



Rationalising the Main River Network: Suffolk De-maining Pilot Consultation

January 2018

We are the Environment Agency. We protect and improve the environment.

Acting to reduce the impacts of a changing climate on people and wildlife is at the heart of everything we do.

We reduce the risks to people, properties and businesses from flooding and coastal erosion.

We protect and improve the quality of water, making sure there is enough for people, businesses, agriculture and the environment. Our work helps to ensure people can enjoy the water environment through angling and navigation.

We look after land quality, promote sustainable land management and help protect and enhance wildlife habitats. And we work closely with businesses to help them comply with environmental regulations.

We can't do this alone. We work with government, local councils, businesses, civil society groups and communities to make our environment a better place for people and wildlife.

Published by:

Environment Agency
Horizon House, Deanery Road,
Bristol BS1 5AH
Email: enquiries@environment-agency.gov.uk
www.gov.uk/environment-agency

Further copies of this report are available
from our publications catalogue:
www.gov.uk/government/publications

or our National Customer Contact Centre:
T: 03708 506506

Email: enquiries@environment-agency.gov.uk.

© Environment Agency 2017

All rights reserved. This document may be
reproduced with prior permission of the
Environment Agency.

Executive summary

The Environment Agency want to strengthen local decision making by enabling internal drainage boards (IDBs), lead local flood authorities (LLFAs) and district councils to take responsibility for their local flood risk where they want to, and where appropriate.

We are proposing to transfer the management of flood risk on some rivers to other risk management authorities (RMAs). Consultation on these proposals is now taking place in Suffolk for the following watercourses:

- **The Bologney River, near Iken, Suffolk** The Environment Agency is proposing to transfer responsibilities to East Suffolk Internal Drainage Board, Suffolk County Council (LLFA) and Suffolk Coastal District Council.
- **Cookley Watercourse, near Cookley, Suffolk** The Environment Agency is proposing to transfer responsibilities to East Suffolk Internal Drainage Board, Suffolk County Council (LLFA) and Suffolk Coastal District Council.
- **The River Wang, near Wangford, Suffolk** and its tributaries: **Uggeshall Watercourse** and **the River Trent** The Environment Agency is proposing to transfer responsibilities to East Suffolk Internal Drainage Board, Suffolk County Council (LLFA) and Waveney District Council.

This transfer would result in these stretches of river being removed from the statutory main river map. They would be re-designated as ordinary watercourses, with flood risk management activities passing to the relevant internal drainage boards (IDBs) or lead local flood authorities (LLFAs)/district councils.

The maintenance responsibilities of riverside (riparian) landowners¹ would not change. The permissive powers to undertake maintenance on the watercourses would be transferred to the internal drainage board or district council. They will only use these powers where they deem it necessary to supplement the maintenance required of riparian landowners and have the funding to do so.

The Environment Agency undertakes maintenance under permissive powers. We prioritise maintenance activities based on flood risk to people and property, and focus management at locations with high flood risk. This means that some main river watercourses, deemed at low risk of flooding, can suffer from intermittent funding.

We are consulting to get feedback from the public, including all of those individuals, groups and organisations who are affected by or interested in our proposals. We welcome everyone's views.

This consultation sets out all of the information on our proposals. It explains how the proposed sections of watercourse are currently managed and funded and provides details on future management and funding, if de-maining does or doesn't take place.

The Environment Agency publically consulted on the proposal to de-main the Bologney River between 15th July and 15th August 2015².

On the 24th October 2017 we held a public drop-in session at Halesworth Methodist Church to discuss our proposals for Cookley Watercourse and the River Wang (and its tributaries the River Trent and Uggeshall Watercourse). We have also met with and consulted Natural England.

¹ Available at: <https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

² Further information is available at: <https://www.gov.uk/government/publications/bologney-river-iken-suffolk-proposal-for-designation-change>

Contents

Executive summary	3
1. About this consultation	5
1.1. What changes we are proposing and why	5
1.2. What we are consulting on and why	6
1.3. We want your views.....	6
2. Consultation information.....	7
2.1. Locations of proposed de-mainment.....	7
2.2. Description of land use, hydrology and geomorphology.....	9
2.3. Water level management.....	9
2.4. Flooding information	10
2.5. Changes to the roles and responsibilities of organisations.....	10
2.6. Current maintenance programme	13
2.7. Proposed indicative maintenance programme if the Bologney River, Cookley Watercourse and/or the River Wang are transferred to other Risk Management Authorities	14
2.8. Funding	16
2.9. Proposed maintenance programme if de-maining doesn't take place	16
2.10. Description of structures, assets and land	17
2.11. Environmental information	17
2.12. Legal agreements.....	19
3. Responding to this consultation.....	20
3.1. Important dates	20
3.2. How to respond	20
3.3. How we will use your information.....	20
3.4. What will we do with the feedback from the consultation and what happens next.....	21
3.5. Consultation Principles	21
Appendix	22
A) Glossary	22
B) Additional information on flood risk management funding and de-maining.....	26
C) Roles and responsibilities of organisations	29
D) Response form	32

1. About this consultation

This document explains why we are consulting and what we are consulting you on. It is designed to help you understand and comment on our proposal to re-designate the sections of the watercourses listed below, from main river to ordinary watercourse. A glossary of the terms used throughout the document is available on page 22.

1.1. What changes we are proposing and why

The sections of watercourse listed below have low levels of flood risk to people and property and are not associated with major rivers or major population centres. Therefore, the Environment Agency is proposing to transfer flood risk management activities (management, regulation and/or the power to undertake maintenance) for the following sections of river to the IDB, LLFA - the county council, and district councils listed below.

- **Bologney River near Iken, Suffolk** -6.2 km. The Environment Agency is proposing to transfer responsibilities to East Suffolk IDB, Suffolk County Council (LLFA) and Suffolk Coastal District Council.
- **Cookley Watercourse near Cookley, Suffolk** - 4.6 km. The Environment Agency is proposing to transfer responsibilities to East Suffolk IDB, Suffolk County Council (LLFA) and Suffolk Coastal District Council.
- **River Wang near Wangford, Suffolk** - 11.7 km. This includes its tributaries, the **River Trent** and **Uggeshall Watercourse**. The Environment Agency is proposing to transfer responsibilities to East Suffolk IDB, Suffolk County Council (LLFA) and Waveney District Council.

This would result in these stretches of the rivers being deleted from the statutory main river map. They would be re-designated as ordinary watercourse, a change we refer to as de-maining, and would then be managed, regulated and/or maintained (where deemed necessary to supplement the maintenance required of the riparian landowners, and there is funding available to do so) by East Suffolk IDB, Suffolk County Council and Suffolk Coastal District Council or Waveney District Council.

The Environment Agency undertakes maintenance under permissive powers. We prioritise maintenance activities based on flood risk to people and property, and focus management at locations with high flood risk. This means that some main river watercourses, deemed at low risk of flooding, can suffer from intermittent funding. Where flood risk to people and property is low and we have willing partners, we can explore opportunities to transfer responsibility to manage, regulate or maintain a watercourse to other RMAs such as an IDB, LLFA or district council, where appropriate to do so.

The sections of watercourses have low levels of flood risk to people and property and are not associated with major rivers or major population centres. Therefore we are proposing to transfer flood risk management activities (management, regulation and/or the power to undertake maintenance) to the IDB, LLFA - the county council, and district councils listed above. The IDB, LLFA and district councils are willing to take on responsibility for these sections of river and they have the appropriate governance arrangements in place to do so. This is in line with the requirements set out in the Statutory Main River Guidance³.

De-maining these watercourses would allow for local decision-making in how these sections of watercourse are managed to allow works to be carried out for the benefit of local people, where it is deemed necessary to supplement riparian owner maintenance responsibilities. Our permissive powers to undertake maintenance would no longer apply to the sections of river and we would no longer regulate flood risk activities.

³ Available at: <https://www.gov.uk/government/publications/designation-of-main-rivers-guidance-to-the-environment-agency>

1.2. What we are consulting on and why

We are consulting to seek the views of all of individuals, groups and organisations who are affected by or interested in our proposals.

We will take into account all of the consultation responses received, along with all of the other important considerations, before deciding whether to proceed with the proposal. In each location, if de-maining is approved by the Environment Agency Board, we will publish our decision in the form of a 'Decision for Designation Change' Notice on the GOV.UK website and in local newspapers. Anyone who is unhappy with the decision can raise an objection by email or in writing to Defra within six weeks of the publication of the Notice.

1.3. We want your views

This is a public consultation and we welcome everyone's views. This consultation will be of particular interest to anyone who lives or works in the Blyth or Alde and Ore Catchments, specifically settlements such as Cookley, Cookley Green, Walpole, Stoven, Uggeshall, Wangford, Iken and Sudbourne. This also includes Cookley and Walpole Parish Council, Huntingfield Parish Council, Chediston and Linstead Grouped Parish Council, Walpole Parish Council, Brampton with Stoven Parish Council, Blyford and Sotherton Parish Council, Frostenden Uggeshall and South Cove Parish Council, Wangford with Henham Parish Council, Westhall Parish Council, Friston Parish Council, Chillesford Parish Meeting, Iken Parish Council, Sudbourne Parish Council and anyone else with an interest in this de-maining proposal.

We want to get feedback on all issues related to the proposal, which we must consider before deciding whether or not to proceed.

In Section 2 of this document we have provided relevant information on each of these subject areas.

In Appendix D you will find the consultation questions. Here you will have an opportunity to provide feedback against each, as well as any overall feedback you might have on the proposal. Information on how to respond to this consultation and how we will use your information can be found in Section 3.

