



# Rationalising the Main River Network (RMRN): Snow Sewer De-maining Project - Consultation Response Document

20 August 2018

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We help people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion.

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We can't do this alone. We work as part of the Defra group (Department for Environment, Food & Rural Affairs), with the rest of government, local councils, businesses, civil society groups and local communities to create a better place for people and wildlife.

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# Foreword

We are committed to working with local organisations, landowners and communities to ensure the right organisations are managing the right watercourses.

In June/July 2018 we went to formal consultation for the proposed de-mainment of the Snow Sewer watercourse within the Isle of Axholme.

We are a national organisation and our focus is on managing watercourses where the flood risk is greatest to people and property, therefore in some locations we are not best placed to lead and manage flood risk.

Working with local partners such as internal drainage boards (IDBs) and local authorities (LAs) we want to ensure the right organisations are managing the right watercourses, supporting local decisions and actions.

We consulted on proposals to de-main the Snow Sewer watercourse, which is approximately 10.3km in length. We received 2 responses to the consultation.

The views and opinions expressed were very positive about our proposal.

The consultation feedback will inform our decision on if and how we plan to proceed in transferring watercourse and assets in this location and also the approach we take across England in the future.

# Executive summary

The Environment Agency wishes to empower local communities, Internal Drainage Boards (IDBs) and Local Authorities (LAs) to take responsibility for their local flood risk where they want to, and where appropriate.

In the Isle of Axholme, we have carried out a consultation on proposals to transfer responsibilities for the Snow Sewer watercourse from the Environment Agency to the Isle of Axholme and North Nottinghamshire Water Level Management Board. This means re-designating this section of river from main river to ordinary watercourse – a process we refer to as de-maining. This watercourse 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 the Isle of Axholme and North Nottinghamshire Water Level Management Board. We believe that this action would empower the IDB, giving them the ability to manage this section of watercourse for the benefit of local landowners and the wider community.

The consultation took place from 25 June until 23 July 2018 to seek the views of all of those individuals, groups and organisations who are affected by, or interested in, our proposals. The consultation set out all of the information on our proposals. It explained how the proposed section of watercourse is currently managed and funded and provided details on future management and funding, if de-maining does or does not take place.

We have now analysed the responses from the consultation and this document provides a summary of the responses received and describes the next steps in the process.

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# 1. Introduction

## 1.1. Purpose of this document

The Environment Agency has reviewed the comments received during the consultation. Thank you to everyone who responded.

The purpose of this document is to:

- provide an overview of how we ran the consultation
- share a summary of the feedback received for the consultation questions
- present summary information on:
  - the number of responses submitted
  - the types of organisations that responded
- explain what will happen next.

## 1.2. What changes we are proposing and why

The Environment Agency proposes to transfer flood risk management activities for the Snow Sewer section of main river, along with its associated assets to the Isle of Axholme and North Nottinghamshire Water Level Management Board (IDB).

This would result in this stretch of the river being removed from the statutory main river map. It would be re-designated as ordinary watercourse, a change we refer to as de-maining, and it would then be managed, regulated and maintained by Isle of Axholme and North Nottinghamshire Water Level Management Board.

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 and maintain a watercourse to other risk management authorities (RMAs) such as an IDB, lead local flood authority (LLFA) or district council, where appropriate to do so.

The section of watercourse listed above has low levels of flood risk to people and property and is not associated with major rivers or major population centres. Therefore, we are proposing to transfer management, regulation and the power to undertake maintenance of the Snow Sewer to Isle of Axholme and North Nottinghamshire Water Level Management Board (IDB). This section of river falls within the IDB's District. The IDB are willing to take on responsibility for this section of river and they have the appropriate skills and governance arrangements in place to do so. This is in line with the requirements set out in the Statutory Main River Guidance (please refer to the Appendices).

De-maining this watercourse would allow for local decision-making about how this section of watercourse is 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 this section of river and we would no longer regulate flood risk activities.

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').

