

Mr Matthew Kewley
Assistant Coroner for Derby and Derbyshire
Coroner's Court
Town Hall
Rose Hill
Chesterfield
Derbyshire
S40 1LP

29 October 2025

Dear Mr Kewley

Environment Agency Response to a Report to Prevent Future Deaths under Regulation 28, Coroners (Investigations) Regulations 2013, dated 8 September 2025, following the fatality of Maureen Gilbert at Tapton Terrace, Chesterfield

On behalf of the Environment Agency, I would like to send our sincere condolences to the family of Mrs Gilbert.

You reported the following matter of concern at the conclusion of the inquest, as set out in the Regulation 28 Report –

“Following the flood damage to Tapton Terrace in 2007, the Environment Agency’s pre-feasibility study identified a number of technically feasible options that would reduce the flood risk at Tapton Terrace. None of these measures were implemented principally due to cost reasons. When Storm Babet hit in October 2023, Tapton Terrace remained in the same position that it was in back in 2007. Due to the ongoing lack of flood defences, Tapton Terrace remains vulnerable to flooding. I am concerned that this gives rise to a risk to life, particularly in respect of residents who may be elderly, vulnerable or immobile.”

The Environment Agency’s response is as follows, setting out the details of action taken or proposed to be taken, and likely timescales.

Provision of Flood Defences at Tapton Terrace

The Environment Agency has powers contained in the Water Resources Act 1991 to build and deliver flood risk management schemes across England. In terms of flood risk, all flood defences constructed have a residual risk of being overtopped. Building flood defences reduces and minimises the risk of flooding to communities but defences are not able to eliminate that risk or a risk to life.

The Tapton Terrace Pre-Feasibility Study from April 2008 recommended that the proposed storage areas on the River Hipper and at the Avenue were taken forward to feasibility stage or beyond. The Pre-Feasibility Study confirmed that there were no affordable options to deliver flood defences at Tapton Terrace. Based upon the existing appraisal and funding rules that must be followed, together with the huge increase in construction costs in recent years, the options remain unaffordable.

However, from April 2026 we anticipate that revised appraisal and funding rules will be brought into effect that might result in a different outcome at pre-feasibility stage. Therefore, we propose to undertake a further study (now referred to as Strategic Outline Case) to reassess the technically feasible, environmentally acceptable, and cost beneficial flood defence options at Tapton Terrace under the new rules when in force. The study will involve carrying out updated modelling and appraisal work. We are of course unable to predict the outcome of the study or guarantee that this will result in a feasible and affordable flood defence scheme being delivered at Tapton Terrace, however we will commence the process of undertaking the study in 2026.

Whilst no flood defences were delivered at Tapton Terrace following the 2007 floods, the Avenue Flood Balancing Reservoir, 4km upstream, was delivered as a flood risk management scheme by Homes England, in partnership with the Environment Agency and brought into operation in 2018. As explained in [REDACTED] evidence at the inquest, the reservoir operated to capacity during Storm Babet. Without this substantial storage capacity, Tapton Terrace would have flooded much earlier, with higher flows in the River Rother coinciding more closely with the peak flow from the River Hipper.

We are continuing to work with flood risk partners such as Derbyshire County Council to develop other flood alleviation schemes, including further natural flood management and storage within the River Rother catchment upstream of Tapton Terrace. Such an approach is consistent with the Agency's Catchment Flood Management Plan for Chesterfield.

We are currently leading the appraisal of the River Hipper Flood Alleviation Scheme. The scheme would contribute to a further reduction in flood risk to the community at Tapton Terrace through the storage of flood waters upstream, thereby reducing peak flows.

At this stage we are unable to quantify the reduction in flood risk that each project might provide to Tapton Terrace, as the modelling work for each project has yet to be started. We will take action, where indicated, in accordance with our responsibilities, but schemes would need to be feasible and affordable in order to be delivered.

Channel Conveyance Improvements

Improving the capacity of a river channel can help to reduce flood risk by improving channel conveyance. Improvements can include raising the height of, or removing, constraints such as bridges. Improvements can also include maintenance activities such as dredging and vegetation management. Before being carried out, the Agency would consider any downstream impacts that might arise so that flood risk is not increased downstream, as well as an assessment of their overall sustainability.