2. Consultation information

2.1. Locations of proposed de-mainment

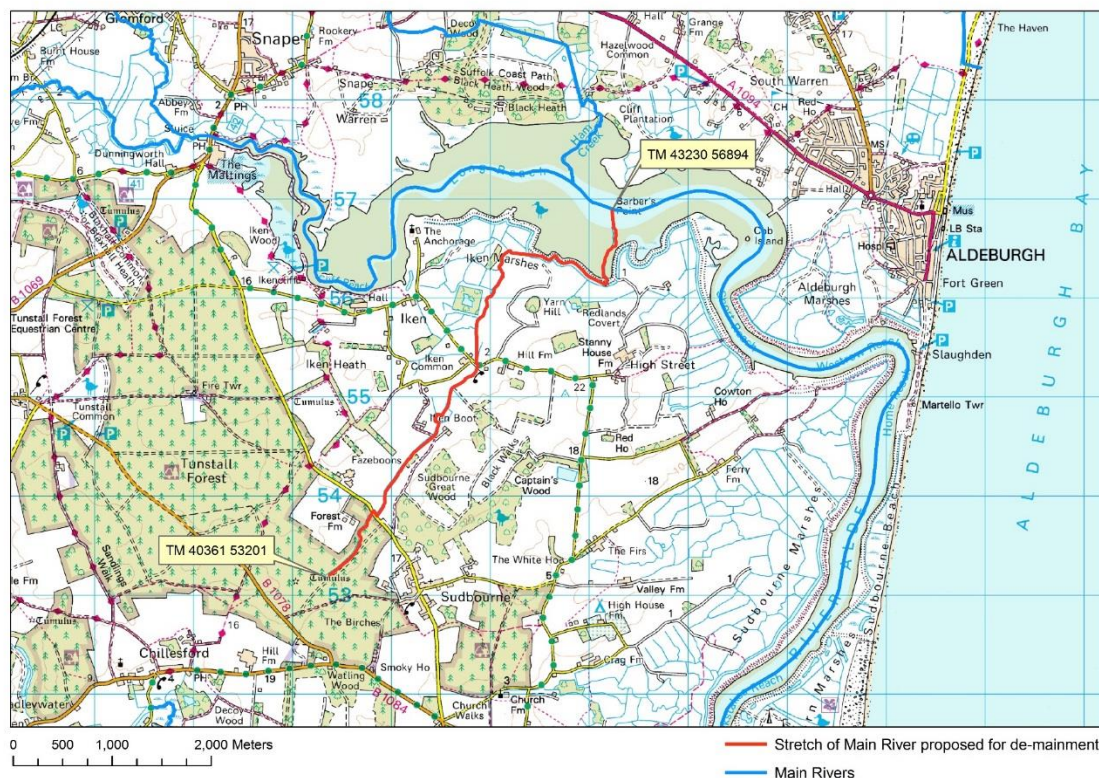
The following maps and descriptions provide details of the stretches of the Bologney River, Cookley Watercourse and River Wang (including its tributaries, the River Trent and Uggeshall Watercourse) that are proposed for de-mainment.

Section 1 - Bologney River, near Iken, Suffolk (MRV 100017)

The upstream limit of the stretch of the Bologney River proposed for de-mainment is the upper limit of the Main River network, located in Tunstall Forest near Sudbourne (grid reference TM 40361 53201).

The downstream limit of the stretch of the Bologney River proposed for de-mainment is located in the Alde and Ore Estuary near Barber's Point (grid reference TM 43230 56894).

This stretch of watercourse is approximately 6.2 km in length.

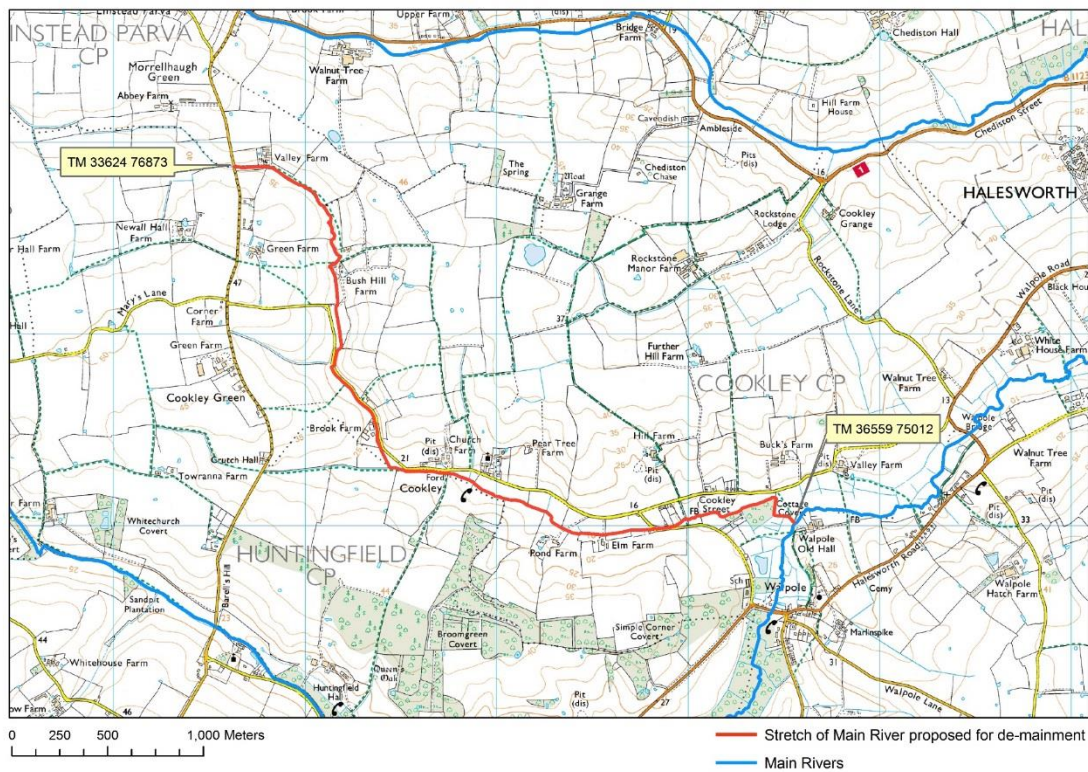


Section 2 – Cookley Watercourse, near Cookley, Suffolk (MRV 100014)

The upstream limit of the stretch of Cookley Watercourse proposed for de-mainment is the upper limit of the Main River network, located near Valley Farm south of Linstead Parva (grid reference TM 33624 76873).

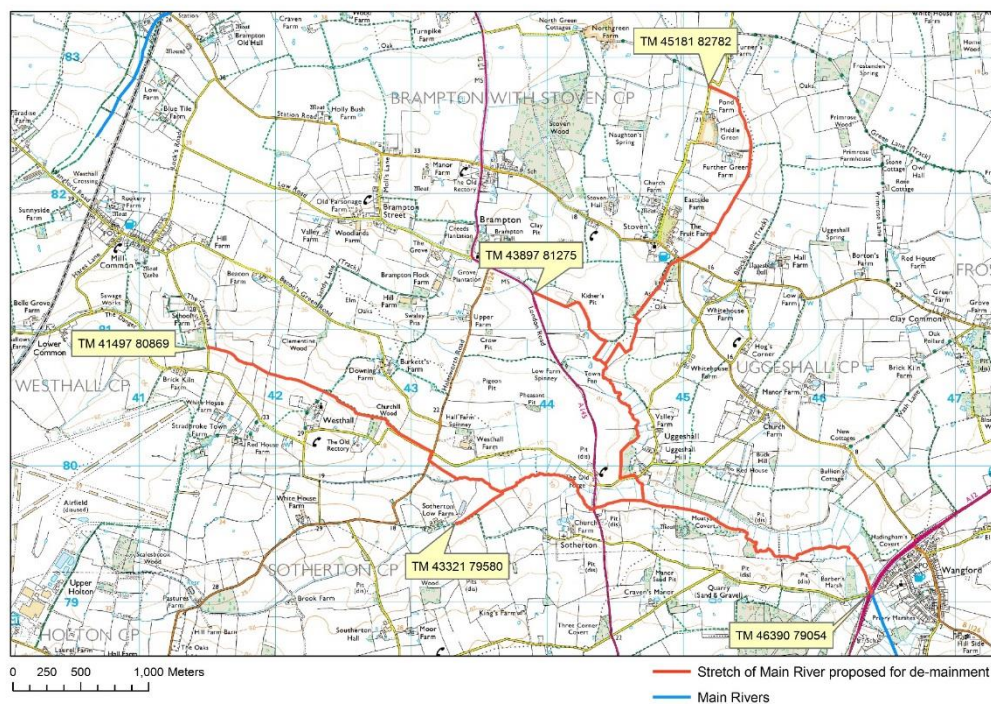
The downstream limit of the stretch of Cookley Watercourse proposed for de-mainment is located where it joins Walpole River, near Walpole Old Hall (grid reference TM 36559 75012).

This stretch of watercourse is approximately 4.6 km in length.



Section 3 – River Wang, near Wangford, Suffolk (including tributaries the River Trent and Uggeshall Watercourse) (MRV 100013)

The stretch that is proposed for de-mainment is the entire Main River network upstream of where the A12 crosses the River Wang near Wangford (grid reference TM 46390 79054). This includes the River Trent, Uggeshall Watercourse, and the upper reaches of the River Wang. The upstream limits of the de-mainment stretch are located near Sotherton Low Farm (grid reference TM 43321 79580), Gull Hill (grid reference TM 41497 80869), London Road (grid reference TM 43897 81275) and Pond Farm (grid reference TM 45181 82782).



These sections of watercourse total approximately 11.7 km in length.

2.2. Description of land use, hydrology and geomorphology

Section 1 - Bologney River, near Iken, Suffolk

The Bologney River is part of the wider Alde and Ore tidal catchment. It flows into the Alde-Ore estuary before reaching the sea near Shingle Street.

Land use adjacent to the Bologney River is predominantly grassland. The upper reaches of the watercourse are wooded in places, with some patches of arable land along the length of the watercourse. The river feeds into an area of low-lying land, some of which is below sea-level, with a network of drainage ditches held artificially-low by the IDB pumping station. Discharge from the pumping station, including the downstream stretch of the river, flows across the intertidal mudflats of the Alde-Ore estuary during low tides.