**Table 1: Current and future roles and responsibilities**

<b>Role</b>	<b>Current responsibility</b>	<b>Future responsibility</b>
<b>Overall responsibility for the flood risk management of the watercourse</b>	Environment Agency	Isle of Axholme and North Nottinghamshire Water Level Management Board (IDB)
<b>Regulation - issuing permits for works on near to the watercourse</b>	To undertake any flood risk activities on the main rivers you must apply to the Environment Agency for a Flood Risk Activity Permit under the Environmental Permitting Regulations.	To undertake flood risk activities or works on the proposed de-mained watercourse you would need to apply for a Consent from the IDB. The IDB regulate these activities using Ordinary Watercourse Consents under the Land Drainage Act and relevant bylaws.
<b>Permissive power to maintain the watercourse</b>	The Environment Agency has permissive powers to maintain the watercourse.	The IDB would have permissive powers to maintain the watercourses. E.g. to access the banks to carry out maintenance of the watercourse and any associated assets. The EA would no longer have these powers.
<b>General riparian (landowner) responsibilities</b>	Riparian owners are responsible for stretches of the watercourse which fall within the boundaries of their property.	Riparian responsibilities would not change following de-maining and transfer.

## 2. Feedback from public drop-ins

### 2.1 What we did and when

Ahead of the formal consultation, we held a number of public drop-in sessions in the local area. These were important to, not only engage stakeholders, but members of the communities affected by these proposals. They were carried out in partnership with the Isle of Axholme and North Nottinghamshire Water Level Management Board, and allowed an opportunity for questions and comments to be raised by the community ahead of the formal consultation process.

Public drop-in sessions were held at:

- Haxey Chapel community centre, 26 October 2017
- Owston Ferry coronation Hall, 31 October 2017

The public drop-ins were advertised through a range of methods including:

- Letters and email invitations too relevant landowners
- Invitations to key stakeholders such as parish and district councils, the LLFA, North Lincolnshire Council and Non -Governmental Organisations (NGOs) such as Natural England and Lincolnshire Wildlife Trust.
- Posters and postcards given out in local shops and amenity locations
- Social media, a press release and a briefing to MP, Andrew Percy (September 2017)
- Attendance at various local meetings (see section 2.3)

Information provided at the drop-in events included detailed maps of the watercourses, leaflets explaining riparian ownership responsibilities, information on flood risk and current maintenance regimes and leaflets explaining the policies and procedures of the Isle of Axholme and North Nottinghamshire Water Level Management Board. Environment Agency and IDB officers attended both public drop-in sessions to discuss the proposals with attendees and to answer their questions.

### 2.2 Responses

Overall the feedback from the public drop-in sessions was very positive, with support for the proposals to move forward to the formal consultation. While most questions were general enquiries about the purpose of the project, some comments and queries of note are as follows:

- Several attendees commented that they thought the IDB was very organised and had a good knowledge of the local area. They also thought it was a good local solution for the local community and was long overdue.
- Some questions were around the future maintenance plan and if any walking routes would be affected. The IDBs future maintenance plan was included in the formal consultation and the IDB are looking into the possibility of creating a circular walking route to improve the current routes.

Attendees were encouraged to give us their feedback on the de-maining proposals by filling out a written feedback form. The completed feedback forms showed general support for the proposals. However, some respondents said they needed to find out more information on the proposals during the formal consultation phase before making a final decision as to whether or not they support the proposals.



## 2.3 Other engagement

In addition to the public drop-in sessions we attended a number of meetings and events to publicise the project. Feedback was positive overall, with a focus on queries and comments around funding of future proposal, confirming ownership of assets and ensuring the Isle of Axholme and North Nottinghamshire Water Level Management Board are the competent authority to manage the watercourse.

- James Bevan, Environment Agency Chief Executive site visit, 12 January 2017
- Isle of Axholme Strategy meetings on a quarterly basis
- North Lincolnshire Strategic Flood Risk Management Board, 17 June 2017
- Association of Drainage Authorities (ADA) Trent Branch meeting, 14 June 2017 and 7 June 2018
- Trent Regional Flood and Coastal Committee meeting, 24 October 2017
- Stakeholder de-maining workshops, including NFU, Natural England, RSPB held on various dates

## 3. How we ran the consultation

We used the feedback from the public drop-in sessions, meetings and steering groups to help us finalise our formal consultation proposals. A formal consultation on the proposals was then published online using our online engagement tool, Citizen Space, between 25 June and 23 July 2018. Information on the questions asked and a summary of responses to these questions can be found in section 4 below.

