27 January 2014

Dear Parish Council,

The future of the South West Sussex Internal Drainage District

The Environment Agency wrote to you in October 2012 to explain the proposed changes being suggested to the way the Environment Agency Internal Drainage Districts (IDDs) in West Sussex are managed. These proposed changes present an opportunity to review and shape the future of water level management for flood risk and other purposes in the IDD and make them more locally accountable. The proposed changes will only affect the management of ordinary watercourses. They will not affect work on Main Rivers.

Following a ratepayer survey completed in autumn 2012, a Steering Group was formed for the West Sussex IDDs. The Steering Group includes representatives of the District, Borough and County Councils within the IDDs as well as the National Farmers Union (NFU), Country Land and Business Association (CLA), South Downs National Park Authority (SDNPA), Natural England (NE), the Rivers Trusts and the Environment Agency.

The Group has met several times to consider the costs and benefits of alternative arrangements for the IDDs in the county if the existing IDDs managed by the Environment Agency are dissolved. The options being considered are:

Option 1: Communities or other suitable organisations set-up new independent Internal Drainage Boards (IDB/s) to take over some or all of the interests of the existing IDD/s;

Option 2: Dissolve the existing IDD so that:
- Riparian landowners become responsible for the maintenance of the watercourse and structures (including pumping stations);
- District and borough councils have permissive powers to undertake flood risk management work for an ordinary watercourse;
- County Councils take on responsibility for enforcement and consenting and have powers to carry out flood risk management work with regard to surface run-off and groundwater.

Option 3: As Option 2, but communities and other interested parties work in partnership to establish co-operative arrangements without an IDB.

Although some District/Borough Councils and the SDNPA also wanted the Environment Agency remaining as the IDB to be an Option, it was not included because the Environment Agency considers that local accountability could not be provided.

Evidence suggests that the majority of residents and businesses in the IDDs would get better value if the existing IDDs are dissolved and the IDD watercourses and assets are managed like any other ordinary watercourses and assets not in an IDD (Option 2). Local authorities and drainage ratepayers would no longer have to pay towards the IDD. Provided the funding stream remains, this would offer flexibility for them to use this money to undertake work themselves and target their priorities.

Although the NFU, CLA and the SDNPA would prefer a new IDB to be put in place, the Steering Group passed a majority decision to recommend Option 2 as the best alternative if the existing IDDs are dissolved, subject to local risks being managed. These risks include reaching arrangements for the continued protection of internationally important environmental sites in the Arun valley.

What happens next?
During February and March District, Borough and County Councillors in each IDD will be considering the recommendation not to set up a new IDD and whether any of the special levy funds released can be made available for future land drainage work if the Minister approves that the existing one is dissolved. Ratepayers have an opportunity to make representations to their local councillors.

The Environment Agency plans to submit a proposal to Defra, by the end of June 2014, to dissolve the West Sussex IDDs on 31 March 2015. The Environment Agency will write to you to confirm the proposal being sent to Defra and the expected date of dissolution of the existing IDDs. Once the proposal is submitted there will be further opportunities to make representations to Defra. Ultimately it is the Minister who will make the final decision on the proposal. As local authorities provide over 90% of the funding for the IDDs, the Minister would be unlikely to sign a statutory order setting up a new IDD without their support.

If the Minister approves the proposal, the River Adur IDD, the River Arun IDD and the South West Sussex IDD will be dissolved on 31 March 2015 and the Environment Agency will no longer maintain the IDD watercourses in West Sussex or operate the small number of pumping stations on those watercourses.

Between the proposal being submitted and the potential dissolution on 31 March 2015, district and county councils may consider the need for works by riparian landowners and undertaking works themselves in locations where there may be an increase in flood risk to people or properties if funding is made available. The Environment Agency will work with riparian landowners to help them understand and meet their responsibilities when the IDDs are dissolved.

What you can do if you still have questions or concerns?
Please refer to the attached questions and answers leaflet. If you have any general questions about the future of the IDDs or the process, you can write to the IDD project manager at the address below.

If you would like to comment further on the recommended option, or have any other concerns or questions, please contact the district or county council directly or via the Environment Agency at the address below or by emailing:

For the River Arun IDD – riverarunidb@environment-agency.gov.uk
For the River Adur IDD – RiverAdurIDB@environment-agency.gov.uk
For the South West Sussex IDD – SouthWestSussexIDB@environment-agency.gov.uk

You will also have the opportunity to contact Defra once a proposal has been submitted.

Members of the NFU or CLA can also contact:

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The NFU and CLA will ensure your views are made known to both the local authorities and Defra as appropriate.

Yours sincerely



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