The geology of the catchment is Kesgrave Sands and Gravels overlying Crag, both of which are aquifers that provide baseflow to the stream that persists through summer. There is alluvium in the river channel itself and in the surrounding low-lying land.

The River Bologney is considered to respond more slowly to rainfall.

Section 2 – Cookley Watercourse, near Cookley, Suffolk

Cookley Watercourse is part of the wider Blyth catchment. It flows into the Walpole River, which later meets Chediston Watercourse and becomes the River Blyth. The Blyth flows into the sea between Southwold and Walberswick.

Land use adjacent to the Cookley Watercourse is predominantly arable farmland and grassland. Arable is dominant along the sections upstream of Cookley, with grassland increasingly frequent downstream of Cookley. There are some patches of woodland adjacent to the lower reaches.

The geology is predominantly boulder clay, which gives the catchment a responsive nature. It also means that flow does not persist through dry periods in summer, and the stream is then dry.

Section 3 – River Wang, near Wangford, Suffolk (including tributaries the River Trent and Uggeshall Watercourse)

The River Wang is part of the wider Blyth catchment. It flows into the River Blyth downstream of the de-mainment stretch. The Blyth flows into the sea between Southwold and Walberswick.

Land use adjacent to the River Wang is primarily a mixture of arable farmland and permanent pasture. Arable land predominates in the upstream sections, with grassland becoming more dominant downstream, particularly downstream of Uggeshall.

The catchment has boulder clay in the western catchment, which makes the river responsive to rainfall events during winter. Sands and gravels in the lower catchment provide a baseflow that persists even during dry summers. The river is connected to a series of drains across the floodplain, where there is peat present. In general the watercourse is considered slow to respond to rainfall.

2.3. Water level management

Water level management by the Environment Agency on the River Bologney is minimal. There are no water level management structures operated by the Environment Agency and no maintenance activities are routinely carried out by the Environment Agency. There is an IDB pumping station in the lower reaches which maintains water levels in the watercourse following heavy rainfall, which is the main source of water level management.

Water levels on Cookley Watercourse are managed by the Environment Agency through annual works in certain stretches in order to maintain conveyance. There are no water level management structures on Cookley Watercourse.

Water level management by the Environment Agency on the River Wang (and its tributaries the River Trent and Uggeshall Watercourse) is minimal. There are no water level management structures operated by the Environment Agency and no maintenance activities are routinely carried out by the Environment Agency.

There are licenced surface water abstractions on the stretches of the Bologney River and River Wang (and its tributaries the River Trent and Uggeshall Watercourse) proposed for de-mainment, but not on the Cookley Watercourse.

2.4. Flooding information

The following are details of flood risk, flood events and associated flood warnings on these watercourses. The Environment Agency provides flood warnings to all properties and communities which have a medium or greater risk of flooding, i.e. those in Flood Zones 2 (medium risk - between a 0.1% (1 in 1000) and 1% (1 in 100) annual probability of river flooding) and 3 (high risk - 1% (1 in 100) or greater annual probability of river flooding). The Environment Agency will continue to provide flood warnings if the proposed de-mainment goes ahead.

Section 1 - Bologney River, near Iken, Suffolk

Modelling of fluvial flood risk on the River Bologney does not exist because fluvial flood risk to people and property is considered low, based on historical records. Therefore the number of properties at risk of fluvial flooding cannot be estimated. The area is at risk of flooding from tidal sources, however the overview for management of tidal flooding in the area will not change should the River Bologney be re-classified as ordinary watercourse. The Bologney River is covered by 054WACDV3B flood alert area and 054FWCDV3B12 flood warning area. These cover the lower sections of the river, downstream of where it crosses Snape Road. A flood event on the Bologney River was recorded in December 2013, in the area downstream of Iken.

Section 2 – Cookley Watercourse, near Cookley, Suffolk

There are approximately five properties at medium risk of river flooding and five properties at high risk of river flooding on Cookley Watercourse. Cookley Watercourse is covered by 054WAFSF2 flood alert area along its entire length, and 054FWFSF2C flood warning area downstream of Cookley Street. There are no recorded historical flood events on Cookley Watercourse.

Section 3 – River Wang, near Wangford, Suffolk (including tributaries the River Trent and Uggeshall Watercourse)

There is approximately one property at medium risk of river flooding and two properties at high risk of river flooding on the River Wang (and its tributaries the River Trent and Uggeshall Watercourse). The stretch of the River Wang and tributaries proposed for de-mainment is not covered by any flood alert or flood warning areas. There are no recorded historical flood events on this stretch of the River Wang and tributaries⁴.

These sections of watercourse have low levels of flood risk to people and property and are not associated with major rivers or major population centres. This is in line with the Statutory Main River Guidance⁵.

2.5. Changes to the roles and responsibilities of organisations

If de-mainment goes ahead on the Bologney River, Cookley Watercourse and River Wang (including its tributaries the River Trent and Uggeshall Watercourse), East Suffolk IDB,

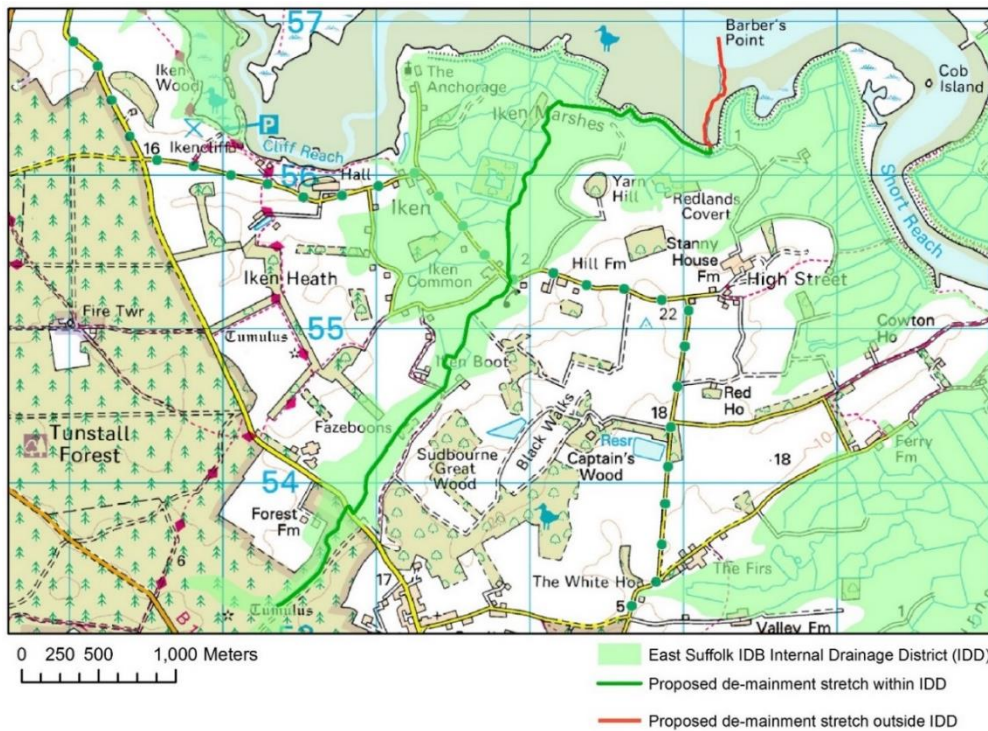
⁴ For more information on flood risk in these areas please visit the Flood Map for Planning website at: <https://flood-map-for-planning.service.gov.uk/>

⁵ Available at: <https://www.gov.uk/government/publications/designation-of-main-rivers-guidance-to-the-environment-agency>

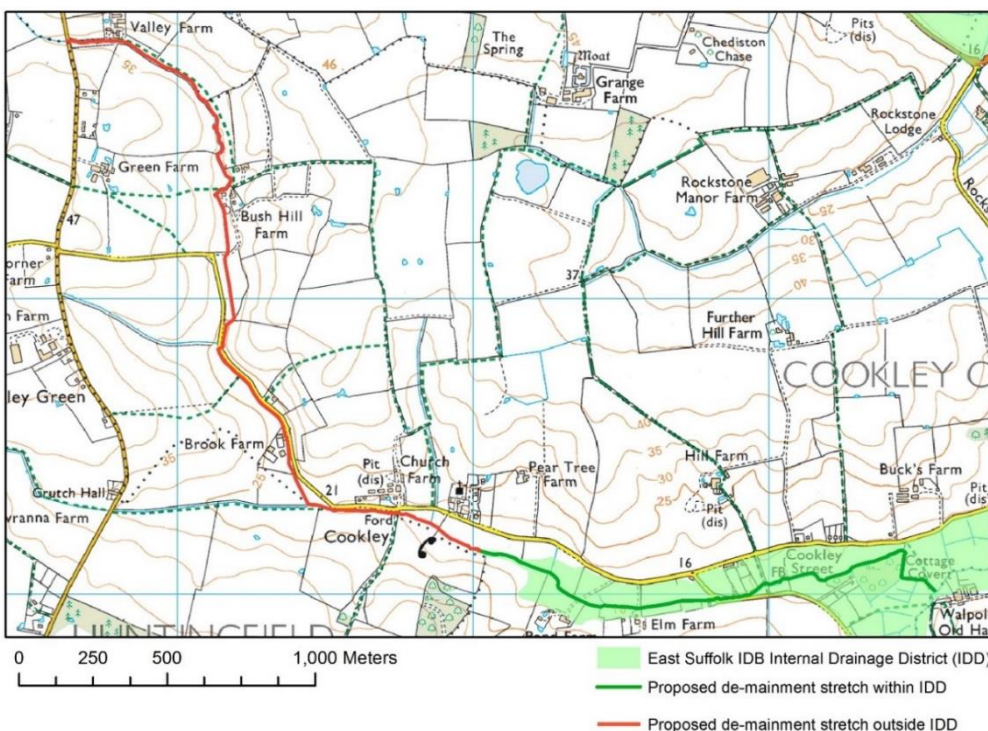
Suffolk County Council, Suffolk Coastal District Council and Waveney District Council will take on additional responsibilities for certain stretches of the watercourses.