### 3.1 Advertising

The formal consultation was advertised in the following ways:

**A Proposal for Designation Change Notice was advertised in the following newspapers:**

- Doncaster Free Press
- Epworth Bells

**Both newspapers were weekly publications that covered the proposed watercourses for de-maining. They were in print for the week commencing the 25 June 2018.**

#### **PUBLIC NOTICES**

##### **ENVIRONMENT AGENCY**

##### **PROPOSED DETERMINATION OF ENVIRONMENT AGENCY- CHANGE TO MAIN RIVER MAP AT OWSTON FERRY, NORTH LINCOLNSHIRE**

The Environment Agency proposes to re-designate the length of the Snow Sewer watercourse at Owston Ferry, North Lincolnshire that is currently designated as a 'main river'.

This change represents a 'determination' under section 193C(1) of the Water Resources Act 1991. A determination is a formal decision to change the main river map.

The proposed determination is that the length of the Snow Sewer between national grid reference (NGR) SK7309098575 and (NGR) SK8134899440, which is currently designated as main river should from the date on which the determination takes effect be re-designated as an ordinary watercourse.

The change would mean that Isle of Axholme and North Nottinghamshire Water Level Management Board would have powers to carry out work to manage flood risk for the re-designated section of the watercourse. The Environment Agency would no longer have any permissive powers to carry our works on this section of the watercourse.

The change would also affect how the watercourse is regulated. If you wanted to carry out works in or next to the watercourse, you might have to get consent from that Isle of Axholme and North Nottinghamshire Water Level Management Board.

##### **Where can I found out more information and comment on the proposed changes?**

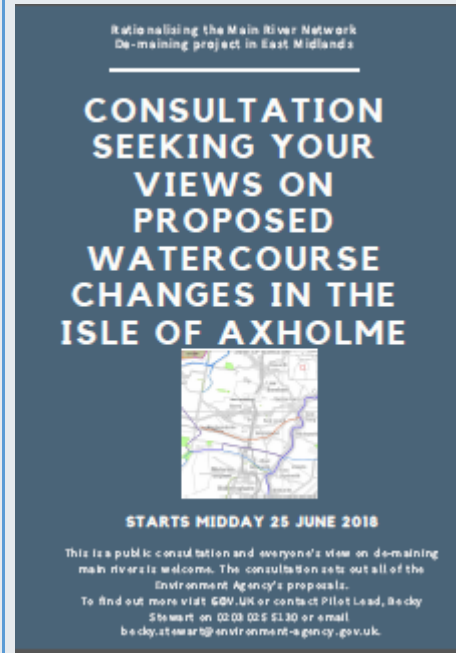
You can view and comment on the proposals via our online consultation at <https://www.gov.uk/government/consultations/rationalising-the-main-river-network-de-maining-proposals>

If you have any comments or queries about this proposal you can also email [becky.stewart@environment-agency.gov.uk](mailto:becky.stewart@environment-agency.gov.uk) or write to: Becky Stewart, Environment Agency, 56 Towngreen Street, Rothley, Leicestershire, LE7 7NW. Please quote reference number BS/RMRNISS/18 when you contact the Environment Agency.

You need to submit your response to the online consultation or send your comments to the Environment Agency by midday 23 June 2018. Maps of the proposed changes can also be viewed at our Environment Agency office: Environment Agency Owston Ferry Depot, North Lincolnshire, DN9 1RR.

Posters were put up by officers or posted to recipients to display in the following locations:

- Lincolnshire County Council office
- Libraries in the vicinity
- Parish Council public notice boards
- Local post offices and shops



Information on the consultation was also uploaded to the following websites:

- Doncaster Free Press
- Association of Drainage Authorities
- Gov.UK
- National Farmer Union

## Consultation on Isle waterway



The Snow Sewer in the Isle of Axholme.