As you know from the evidence we presented, the Agency carried out river channel surveys in 2024 following Storm Babet in order to compare the river channel against earlier surveys carried out in 2011. The 2024 surveys demonstrated that the profile of the river channel has remained static with negligible changes over the period since 2011. Based upon this evidence, we remain of the view that dredging the river channel at Tapton Terrace would not provide any flood risk benefit to the community. If there is a more significant increase in the level of the riverbed or other significant changes in profile in the future, then the Agency would work with riparian owners to assess whether dredging works would be possible and take action where necessary.

We will continue to carry out winter maintenance walkovers of the river channel at Tapton Terrace to check the need for vegetation management as part of our ongoing risk management of main river channels and take action accordingly.

We are working with Derbyshire County Council to support them with their investigations into the removal of the Crow Lane Bridge, which is a County Council adopted highway asset. In 2026, we will include updated modelling work as part of the study to be prepared by the County Council in order to assist their technical understanding of the flood risk benefits of removing the bridge. As noted in the Pre-Feasibility Study in 2008, removal of the bridge may provide some limited benefit to the area immediately upstream of Tapton Terrace itself.

Flood Warnings and Improving Resilience

As you are aware, the Environment Agency has a statutory responsibility to manage the risk of flooding from main rivers, reservoirs, estuaries, and the sea. Part of our response to these risks is the national Flood Warning Service. This provides communities and our flood risk partners with advanced warning of flooding. It is important that those at risk of flooding are signed up to our Flood Warning Service so they can act appropriately. Our Flood Warning Service includes a Flood Warning at Tapton Terrace where the circumstances arise, and currently 20 of the 26 properties at Tapton Terrace are signed up to receive that warning.

After flood events we validate the accuracy of our flood warnings and make improvements where necessary. Over time we also improve our IT systems that provide the warnings and improve our flood forecasting models that predict the timing and extent of flooding. In response to the increasing challenges posed by future flood risks we have replaced our existing 'Sign up for flood warnings' service on GOV.UK with a more advanced, user-focused, and resilient service.

The improved 'Get flood warnings' service continues to provide timely and accurate flood warning messages to those at risk, using modern technology to better meet the needs of the public, businesses, organisations, and emergency responders, ensuring improved accessibility, reliability, and responsiveness during flood events. The new 'Get flood warnings' service launched on 21 October 2025.

We are an important member of the Floods Resilience Taskforce which has been set up to improve our preparedness for, and resilience to, all types of flooding affecting people, homes, and businesses. The Floods Resilience Taskforce brings together experts and decision makers from across UK Government, non-governmental bodies, and industry organisations at local and national level. It includes stakeholders that are involved in all stages of flooding resilience, including preparedness, response, and recovery.

The Agency will continue to take action to improve our systems and processes in order to provide the best Flood Warning Service that we can, which includes working with communities to improve sign-up rates. We will continue to work with national experts and decision makers to improve flood resilience and to create climate resilience in line with our national flood and coastal erosion risk management strategy.

Compulsory Purchase

Compulsory purchase is a legal function that allows certain public bodies to acquire land or rights over land for a specific purpose, if the landowner is not willing to sell by agreement. Conceivably, the appropriate public body could seek to compulsorily purchase all the properties at Tapton Terrace in order to eliminate the risk to life from flooding at this location. The purchase of the properties would be carried out through a Compulsory Purchase Order. The Environment Agency has compulsory purchase powers, but these can only be used as part of the delivery of a flood risk management scheme, for example where a flood defence needs to be built in the same location of an existing property. As there is currently no feasible flood scheme at Tapton Terrace requiring the removal of the houses, we would not be able to use our compulsory purchase powers in this instance. Therefore we are unable to take action to that extent in relation to Tapton Terrace.

We hope that this information addresses the concern that you have raised. Please let us know if there is anything further that you require in response to your report. We are dedicated to working with our partners and communities to strengthen resilience to flooding in response to the growing challenges posed by climate change.

Yours sincerely



Chief Executive, Environment Agency