Stretches of the Bologney River, Cookley Watercourse and River Wang (including its tributaries the River Trent and Uggeshall Watercourse) that fall within the Internal Drainage District of the IDB will be transferred to East Suffolk IDB (shown in green in the maps below). Stretches of these watercourses that fall outside of the Internal Drainage District will be transferred to Suffolk County Council and Suffolk Coastal District Council or Waveney District Council (shown in red in the maps below), depending on the area.

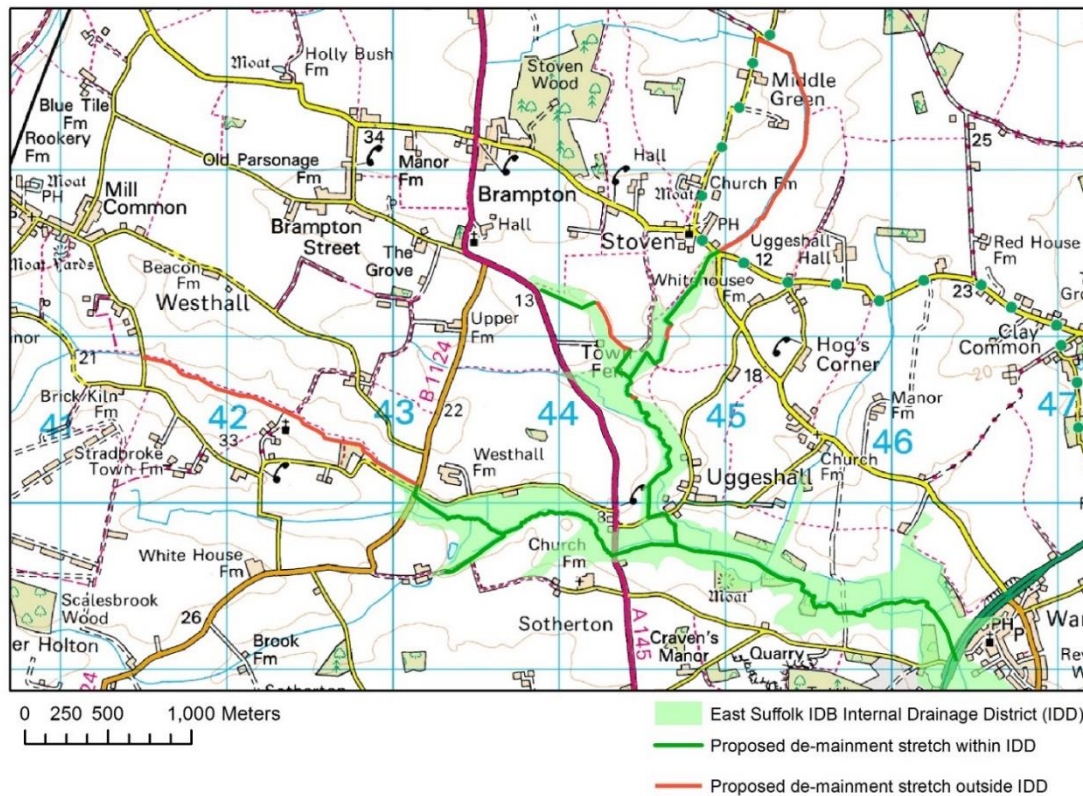
Section 1 - Bologney River, near Iken, Suffolk



Section 2 – Cookley Watercourse, near Cookley, Suffolk



Section 3 – River Wang, near Wangford, Suffolk (including tributaries the River Trent and Uggeshall Watercourse)



The table below details the responsible party for specific roles on the watercourses, both currently and if the proposed de-mainment goes ahead (see column headed 'Future responsibility').

Role	Current responsibility	Future responsibility
Overall responsibility for the flood risk management of the watercourse	Environment Agency	East Suffolk IDB or Suffolk County Council – see the maps on pages 7 and 8.
Responsibility for maintaining the bed and banks of the watercourse, and the trees and shrubs growing on the banks. Responsibility for managing flood risk to land adjacent to the watercourse. Please refer to the guide 'Living on the Edge' for more information on the rights and responsibilities associated with riverside ownership ⁶ .	Riparian landowner – the owner of land or property next to a river, stream or ditch.	Riparian landowner – the owner of land or property next to a river, stream or ditch. The responsibilities of riparian landowners would not change following de-mainment.
Permissive power to maintain the watercourse	The Environment Agency has permissive powers to maintain the watercourse. We can use these powers to reduce flood risk to people and property.	East Suffolk IDB, Suffolk Coastal District Council or Waveney District Council would have permissive powers to maintain the watercourse.

⁶ Available at: <https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

		<p>The IDB would usually use its powers to reduce flood risk to people, property and critically important infrastructure.</p> <p>Suffolk Coastal District Council would not usually use its powers as the responsibility to maintain the watercourse rests with the riparian owner.</p> <p>Waveney District Council would not usually use its powers as the responsibility to maintain the watercourse rests with the riparian owner.</p> <p>The Environment Agency would no longer have these powers.</p>
Regulation – issuing permits for works on or near to the watercourse	To undertake any flood risk activities on these stretches of the Bologney River, Cookley Watercourse or River Wang (and its tributaries the River Trent and Uggeshall Watercourse), you must apply to the Environment Agency for a Flood Risk Activity Permit or exemption under the Environmental Permitting Regulations. The Environment Agency currently charges £170 for a single activity under a Flood Risk Activity Permit, with an additional £40 charge applied for each additional activity on the same application ⁷ .	<p>To undertake flood risk activities on the Bologney River, Cookley Watercourse or River Wang (and its tributaries the River Trent and Uggeshall Watercourse), you would be required to contact East Suffolk IDB or Suffolk County Council (depending on the location of the activity) to check if you need to apply for consent. Consents under the Land Drainage Act will cost £50 per activity. Rates for other consented activities under byelaws will vary. These rates can be found on the relevant websites below.</p> <p>For more information, please visit the East Suffolk IDB⁸ and Suffolk County Council⁹ websites.</p>

Additional information on the roles and responsibilities of individual organisations is available in appendix C.

2.6. Current maintenance programme

The Environment Agency has permissive powers to undertake maintenance works on main rivers. We prioritise maintenance activities based on flood risk to people and property, and therefore focus management at locations with high flood risk. This means that some main

⁷ More information is available at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

⁸ Available at: <https://www.wlma.org.uk/east-suffolk-idb/development/>

⁹ Available at: <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/working-on-a-watercourse/>

ivers with low flood risk to people and property, for example Bologney River, Cookley Watercourse and the River Wang (and its tributaries the River Trent and Uggeshall Watercourse), can suffer from intermittent funding.

Below are details of current maintenance undertaken on the Bologney River, Cookley Watercourse and the River Wang (including tributaries the River Trent and Uggeshall Watercourse). The Environment Agency's programme of planned work can also be found on GOV.UK¹⁰. This programme is updated regularly.

Section 1 - Bologney River, near Iken, Suffolk

Maintenance needs on the Bologney River are assessed by the Environment Agency approximately every two to three years. The Environment Agency does not routinely undertake maintenance on the Bologney River. Additional targeted vegetation cutting, clearance and tree maintenance may be carried out when and where required to reduce flood risk to people and property. The low level of maintenance is due to the low fluvial flood risk to people and property in the area.

There is currently a three year limited programme of works in which the Environment Agency is working with the IDB under a Public Sector Cooperation Agreement to allow the IDB to carry out maintenance activities on the main river network. As part of this programme, the Internal Drainage Board has undertaken work in December 2017, carrying out weedcuts and desilt activities on the Bologney River to improve channel conveyance to the pumping station.

Section 2 – Cookley Watercourse, near Cookley, Suffolk

Maintenance needs on Cookley Watercourse are assessed by the Environment Agency approximately once every two years. The Environment Agency usually undertakes annual channel clearance from Cookley Green to the River Blyth confluence and annual weed spraying at Cookley Common. These works are funded by FCRM Grant in Aid. Additional targeted vegetation cutting, clearance and tree maintenance may also be carried out when and where required to reduce flood risk to people and property. This low level of maintenance is due to the low fluvial flood risk to people and property in the area.

Section 3 – River Wang, near Wangford, Suffolk (including tributaries the River Trent and Uggeshall Watercourse)

Maintenance needs on the River Wang (and its tributaries the River Trent and Uggeshall Watercourse) are assessed by the Environment Agency approximately every three to five years. The Environment Agency does not routinely undertake maintenance on the River Wang (and its tributaries the River Trent and Uggeshall Watercourse). Additional targeted vegetation cutting, clearance and tree maintenance may be carried out when and where required to reduce flood risk to people and property. The low level of maintenance is due to the low fluvial flood risk to people and property in the area.

There is currently a three year limited programme of works in which the Environment Agency is working with the IDB under a Public Sector Cooperation Agreement to allow the IDB to carry out maintenance activities on the main river network. As part of this programme, the Internal Drainage Board plans to undertake work during Winter 2017/18 to carry out weedcutting, cut and clearance works and sustainable river maintenance.

2.7. Proposed indicative maintenance programme if the Bologney River, Cookley Watercourse and/or the River Wang are transferred to other Risk Management Authorities

Below are details of the proposed indicative maintenance programme to be undertaken on the stretches proposed for de-maintenance, should de-maintenance go ahead.