Share this article

Published: 10:23  
Tuesday 26 June 2018



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Residents can have their say on how selected local rivers are managed and maintained following the launch of a public consultation.

The consultation, which will run for until July 23, outlines proposals by the Environment Agency to transfer 'flood risk management activities' on the Snow Sewer watercourse to the Isle of Axholme and North Nottinghamshire Water Level Management Board.

## We sent out tweets to advertise the formal consultation



We also advertised the formal consultation in the following ways:

- Letters to all relevant landowners (directly along the watercourse)
- Email to those who attended the public drop-in events
- Briefing note sent to the local MP, Andrew Percy (15 June 2018) and local parish councils
- Email to all key stakeholders including Lead Local Flood Authority North Lincolnshire Council, Doncaster Metropolitan Council, local steering groups, Trent Regional Flood and Coastal Committee, local Non-Government Organisations and the National Farmers Union (NFU).

### 3.2 Other engagement

In addition to the advertising listed above, we also attended a number of meetings and events in the area to publicise the formal consultation:

- Association of Drainage Authorities Trent Branch meeting 22 February & 7 June 2018
- External stakeholder meeting 22 May 2018
- Isle of Axholme Strategy group meetings

## 4. Summary of consultation feedback

This section covers the consultation responses submitted. All responses to the online consultation (with approval to publish) can be viewed online here: <https://consult.environment-agency.gov.uk/fcrm/isle-of-axholme-de-maining-pilot-proposals>

A total of 2 responses were received, both of which were supportive of the Snow Sewer pilot project proposal. The responses were received via letter and email and although not always in the question format they have provided valuable feedback on the de-maining proposals.

The following pages summarise the response received by themes from the consultation. Where relevant, we have provided clarity on any questions or comments raised.

### 4.1 Overall views on the de-maining proposal

Respondents were supportive of the proposal to de-main the Snows Sewer. They believed that de-maining would strengthen local decision making and allow the watercourse to be managed by the IDB, as the local experts.

#### You told us...

"..no objections to the proposed asset transfer to the Isle of Axholme and North Nottinghamshire Water Level Management Board".

"we would be please to continue to liaise with the Isle of Axholme and North Nottinghamshire Water Level Management Board regarding this watercourse".

"the IOANNWLMB already carry out significant drainage works in the IoA and has already done major improvements to the watercourse".

"we consider locally IOANNWLMB will be well capable of managing the watercourse and being local will be a big advantage.

#### Our response...

We welcome the support from stakeholders to the de-maining proposals.

### 4.2 Asset / Watercourse maintenance and responsibilities

As part of the de-maining process, any assets owned by the Environment Agency will be transferred to the Isle of Axholme and North Nottinghamshire Water Level Management Board along with regulatory responsibilities for the watercourse. We have also mapped assets owned by other authorities or private owners to ensure the IDB are aware of who is responsible for maintaining them post transfer.

The respondents where positive about the Isle of Axholme and North Nottinghamshire Water Level management Board taking over the responsibility of any land/assets.

#### You told us...

"We consider that the IOANNWLMB carry out maintenance to a high standard on the watercourse at present".

"the locally based IOANNWLMB would be able to monitor more closely the condition of the snow sewer".

".. would support the proposed management plan put forward in the draft management plan".

"we are pleased that the IOANNWLMB has committed to improved management of the watercourse, which we feel will improve the biodiversity of the site".

### Our response...

If the Snow Sewer is de-mained, the Isle of Axholme and North Nottinghamshire Water Level Management Board will also take on the responsibility for consenting any works on the Snow Sewer. The IDB currently maintain a significant number of ordinary watercourses in the catchment and have the experience to carry out this role. In addition, they have a proven track record of working with riparian owners to ensure these watercourses are maintained to an appropriate standard.

Where there is monitoring equipment linked to the Environment Agency's flood warning service, we will work with the Isle of Axholme and North Nottinghamshire Water Level Management Board to ensure there is continued access to this equipment. The Environment Agency and the IDB will also continue to work together during high flow events to ensure the watercourses and assets on them are operated in a holistic way.

