

Environment, Development & Transport Committee

Item No.

Report title:	Consultation on the De-maining of the River Thet
Date of meeting:	17 March 2017
Responsible Chief Officer:	Tom McCabe – Executive Director, Community and Environmental Services

Strategic impact

There are 8,429 km of watercourses in Norfolk. The Environment Agency regulates 1,174 km of these watercourses that are designated as Main Rivers. Main Rivers are designated where the watercourse is considered to have an impact on strategic flood risk.

The Environment Agency are reviewing the Main River network to identify watercourses that may be better re-classified as Ordinary Watercourses – which is termed de-maining. The reclassification of stretches of Main Rivers as Ordinary Watercourses will not affect the overall level of flood risk, however it would increase the number of properties at local flood risk, as properties currently at risk of flooding from the stretches of river concerned (strategic flood risk) will be transferred to local flood risk register.

Executive summary

The Environment Agency has identified initial ‘front-runner’ locations, across the country, where de-maining may be a suitable option and there are Internal Drainage Boards (IDBs) or Local Authorities willing to take on the watercourse.

The Environment Agency are proposing to de-main 11.6km of the River Thet. This will mean that three properties previously at strategic flood risk would be transferred to local flood risk.

The Environment Agency are working with East Harling IDB to look at the option of de-maining the River Thet from the A11 south of Attleborough, to the A1066 Melford Road Bridge in Thetford.

This process would need to take place in two phases:

- Phase 1 - de-mainment and subsequent adoption of the section of watercourse within the IDB's area.
- Phase 2 - de-mainment and adoption of the watercourse downstream of East Harling weir subject to the extension of the IDB's boundary.

Appendix B has a map showing the two phases for de-mainment.

This proposal is for phase 1 of the project only.

The Environment Agency must consult on these changes and requires the support of the County Council as Lead Local Flood Authority, before commencing consultation. This project has been considered by the Flood & Coastal Management Member Working Group chaired by Cllr Strong. The working group agreed to recommend that the Committee support Phase 1 de-mainment proposal.

Recommendations:**Members are requested to:**

- a) consider the proposal for phase 1 of the project and formally notify the Environment Agency of the County Council's support for Phase 1 in its role as Lead Local Flood Authority.

1. Proposal

- 1.1. Members are asked to consider the proposal for phase 1 of the project and decide whether they wish to support the proposal as set out in Appendix A – River Thet demaining paper. This paper, outlining the project and progress, was submitted to the Anglian (Central) Regional Flood and Coastal Committee on 19 January 2017.

2. Evidence

- 2.1. Within the proposed de-mainment area there are 3 properties shown to be within the Environment Agency's flood zones, indicating they are at risk of flooding from the River Thet. One of these is a Youth Club, one a commercial property, and one residential
- 2.2. There are no Environment Agency flood risk assets associated with the stretch of watercourse where de-mainment is proposed. The only asset on this stretch of watercourse is a flow gauge, which would remain with the Environment Agency, along with the responsibility for ongoing maintenance.
- 2.3. The Environment Agency consider East Harling Internal Drainage Board to be a willing and competent Risk Management Authority who are keen to adopt this stretch of watercourse.
- 2.4. The IDB are already carrying out maintenance works on the tributaries of the Thet, and work on the current Main River through a Public Sector Co-operation Agreement with the Environment Agency.
- 2.5. As the stretch of the Thet covered by this proposal is located entirely within the existing Internal Drainage District, if the IDB were to adopt it, maintenance work could be reprioritised across all watercourses within the drainage district. No specific maintenance actions are detailed in the proposal and no increase in funding requirements are identified. These decisions would ultimately be for the Internal Drainage board.
- 2.6. Natural England are supportive of the project and are working with the IDB to ensure sensitive maintenance is carried out and there is no detrimental impact on the neighbouring Swangey Fen.
- 2.7. The Anglian Central Regional Flood and Coastal Committee are supportive of the project. Informal consultation with local stakeholders has not raised any significant objections to the project.

3. Financial Implications

- 3.1. There are no direct financial impacts for the County Council as a result of phase 1 of the project. This and future de-maining projects will increase the number of properties considered at risk from local flood sources. Norfolk County Council, as Lead Local Flood Authority, is responsible for the co-ordination of local flood risk management. Members would be consulted on any future de-maining projects.

- 3.2. The Internal Drainage Board is funded from a number sources. A “Highland Water Charge” (currently £25k) is paid to the IDB by the Environment Agency, a Special Levy (currently £30k) is paid by Breckland District Council and drainage rates (currently amounting to £16k) are paid by major land owners within the IDB’s Internal Drainage District. The highland water charge will remain unchanged, changes to the special levy and drainage rate are solely matters for the Internal Drainage Board themselves and may be increased or decreased in line with the future level of maintenance activity proposed.

4. Issues, risks and innovation

- 4.1. The Lead Local Flood Authority has a strategic overview role on Ordinary Watercourses and therefore the implications if de-mainment occurs are:
- The LLFA would need to update their local Flood Risk Management Strategy to reflect these additional watercourses and associated flood risk.
 - The LLFA are required to hold an asset register of all assets in their area and would therefore need to be made aware of any additional assets.

5. Background

- 5.1. The Environment Agency consider the stretch of the Thet subject to this proposal to be of low flood risk consequence (3 properties at risk) and therefore cannot justify carrying out maintenance works on this stretch of the river.
- 5.2. The Environment Agency are working with East Harling Internal Drainage Board (IDB) to look at the option of de-maining the River Thet from the start of main river, south of Attleborough, to the downstream extend of the East Harling Drainage District, at East Harling Weir.
- 5.3. This would mean that under the Land Drainage Act the IDB would have ‘permissive powers’ to carry out maintenance. The IDB would have general supervision in the Internal Drainage District and a duty to maintain flow. Following de-mainment the Environment Agency would no longer have any ‘powers’ to carry out maintenance work on the watercourse.
- 5.4. Informal consultation has been carried out with key stakeholders, including local the Internal Drainage Board. Parish Councils within whose area the river passes have also been informed and two drop in events, open to the public were held in November 2016. No major objections have been raised at these meetings.
- 5.5. Breckland District Council are currently involved in the project, and formal consultation will not be progressed until the Environment Agency have their support for the project as well.
- 5.6. Formal public consultation is planned for summer 2017. For this consultation to take place we require formal written support for the project from the LLFA.

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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