¹⁰ Available at: <https://www.gov.uk/government/publications/river-and-coastal-maintenance-programme>

Section 1 - Bologney River, near Iken, Suffolk

For the stretch proposed to be transferred to East Suffolk IDB, it is expected that;

- In year 1 following the transfer the IDB would undertake a review of the maintenance requirements for the stretches of watercourse within their Internal Drainage District taking into account interactions with other IDB infrastructure locally. A targeted 5 year maintenance programme would be developed following industry best practices including weed-cutting, flailing, removal of blockages, hand work, de-silting and 'slow the flow opportunities'.
- The IDB has already identified the need for an annual vegetation clearance required to convey water efficiently to the Iken Pumping Station, since there is a current constriction on the pump that manages the water levels due to excessive in-channel vegetation. This work will be undertaken in year 1. Water level management is key to maximising biodiversity within a pumped system and will help landowners meet their legal environmental stewardship obligations. It is expected that this could result in enhanced numbers of successful breeding birds in the grazing marshes and increases in water vole populations recolonising current suboptimal reaches. In addition, electricity costs and wear and tear on the pump will be reduced, as well as landowners benefiting from improved drainage of the arable hinterland which can be damaged by flooding during modest rainfall events.
- Once developed the maintenance programme would focus activities in locations where there are benefits to drainage, conveyance, the environment and reducing flood risk. The need for maintenance would be based on evidence from assessments undertaken by engineers and ecologists working to ISO 9001 & 14001 standards. These international standards provide guidance and tools for companies and organisations who want to ensure that their products and services including environmental responsibilities consistently meet customer and legal requirements, and that quality is consistently improved.

Suffolk Coastal District Council would not usually use its permissive powers, as the responsibility to maintain the watercourse rests with the riparian owner.

Section 2 – Cookley Watercourse, near Cookley, Suffolk

For the stretch proposed to be transferred to the East Suffolk IDB, it is expected that;

- In year 1 following the transfer the IDB would undertake a review of the maintenance requirements for the stretches of watercourse within their Internal Drainage District taking into account interactions with other IDB infrastructure locally. A targeted 5 year maintenance programme will be developed following industry best practices including weed-cutting, flailing, removal of blockages, hand work, de-silting and 'slow the flow opportunities'. The IDB would also carry out the limited maintenance activities located within their Drainage District as currently identified by the Environment Agency in their maintenance programme (see Section 2.6).
- Once developed the maintenance programme would focus activities in locations where there are benefits to drainage, conveyance, the environment and reducing flood risk. The need for maintenance would be based on evidence from assessments undertaken by engineers and ecologists working to ISO 9001 & 14001 standards. These international standards provide guidance and tools for companies and organisations who want to ensure that their products and services including environmental responsibilities consistently meet customer and legal requirements, and that quality is consistently improved.

Suffolk Coastal District Council would not usually use its permissive powers, as the responsibility to maintain the watercourse rests with the riparian owner. Routine maintenance works currently undertaken by the Environment Agency, outside of the IDBs Drainage District, would no longer be undertaken.

Section 3 – River Wang (and its tributaries the River Trent and Uggeshall Watercourse), near Wangford, Suffolk

For the stretch proposed to be transferred to the East Suffolk IDB, it is expected that;

- In year 1 following the transfer the IDB would undertake a review of the maintenance requirements for the stretches of watercourse within their Internal Drainage District taking into account interactions with other IDB infrastructure locally. A targeted 5 year maintenance programme will be developed following industry best practices including weed-cutting, flailing, removal of blockages, hand work, de-silting and ‘slow the flow opportunities’. It is not expected that there will be any maintenance works carried out in the first year, however this would be re-evaluated following the initial maintenance review.
- Once developed the maintenance programme would focus activities in locations where there are benefits to drainage, conveyance, the environment and reducing flood risk. The need for maintenance would be based on evidence from assessments undertaken by engineers and ecologists working to ISO 9001 & 14001 standards. These international standards provide guidance and tools for companies and organisations who want to ensure that their products and services including environmental responsibilities consistently meet customer and legal requirements, and that quality is consistently improved.

Waveney District Council would not usually use its permissive powers, as the responsibility to maintain the watercourse rests with the riparian owner.

2.8. Funding

Below are details of how the new RMA proposes to fund activities on the stretches proposed for de-maintenance, should de-maintenance go ahead.

East Suffolk IDB - Bologney River, Cookley Watercourse, River Wang (and its tributaries the River Trent and Uggeshall Watercourse)

IDBs mainly fund maintenance work through Agricultural Drainage Rate, Special Levy and Highland Water Contribution. In year 1 works on the River Bologney, Cookley Watercourse and the River Wang (and its tributaries the River Trent and Uggeshall Watercourse) will be funded by money currently received for activities within its Internal Drainage District. This will result in no change in rates to the Board’s stakeholders as a result of the transfer. Following an assessment of the need for works on these watercourses through the development of a 5 year maintenance programme the need for adjustments in funding will be assessed.

Suffolk Coastal District Council - Bologney River, Cookley Watercourse

Suffolk Coastal District Council would not usually use its permissive powers as the responsibility to maintain the watercourse rests with the riparian owner. This means that the district council do not plan to raise additional funding locally.

Waveney District Council - River Wang (and its tributaries the River Trent and Uggeshall Watercourse)

Waveney District Council would not usually use its permissive powers as the responsibility to maintain the watercourse rests with the riparian owner. This means that the district council do not plan to raise additional funding locally.

Additional information on funding is contained in appendix B.

2.9. Proposed maintenance programme if de-maintenance doesn’t take place

The Environment Agency prioritises maintenance activities based on flood risk to people and property, and therefore focusses management at locations with high flood risk. This means

that some main river watercourses, deemed at low risk of flooding, can suffer from intermittent funding.

If the Environment Agency were to retain these channels as main river, it is expected that we would continue with the current low level of maintenance. The Environment Agency funding for maintenance that is currently undertaken by the IDB under a Public Sector Cooperation Agreement on these stretches is limited to three years, with no guarantee that these funds will be available in the future.

It is not anticipated that there would be any change from the current benefits provided or activities undertaken by the Environment Agency.

2.10. Description of structures, assets and land

Below is a description of the assets on the watercourses proposed for de-mainment, who is currently responsible for them and who will be responsible for them should de-mainment go ahead.

Assets which are maintained by landowners and other parties will not change. Please refer to the guide 'Living on the Edge' for more information on the rights and responsibilities associated with riverside ownership¹¹.

Section 1 - Bologney River, near Iken, Suffolk

There are 10 assets on this stretch of the Bologney River. These include bridges and a pump house. These assets are currently maintained by either the Local Authority, private landowners, or the IDB.

The Environment Agency does not currently maintain any assets or own any land on this stretch of the Bologney River. The Bologney River intersects an Environment Agency maintained embankment, however this will remain the responsibility of the Environment Agency.

Section 2 – Cookley Watercourse, near Cookley, Suffolk

There are 22 assets on this stretch of the Cookley Watercourse. These are all bridges. These assets are currently maintained by either the Local Authority or private landowners.

The Environment Agency does not currently maintain any assets or own any land on this stretch of the Cookley Watercourse.

Section 3 – River Wang (and its tributaries the River Trent and Uggeshall Watercourse), near Wangford, Suffolk

There are 37 assets on this stretch of the River Wang (and its tributaries the River Trent and Uggeshall Watercourse). These include bridges, outfalls, culverts and utility services. These assets are currently maintained by either the Local Authority or private landowners.

The Environment Agency does not currently maintain any assets or own any land on this stretch of the River Wang (and its tributaries the River Trent and Uggeshall Watercourse).

2.11. Environmental information

Any organisation, individual or landowner who carries out any activity that affects a watercourse has a legal duty to take into account the impact of any of its activities on the environment. We aim to ensure that de-maining will not have an adverse effect on the environment. Where there are any significant differences in how the environment is considered by RMAs we take a risk based approach to ensure environmental readiness of other RMAs and levels of environmental protection are maintained. If we identify any specific risks we will seek methods to reduce those risks to acceptable levels.

¹¹ Available at: <https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

The environment is being considered as an integral part of the de-maining process. We are working together with the relevant RMAs to ensure that all legal responsibilities are fulfilled. In this instance, RMAs refers to the East Suffolk IDB, Suffolk County Council and as appropriate, Suffolk Coastal District Council and Waveney District Council.

The main points that will be considered for all de-maining proposals are:

- i) The RMA's legal ability to regulate and undertake flood risk management activities.
- ii) The RMA's available resources compared to the catchment's requirements.
- iii) How sensitive the proposed watercourses are to any management change.

Regulating works on watercourses

We will consider whether the new RMA have powers to regulate third party activity as part of the risk analysis when making a decision as to de-main or not. This is particularly pertinent where we are de-maining to LLFAs and district councils.

The watercourses regulated by an IDB will have environmental protection very similar to that afforded under the present main river permitting system albeit via their ordinary watercourse land drainage consent system.

In order to de-main a watercourse or part of a watercourse, we must be sure that the RMA is able to manage the watercourse in a manner which is consistent with Water Framework Directive (WFD) objectives. We will take any potential risk of non-compliance with WFD in to account as part of our decision about whether to de-main or not.

Regardless of whether we de-main the watercourse or not, we will retain our statutory powers under Water Resources Act 1991 to prevent hydromorphological harm or require remediation if harm has taken place.

De-maining and designated sites

When considering de-maining we will also consider the environmental implications associated with other national and international law and policy. This includes the Habitats Regulations, species and habitats of principal importance and England Biodiversity Strategy Outcomes. These will be considered in line with the Statutory Main River Guidance.

Natural England are the statutory authority for the designation and protection of designated sites. Therefore, any works with the potential to impact the integrity of a designated site (other than Local Nature Reserves) must have assent from Natural England prior to being undertaken, to ensure that features of environmental importance are not compromised. Unlawful damage caused to a designated site is an offence and can result in enforcement or prosecution depending on the circumstances. Public bodies, including the Environment Agency, IDBs, LLFAs and district councils, must take reasonable steps to conserve and enhance natural beauty and the conservation of flora, fauna and geological or physiographical features of special interest. We have been working closely with Natural England regarding the proposed de-maining.