We will provide the IDB with a detailed information pack before de-maining which will include maps of all assets on watercourses and details of the organisations responsible for them. We will provide details of the all the information we hold on the watercourse to the IDB.

## 4.3 Funding

Some concerns were raised on how future maintenance works on the Snow Sewer would be funded

### You told us...

"we do not wish to see any considerable increase in drainage rates but if there could be some adjustment of IDB precept payment to EA this would be helpful".

### Our response...

Currently, maintenance work on the Snow Sewer is funded through FCRM Grant in Aid provided by central government. 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. By de-maining and transferring maintenance responsibility to the Isle of Axholme and North Nottinghamshire Water Level Management Board, works will be funded through the IDB's land drainage rate recovery and therefore will not be impacted by any changes to Government funding. The IDB currently maintain a significant number of ordinary watercourses in the catchment. The IDB are reviewing their programme of works to ensure they take a holistic approach to managing and maintaining their watercourses, which increases efficiencies.

The IDB precept is assessed and approved on a yearly basis. The EA work closely with IDB staff to identify which flood defence assets and maintenance work the IDB precept contributes towards. Future discussions around levels of precept received will be undertaken if maintenance changes or asset ownership and operation changes.

## 4.4 If de-maining doesn't happen

Respondents marked on the questionnaire they would be "dissatisfied" if de-maining did not happen.

### You told us...

"the snow sewer had become very restricted with reed and weed growth due to previous poor maintenance by the EA."

### Our response...

If de-maining and transfer of maintenance did not go ahead, we would continue to maintain the watercourses at the current level of funding where possible. However, Flood and Coastal Erosion

Risk Management funding is allocated on a benefit to cost ratio. This means that, as low a risk watercourse, Snow Sewer (and other low risk watercourses) may be subject to a reduction in funding to carry out maintenance works. Whilst this would not impact our flood incident response role, it would impact the amount of maintenance work we carry out.

If we were to significantly reduce maintenance or stop altogether, we would engage with relevant landowners and homeowners in advance of changes. We would also work with our local partners to understand and (where feasible) implement other options to limit the impact of reduced funding and maintenance.

## 4.5 Protecting the environment

The importance of maintaining the current standard of protection for the environment has been highlighted throughout this project, including during the formal consultation. Respondents were confident that the Isle of Axholme and North Nottinghamshire Water Level Management Board would manage the Snow Sewer in an environmentally sensitive manner.

### You told us...

"We would suggest that expanded cattle grazing should be a priority to improve the bankside management to benefit floral and structural diversity".

"IOANNLWMB have an environment officer and North Lincolnshire council have a good record environmentally"

"We are supportive of the management the IDB have already carried out on the watercourse".

### Our response...

As part of this pilot project we have liaised with key internal teams such as Fisheries, Biodiversity, Analysis and Reporting, Water Resources and asset performance, to fully understand the watercourses proposed for de-maining. This includes finding out about species or habitats recorded in the area, mapping of designated sites, Water Framework Directive status and actions, and how the current maintenance regime is beneficial to a whole system approach. Key environmental organisations (NE, PSPB, and Lincolnshire Wildlife Trust) have also been closely involved with to ensure all aspects have been considered.

This information, plus recommendations for additional measures to enhance and protect the environment and good environmental practice maintenance methods or conservation projects, will be detailed in a formal Information Pack that will be given to the Isle of Axholme and North Nottinghamshire Water Level Management Board following de-maining and asset transfer. We will continue to work with our Environment Agency colleagues and our partner organisations, such as Natural England and the Lincolnshire Wildlife Trust, to produce this pack. .

## 4.6 The IDB as a competent authority

Overall, respondents felt that Isle of Axholme and North Nottinghamshire Water Level Management Board was a competent authority to take on the future maintenance of Snow Sewer.

### You told us....

"We are supportive of the work the IDB have already carried out on the watercourse."

"The locally based IOANNWLMB is best placed to carry out works."

