/Town Councils in workshops, distributed newsletters to residents and businesses previously affected by flooding, as well as engagement with stakeholders, landowners and residents where applicable in the environmental and engineering surveys for the schemes.

11. Implications for CO₂ Emissions and Climate Change

- 11.1 There are no CO₂ Emissions or Climate Change implications associated with this report.

12. Implications for Partners

- 12.1 Consultation with all key stake holders have taken place including the Environment Agency, Yorkshire Water and Severn Trent Water

13. Risks and Mitigation

- 13.1 No Risk identified.

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This report is published on the Council's [website](#).