If de-maining takes place, Natural England's statutory role will not change. Regardless of who the management authority is for the watercourses, all applicants will still be required to seek the appropriate consent for any works in line with the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2017.

Specific environmental information in the vicinity of the watercourses proposed for de-maining

Section 1 - Bologney River, near Iken, Suffolk

The following designated sites of environmental importance fall within the area of the Bologney River proposed for de-maining:

- Sandlings Forest Site of Special Scientific Interest (SSSI)
- Alde-Ore Estuary Site of Special Scientific Interest (SSSI)
- Alde-Ore and Butley Estuaries Special Area of Conservation (SAC)
- Alde-Ore Estuary Special Protection Area (SPA)

- Sandlings Special Protection Area (SPA)
- Alde-Ore Estuary Ramsar Site

The Bologney River is also located in the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. For more information on these sites, please refer to the MAGIC website¹².

As well as the statutory designated sites, there are other ecologically important species (e.g. otter and water vole) and habitats (e.g. coastal and floodplain grazing marsh) located immediately adjacent to the Bologney River. These sites and species are of high ecological interest and are recognised as priority species/habitats under the Natural Environment and Rural Communities Act 2006. Sensitive management is required in order to retain and improve their wildlife interest.

East Suffolk IDB and Suffolk Coastal District Council are committed to ensuring that good levels of conservation are maintained on the Bologney River and plan to work closely with the Environment Agency and Natural England to ensure that good environmental practice continues.

Section 2 – Cookley Watercourse, near Cookley, Suffolk

There are no statutory designated sites of environmental importance adjacent to the stretch of the Cookley Watercourse proposed for de-maining.

Water voles have been recorded in a number of locations along the river between Linstead Parva and Walpole. Water voles and their habitat are protected and are a priority conservation species under the Natural Environment and Rural Communities Act 2006.

East Suffolk IDB and Suffolk Coastal District Council are committed to ensuring that good levels of conservation are maintained on the Cookley Watercourse and plan to work closely with the Environment Agency and Natural England to ensure that good environmental practice continues.

Section 3 – River Wang (and its tributaries the River Trent and Uggeshall Watercourse), near Wangford, Suffolk

There are no statutory designated sites of environmental importance adjacent to the section of the River Wang (and its tributaries the River Trent and Uggeshall Watercourse) proposed for de-maining. The River Wang falls within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. For more information on these sites, please refer to the MAGIC website¹³.

There are other ecologically important sites (e.g. coastal and floodplain grazing marsh and deciduous woodland, both priority habitats under the Natural Environment and Rural Communities Act 2006) located immediately adjacent to the River Wang (and its tributaries the River Trent and Uggeshall Watercourse). These sites are of high ecological interest and sensitive management is required in order to retain and improve their wildlife interest.

2.12. Legal agreements

We are not aware of any relevant legal agreements relating to the Bologney River, Cookley Watercourse or the River Wang (including the tributaries the River Trent and Uggeshall Watercourse).

¹² Available at: <http://www.natureonthemap.naturalengland.org.uk/>

¹³ Available at: <http://www.natureonthemap.naturalengland.org.uk/>

3. Responding to this consultation

3.1. Important dates

This consultation was opened at midday on 15 January 2018 and closes at midday on 12 February 2018.

3.2. How to respond

The consultation questions are set out in the response form appended to this document (appendix D).

You can also view the consultation documents and questions online¹⁴. Here you can submit your response using our online tool which will enable you to manage your comments more effectively. It will also help us to gather and summarise responses quickly and accurately as well as reduce the costs of the consultation.

If you would prefer to submit your response by email, or if you would like to ask for a printed version of the document to be posted to you, please contact 03708 506 506, or email Marie Coleman or Hannah Watson at the following email address: PSOENS@environment-agency.gov.uk.

However, if you would like to send your response by post, please send your completed response form by 12 February 2018 to:

Marie Coleman or Hannah Watson
PSO Norfolk and Suffolk
Environment Agency
Dragonfly House
2 Gilders Way
Norwich
Norfolk NR3 1UB

3.3. How we will use your information

Throughout the consultation we will look to make all comments (excluding personal information) publicly available on the Environment Agency's online consultation portal. This includes comments received online, by email, post and by fax, unless you have specifically requested that we keep your response confidential. We will not publish names of individuals who respond, but we will publish the name of the organisation for those responses made on behalf of organisations.

If you respond online or provide us with an email address, we will acknowledge your response. After the consultation has closed, a summary of the responses will be published on our website. We will contact you to let you know when this is available. We will also notify you of any forthcoming consultations unless you tell us otherwise.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

¹⁴ Available at: <https://consult.environment-agency.gov.uk/portal/>

3.4. What will we do with the feedback from the consultation and what happens next

We will publish all of the consultation feedback in a summary document on the GOV.UK website and on Citizen Space within 12 weeks of the end date of the consultation.

We will take into account all of the consultation responses received, along with all of the other important considerations, before deciding whether to proceed with the proposal.

If we decide to proceed with de-maining we will publish a “proposal for designation change” notice on .GOV.UK and in local newspapers. Anyone can challenge the decision to de-main by email or in writing to Department for Environment, Food and Rural Affairs (Defra) within 6 weeks of the publication of the Notice.

3.5. Consultation Principles

Government is improving the way it consults by adopting a more proportionate and targeted approach. We are running this consultation in accordance with their Consultation Principles.¹⁵

If you have any queries or complaints about the way this consultation has been carried out, please contact:

Emma Hammonds, Consultation Coordinator
Environment Agency
Horizon House
Deanery Road
Bristol BS1 5AH
Email: emma.hammonds@environment-agency.gov.uk

¹⁵ Available at: <https://www.gov.uk/government/publications/consultation-principles-guidance>

Appendix

A) Glossary

Word/phrase	Definition/explanation
Asset	A flood risk management asset can be a flood defence such as a wall, embankment or a structure such as a pumping station, weir, sluice gate or a watercourse channel. As a result of its failure or removal or alteration, the likelihood of flooding from main river to people, property, designated environmental sites or infrastructure would increase.
Asset decommissioning	Planned shut-down or removal of an asset from operation or usage.
Asset maintenance work	Works to maintain the performance and reliability of an asset.
Byelaws	Byelaws are local laws made by a local council under an enabling power contained in a public general act or a local act requiring something to be done – or not done – in a specified area. They are accompanied by some sanction or penalty for their non-observance.
Competent authority	An authority or authorities identified under a relevant piece of legislation who has the legally delegated power to perform the designated function.
De-maining	Re-designation of a watercourse from main river to ordinary watercourse.
Designated sites	<p>Sites which have been identified under law for having specific environmental protection. Depending on the designation, undertaking works on these sites often require permission or assent from the competent authority. All of the sites except LNRs (see below) are of national or international importance. The main sites covered by this category are:</p> <ul style="list-style-type: none"> • Special Protection Areas and Special Areas of Conservation: these are often referred to as Habitats Directive sites, N2K sites or Protected Areas. • Ramsar sites: these are wetlands of international importance designated under the Ramsar convention and are treated in the UK as Protected Areas. • Sites of Special Scientific Interest (SSSI): these are nationally important habitat and geological sites designated by Natural England. • Scheduled Ancient Monuments (SAMs): Scheduled monuments are of national importance and scheduled under the Ancient Monuments and Archaeological Areas Act 1979 • Local Nature Reserves (LNRs): these may have ecological importance on local scale and are designated under National Parks and Access to the Countryside Act 1949.
District Councils	Local authorities who perform the flood risk management activities of district and borough and city councils, as well as the second tier responsibilities of unitary authorities.
Environmental Non-Governmental Organisations (ENGOS)	A non-governmental organization (NGO) in the field of environmentalism. Examples of ENGOS include the Wildlife Trusts, RSPB, WWT and Blueprint for Water.

Environmental Permitting Regulations	The Environmental Permitting Regulations (England and Wales) 2010 require the Environment Agency to control certain activities which could harm the environment or human health. Flood Risk Activity Permits are issued under these regulations.
FCERM grant in aid	Government grants from the Department for Environment, Food and Rural Affairs (Defra) for flood and coastal erosion risk management.
Flood risk	Flood risk is expressed by combining information on probability (sometimes referred to as likelihood) and consequence (sometimes referred to as impact).
Flood Risk Activity Permit	Permission to ensure that any activities planned in, over, under or next to a watercourse do not cause a risk of flooding or make existing flood risk worse. A permit is also necessary to ensure work will not interfere with flood risk management assets or adversely affect the local environment, fisheries or wildlife
Flood and Water Management Act 2010	The legislation by which risk management authorities operate when exercising their powers.
Flood risk management activities	Works and activities to manage and reduce the risks of flooding from rivers and the sea to people, property and the natural environment. This includes flood defence projects, flood warning, informing planning decisions, regulation and the maintenance of asset and watercourses.
Governance	The way that organisations or countries are managed at the highest level and the systems for doing this
General drainage charge	Statutory levy payable by the occupiers of agricultural land and buildings and woodland outside an Internal Drainage District (currently used in Anglian Region only) to pay for flood risk management activities
Hydromorphological harm	Describes the hydrological and geomorphological processes and attributes of surface water bodies. For example for rivers, hydromorphology describes the form and function of the channel as well as its connectivity (up and downstream and with groundwater) and flow regime, which defines its ability to allow migration of aquatic organisms and maintain natural continuity of sediment transport through the fluvial system. The Water Framework Directive requires surface waters to be managed in such a way as to safeguard their hydrology and geomorphology so that ecology is protected.
Internal Drainage Boards	An internal drainage board (IDB) is a local public body that manages water levels within their local area, known as an 'internal drainage district.' Working with key partners such as the Environment Agency and lead local flood authorities, IDBs are a fundamental part of managing flood risk and land drainage within England.
IDB precept	Payments from IDBs to the Environment Agency to reflect water moving from internal drainage districts into main rivers.
Internal Drainage District	Internal drainage boards (IDB) are public bodies which manage water levels in some areas where there is a special need for drainage. These areas are known as internal drainage districts (IDD).
Land Drainage Act	The legislation by which land drainage activities are undertaken. Land drainage in the UK has a specific and particular meaning as a result of a number of Acts of Parliament such as the Land Drainage Act 1991. In this context, land drainage refers to the responsibilities and activities of

	"internal drainage districts" and "internal drainage boards", both of which are specifically defined by relevant legislation.
Lead Local Flood Authority	The unitary authorities or county councils responsible for local sources of flooding. LLFAs also develop, maintain and apply a strategy for local flood risk management in their areas and maintain a register of flood risk assets. LLFAs are also responsible for regulatory activities on ordinary watercourses outside of an IDD.
Local authorities	This term has been used in this consultation to reflect : <ul style="list-style-type: none"> • County councils and unitary authorities • District, borough or city councils
Local levy	Funding raised by county councils and unitary authorities via council tax and other council funding mechanisms. May be raised either from within existing budgets or by raising council tax.
Maintenance programme	An annual programme of maintenance activities which is developed and where appropriate published by risk management authorities. The Environment Agency maintenance programme is available on Gov.uk.
Main river	Main river means all watercourses shown as such on the statutory main river maps held by the Environment Agency and published on Gov.uk.
Ordinary watercourse	A watercourse that does not form part of a main river.
Ordinary watercourse consents	Ordinary watercourse regulation ensures that activities that might affect ordinary watercourses do not increase the risk of flooding on a particular site or further upstream or downstream and do not adversely affect the environment. Regulation consists of issuing consents for acceptable work and undertaking enforcement action to deal with unacceptable activities.
Permissive powers	Powers which confer on an organisation the right to do things but not the duty to do them.
Regional flood and coastal committees	RFCCs are committees established by the Environment Agency under the Flood and Water Management Act 2010 that brings together members appointed by lead local flood authorities (LLFAs) and independent members with relevant experience for 3 purposes: <ul style="list-style-type: none"> • to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines • to promote efficient, targeted and risk-based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities • to provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to engender mutual understanding of flood and coastal erosion risks in its area.
Riparian landowners	Owner of property (i.e. land) alongside a natural watercourse. Under common law they possess rights and responsibilities relating to the stretch of the watercourse which falls within the boundaries of their property.
Risk Management Authority	Risk management authorities (RMAs) are the Environment Agency, internal drainage boards, lead local flood authorities, district and borough councils, coastal protection authorities, water and sewerage companies and highways authorities. The Flood and Water Management Act 2010 requires these Risk Management Authorities to co-operate with each

	<p>other, act in a manner that is consistent with the National Flood and Coastal Erosion Risk Management Strategy for England and the local flood risk management strategies developed by Lead Local Flood Authorities and exchange information. They have flexibility to form partnerships and to act on behalf of one another.</p>
Statutory main river map	<p>A map that shows watercourses designated by the Environment Agency as main rivers. The Statutory Main River Guidance that can be found on GOV.UK, sets out the basis on which the Environment Agency should decide whether or not a river or watercourse is treated as a 'main river'.</p>
Statutory duties	<p>The duties and functions that an organisation must undertake by law.</p>
Watercourse	<p>Includes all streams, rivers, ditches, drains, cuts, dykes, sluices, sewers (other than public sewers) and passages through which water flows.</p>
Water Framework Directive	<p>This Directive is European Union legislation that covers all inland and coastal waters. The Directive sets a framework which should provide substantial environmental benefits for managing water over the long term. River Basin Management Plans are developed and published in accordance with this legislation.</p>
WFD objectives	<p>Water body objectives consist of two pieces of information: the status (such as 'good') and the date by which that status is planned to be achieved (for example, 'by 2021').</p> <p>The status part of an objective is based on a prediction of the future status that would be achieved if technically feasible measures are implemented and, when implemented, would give rise to more benefits than they cost. The objective also takes into account the requirement to prevent deterioration and, as far as practicable, the requirements of protected areas.</p>

B) Additional information on flood risk management funding and de-maining

Funding source	Funded from	Available to	Other relevant information
Flood and Coastal Erosion Risk Management grant in aid	Central government via income tax	EA (for maintenance and capital funding), local authorities and IDBs (for capital funding only)	Allocation managed through RFCCs based on: health and safety, habitat recreation targets and a competitive partnership funding score.
Local levy	County councils and unitary authorities, in their role as lead local flood authorities via council tax and other council funding mechanisms. May be raised either from within existing budgets or by raising council tax	EA, local authorities	Determined by lead local flood authorities on the RFCCs as part of their January meeting
Special levy	District councils and unitary authorities via council tax and other council funding mechanisms to pay for drainage for non-agricultural land. May be raised either from within existing budgets or by raising council tax	IDBs	
Drainage rates	Owners of agricultural land and buildings within an Internal Drainage District who are beneficiaries of the activities undertaken by IDBs	IDBs	
General drainage charge	Statutory levy payable by the occupiers of agricultural land and buildings and woodland outside an Internal Drainage District (currently used in Anglian Region only)	EA (in the EA's Anglian Region only)	Rate reviewed annually by RFCCs
Highland (upland/foreign) water contributions	Payments from the Environment Agency to IDBs for water received from outside of the Internal Drainage District	IDBs	Allocation agreed by RFCCs Payments are made annually at the discretion of the Environment Agency

Precepts	Payments from IDBs to the Environment Agency to reflect water moving from Internal Drainage Districts into main rivers	EA	Allocation agreed by RFCCs Payments are compulsory, however an IDB may appeal if they feel it unfair and may request details of how it has been spent by the EA
Other funding sources	Grants, local communities, landowners, growth funding, corporate sources, European, water friendly farming, Nature Improvement Areas, local enterprise partnerships etc	All risk management authorities	

1. Will IDBs and LLFA/district councils need to raise the additional resources to undertake maintenance on their de-mained watercourse or assets?

- In deciding whether to re-classify / de-main a watercourse, we will consider if those taking on responsibility will have sufficient capability and resources for flood risk management. In most cases we expect that they will already have capability and resources to manage the de-mained watercourses. In other cases they will need to raise additional resources or access specialist capability.
- IDBs raise their revenue each year from drainage rates and special levies. The amount can vary according to the amount of work they wish to do in their annual maintenance programme.
- District councils in Suffolk would not usually use their permissive powers as the responsibility to maintain the watercourse rests with the riparian owner. This means that the district councils do not plan to raise additional funding locally.

2. Would the Environment Agency reduce IDB precept charges as a result of de-maining?

- We would consider any adjustments to IDB precept charges as a result of de-maining the following year, as part of the local discussions on the annual maintenance programme. In-year changes are not made to the IDB precepts.
- The Environment Agency is required to raise a precept on IDBs each year as a contribution towards its expenses for maintenance work undertaken on main rivers inside and outside of an Internal Drainage District which provides a benefit to the IDBs.
- The Environment Agency Board sets the value of the precept for each IDB annually, following consultation with and obtaining the consent of the regional flood and coastal committees (RFCCs).
- There is no direct correlation between the level of the precept and the length of main river, or the work to be carried out in or directly for the benefit of that drainage district.

3. What does de-maining mean for the General Drainage Charge (GDC)?

- GDC is raised outside of IDB areas and is only spent on the Environment Agency's flood risk management functions on main river in the RFCC region in which they are raised.

- GDC will not be spent on any de-mained watercourses.
- 4. Can the Environment Agency transfer grant in aid revenue funding that is currently spent on FCERM maintenance to the new RMAs managing watercourses?**
- No. We are not permitted to transfer revenue alongside the transfer of watercourses to IDBs / LAs.
- 5. Who pays for the maintenance of these watercourses at the moment?**
- The Environment Agency currently funds maintenance on these watercourses.
 - It is mainly funded from FCERM grant in aid, local levy, IDB precept and general drainage charge.
- 6. Who will pay for this work in future if this watercourse is de-mained to a Lead Local Flood Authority?**
- The maintenance funding allocation to Local Authorities is very variable throughout the country and requires local partnership working to determine where best to source the funds. However, they will only undertake maintenance where they deem it necessary to supplement the maintenance required of riparian landowners and have the funding to do so.
 - Each proposed de-maining location will make their plans clear as part of the consultation.
- 7. Who will pay for this work in future if this watercourse is de-mained to an IDB?**
- IDBs mainly fund maintenance work through drainage rates, special levy and highland water contribution.
 - It may be possible to agree local adjustments to IDB precept payments to the Environment Agency following de-maining.

C) Roles and responsibilities of organisations

The Environment Agency

The Environment Agency manages flood risk from main rivers and the sea. It also has a strategic overview of the management of all sources of flooding and coastal erosion, and works closely with other risk management authorities who have responsibility for local flooding and coastal erosion. It sets the National Flood and Coastal Erosion Risk Management Strategy, which informs the local flood risk management strategy set by the LLFA.

The Environment Agency also regulates flood risk activities under the Environmental Permitting Regime, and in doing so takes account of flood risk, the environment and Water Framework Directive objectives. Works undertaken on a main river require a Flood Risk Activity Permit under the Environmental Permitting Regulations.

For more information about the role of the Environment Agency please visit the GOV.UK website.

Regional Flood and Coastal Committees (RFCCs)

RFCCs were set up by the Environment Agency under the Flood and Water Management Act 2010. They bring together members appointed by LLFAs and independent members with relevant experience for 3 purposes:

- to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines
- to encourage efficient, targeted and risk-based investment in flood and coastal erosion risk management that represents value for money and benefits local communities
- to provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to build understanding of flood and coastal erosion risks in its area

Consent from RFCCs is not required where the EA is proposing to de-main stretches of watercourse, however the RFCCs must be consulted about flood and coastal risk management work in their region. RFCCs have an important role to ensure local consideration of the proposed changes and that risk management authorities are involved at the earliest stages of any proposal. While the RFCC is not under any obligation to respond, it may wish to comment on the more significant proposals during the consultation stages. The Environment Agency have ensured that RFCCs have been kept informed throughout the process.

For more information about the role of the RFCCs please visit the GOV.UK website.

Lead Local Flood Authorities (LLFAs)

The 152 unitary authorities and county councils in England are LLFAs. They provide leadership and strategic co-ordination across all sources of local flood risk, establishing local flood risk management strategies, covering all of the local risk management authorities. They also manage the risk of flooding from surface water, groundwater and ordinary watercourses (i.e. watercourses which are not designated as main rivers).

Under The Flood and Water Management Act 2010, LLFAs are required to:

- Prepare and maintain and put in place a strategy for local flood risk management in their areas including risks from surface water run-off, groundwater and ordinary watercourses
- Establish local management and governance arrangements with other key stakeholders and co-ordinate with other authorities to ensure delivery of effective joined up management of flood risk

- Act as a statutory consultee on all major planning applications with surface water drainage implications
- Maintain a register of assets – these are physical features that have a significant effect on flooding in their area
- Investigate significant local flooding incidents and publish the results of such investigations
- Issue consents for altering, removing or replacing certain structures or features on ordinary watercourses
- Prepare a Preliminary Flood Risk Assessment and prepare Surface Water Management Plans for areas of greatest risk.

In the event of any transfer of flood risk management activities from the EA to LLFAs/district councils the local strategy for LLFAs will need to consider the flood risk in their new area of responsibility, and expand their asset register. Depending on the local arrangements between RMAs, they may also take on responsibility for maintenance works.

For more information about the role of LLFAs please visit the GOV.UK website.

District Councils

District councils are a risk management authority and they play a role in managing flood risk from ordinary watercourses. They operate and maintain existing sea defences and carry out other work to manage flood risk from the sea (with the consent of the Environment Agency).

They manage risk by working with lead local flood authorities and others to:

- take flood risk into account when making decisions on development in their area
- use powers to carry out flood risk management works on ordinary watercourses to supplement riparian owner responsibilities

District councils also act as coastal erosion risk management authorities in coastal areas by:

- carrying out coast protection work (including constructing and maintaining works)
- preparing long-term shoreline management plans

District councils can:

- make byelaws to ensure that a drainage system works efficiently, regulate the environmental effects of a drainage system or ensure that flood risk management work is effective
- designate structures and features of the environment that affect flood or coastal erosion risk
- carry out work that may cause flooding or coastal erosion in the interests of nature conservation, preservation of cultural heritage or people's enjoyment of the environment or cultural heritage

By reclassifying some main river to ordinary watercourse, (a change called 'de-maining'), district council's powers would change, allowing them to undertake any maintenance works they feel necessary to ensure that there is no increase in flood risk to others. As watercourse maintenance is a power rather than a duty, there is no requirement for the district council to undertake maintenance.

For more information about the role of district councils in relation to flood risk management please visit the GOV.UK website.

Internal Drainage Boards

An internal drainage board (IDB) is a local public body that manages water levels within their local area, known as an 'internal drainage district.' Working with key partners such as the Environment Agency and lead local flood authorities, IDBs are a fundamental part of managing flood risk and land drainage within England.

Each IDB has permissive powers which allow them to undertake work to reduce flood risk to people and property and manage water levels within their internal drainage district. They also have statutory duties with regard to the environment and recreation when exercising their permissive powers. IDBs are not, however, responsible for watercourses designated as main rivers within their drainage districts; this sits with the Environment Agency.

Much of their work involves the maintenance and improvement of rivers, drainage channels, outfalls and pumping stations. They also oversee drainage issues in connection with new developments and advise on planning applications. This means that anyone constructing or altering a weir, bridge, embankment, culvert or similar obstruction must apply for an ordinary watercourse consent from the IDB before undertaking works.

For more information on internal drainage boards please visit the Association of Drainage Authorities website www.ada.org.uk/

Riparian Owners

Riparian owners have responsibilities to look after the stretch of watercourse that they own. A riparian owner must let water flow naturally through their land. If a blockage on their stretch of watercourse reduces the flow or causes flooding, they may be liable to pay damages to other landowners.

They should:

- remove any blockages
- cut back trees and shrubs only if they could reduce the flow and cause flooding
- keep any trash screen, weir, mill gate or other structure clear

Riparian owners have the right to protect their property from flooding and their land from erosion, but must not build anything which could increase flood risk to other people's land or property. They will need to check with the appropriate risk management authority to determine whether they need permission to do works in or near the watercourse. Depending on the local situation the risk management authority could be the EA, IDB, LLFA or district council.

In undertaking any works in or around the watercourse the riparian owner must not disturb protected species or their habitats and prevent invasive species.

For more information please refer to the guide 'Living on the Edge' on the GOV.UK website.

D) Response form

Your Details

When we come to analyse the results of this consultation, it would help us to know if you are responding as an individual or on behalf of an organisation or group.

Please select from the following options:

- Responding as an individual
- Responding on behalf of an organisation or group
- Other

If you're responding on behalf of an organisation or group, please tell us who you are responding on behalf of

- Member of the public
- Internal Drainage Boards
- Drainage associations
- Local Authorities
- District councils
- Parish councils
- Elected representatives, including MPs
- Landowners and Tenants
- Farming associations
- Environmental bodies
- Regional Flood and Coastal Committees
- Water companies
- Recreational and commercial river users
- Community groups
- Flood action groups
- Other

If you selected other, please specify.

Please tell us if you would like to (tick all that apply):

- Receive an email acknowledging your response
- Receive an email to let you know that the summary of responses has been published

If you have ticked any of the boxes above, please provide us with your email address:

Email: _____

Can we publish parts of your response that are not personally identifiable?

Yes/No

Please tell us how you found out about this consultation:

- From the Environment Agency
- From another organisation
- Through an organisation you're a member of
- Press article
- Social media e.g. Facebook, Twitter
- Through a meeting you attended
- Other (please specify)_____

We welcome your comments on the RMRN Suffolk de-maining proposal. In particular we would value your views on the questions listed below:

1) Overall, do you support the de-maining proposals?

Yes/No/Don't know

Please explain your answer below.

2) If de-maining goes ahead the Environment Agency will no longer be responsible for these watercourses. This responsibility will pass to the risk management authorities as set out in this consultation. How satisfied would you be about this?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

Please tell us which of the following watercourses you would like your comments for this question to apply to:

- All watercourses
- Bologney River
- Cookley Watercourse
- River Wang and River Trent and Uggeshall Watercourses

3) If de-maining goes ahead the Environment Agency will no longer be responsible for regulating flood risk for these watercourses. This responsibility will pass to the risk management authorities as set out in this consultation. How satisfied would you be about this?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

4) If de-maining goes ahead how satisfied are you with the proposed maintenance works?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

Please tell us which of the following watercourses you would like your comments for this question to apply to:

- All watercourses
- Bologney River
- Cookley Watercourse
- River Wang and River Trent and Uggeshall Watercourses

5) If de-maining goes ahead how satisfied are you with how money will be raised to pay for maintenance?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

Please tell us which of the following watercourses you would like your comments for this question to apply to:

- All watercourses
- Bologney River
- Cookley Watercourse
- River Wang and River Trent and Uggeshall Watercourses

6) If de-maining doesn't go ahead how satisfied are you with what is proposed in relation to future maintenance?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

Please tell us which of the following watercourses you would like your comments for this question to apply to:

- All watercourses
- Bologney River
- Cookley Watercourse
- River Wang and River Trent and Uggeshall Watercourses

7) If de-maining goes ahead how satisfied are you with changes to who undertakes maintenance work on assets?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

Please tell us which of the following watercourses you would like your comments for this question to apply to:

- All watercourses
- Bologney River
- Cookley Watercourse
- River Wang and River Trent and Uggeshall Watercourses

8) If de-maining goes ahead how satisfied are you with changes to who is responsible for managing and considering the environment in the areas affected by the de-maining proposals?

Very dissatisfied				Very satisfied
1	2	3	4	5

Please explain your answer below.

Please tell us which of the following watercourses you would like your comments for this question to apply to:

- All watercourses
- Bologney River
- Cookley Watercourse
- River Wang and River Trent and Uggeshall Watercourses

9) **Please tell us if you have any further comments or information that you would like to share with us regarding the Suffolk de-maining proposals.**

10) **How helpful was the information provided to you prior to this consultation in increasing your understanding of the de-maining proposals and how they may affect you?**

Very unhelpful				Very helpful
1	2	3	4	5

Please explain your answer below.

11) **Please tell us how you would like to receive information from the Environment Agency and its partners in the future about the de-maining pilot proposals.**

- Via social media
- Newsletter
- Public drop-in events
- Posters
- Via letter or email
- Website
- Other – please list below:

How we will use your information

The Environment Agency will look to make all responses publicly available during and after the consultation, unless you have specifically requested that we keep your response confidential.

We will not publish names of individuals who respond.

We will also publish a summary of responses on our website in which we will publish the name of the organisation for those responses made on behalf of organisations.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

Returning your response

Your response to this consultation needs to be returned by midday 12 February 2018.

We would like you to use this form if you are not submitting your response online. You can return it by email to PSOENS@environment-agency.gov.uk. Please use this email address if you have any questions regarding this consultation.

Or by post to:

Marie Coleman or Hannah Watson
PSO Norfolk and Suffolk
Environment Agency
Dragonfly House
2 Gilders Way
Norwich
Norfolk NR3 1UB

Would you like to find out more about us or about your environment?

Then call us on

03708 506 506 (Monday to Friday, 8am to 6pm)

email

enquiries@environment-agency.gov.uk

or visit our website

www.gov.uk/environment-agency

incident hotline 0800 807060 (24 hours)

floodline 0345 988 1188 (24 hours)

Find out about call charges (www.gov.uk/call-charges)



Environment first: Are you viewing this on screen? Please consider the environment and only print if absolutely necessary. If you are reading a paper copy, please don't forget to reuse and recycle if possible.