"This is a low flood risk watercourse and the IOANNWLMB already carry out works within the Isle".

### Our response...

An essential part of developing and piloting this new process of transferring responsibility to another RMA has been to carry out thorough assessments of the authority. We have worked in partnership with the Isle of Axholme and North Nottinghamshire Water Level Management Board IDB to ensure they will continue to maintain the watercourses in their current state, and do more maintenance where possible. The IDB currently maintain a significant proportion of the ordinary watercourses in the Snow Sewer Catchment, and this proposal will allow them to implement a



more holistic, catchment wide approach to how they manage their systems. They already have consenting responsibilities, are experts in managing land drainage systems, and understand and implement environmentally sensitive measures for works they carry out.

In addition, we currently have a Public Sector Cooperation Agreement (PSCA) with the Isle of Axholme and North Nottinghamshire Water Level Management Board IDB to maintain the vast majority of our main rivers in the Isle of Axholme. This includes the snow Sewer proposed for de-maining and transfer. A condition of the PSCA is that the IDB have sufficient resource (as well as equipment) to maintain additional watercourses. Therefore the IDB will not need to employ further staff if we transfer responsibility for the Snow Sewer to them.

## 5. Next steps

We will take into account all of the consultation responses received and consider these alongside the criteria set out in the Statutory Main River Guidance to the Environment Agency (please refer to appendix 5.3) 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. We will also notify people who have responded to the consultation and provided us with an email address. 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.

# 6. Appendices

## 6.1 List of consultation participants

<b>Lincolnshire Wildlife Trust</b>
<b>Haxey Parish Council</b>

## 6.2 Statutory Main River Guidance

This guidance sets out the basis on which the Environment Agency should decide whether or not a river or watercourse is treated as a 'main river'. The guidance has been issued under section 193E of the Water Resources Act 1991.

Main rivers are usually larger rivers and streams. They are designated as such, and shown on the [Main River Map](#). The Environment Agency carries out maintenance, improvement or construction work on main rivers to manage flood risk. Other rivers are called 'ordinary watercourses'. Lead local flood authorities, district councils and internal drainage boards carry out flood risk management work on ordinary watercourses.

The Environment Agency is responsible for maintaining a map of the main river (the Main River Map) and making any changes to it, and determining whether or not a watercourse, or part of a watercourse, is to be treated as a main river or part of a main river. This guidance has been issued by the Secretary of State for Environment, Food and Rural Affairs and the Environment Agency is required to have regard to it.

### **A. Criteria for determining whether or not a watercourse or part of a watercourse is suitable to become or to remain a main river or a part of a main river**

References to a watercourse include both a whole watercourse and parts of a watercourse.

The criteria below are primarily directed at the management of flood risk. Any determination will need to be made in the context of the Environment Agency's other relevant functions (and this may include environmental considerations, where relevant).

#### **1. Principal criteria**

##### *Flood consequence*

1.1 A watercourse should be a main river if significant numbers of people and/or properties are liable to flood. This also includes areas where there are vulnerable groups and areas where flooding can occur with limited time for warnings.

##### *Managing flooding across the catchment*

1.2 A watercourse should be a main river where it could contribute to extensive flooding across a catchment.

1.3 A watercourse should be a main river if it is required to reduce flood risk elsewhere or provide capacity for water flowing from, for example, a reservoir, sewage treatment works or another river.

#### **2. Secondary considerations if changing the status of a watercourse**

##### *An efficient network*

2.1 When considering changing the status of a watercourse, the Environment Agency should avoid short stretches of watercourses of alternating main river and ordinary watercourse status to provide clarity and to minimise inefficiency through multiple authorities acting on the same watercourse.

##### *Competence, capability and resources*

2.2 When considering changing the status of a watercourse, the Environment Agency should consider if those taking on responsibility have sufficient competence, capability and/or resources for flood risk management, including whether their governance enables sufficient competence, capability and/or resources, and local accountability. In carrying out this assessment, the Environment Agency should seek Defra's views.

##### *Other relevant criteria*

2.3 The Environment Agency may have regard to other relevant factors that it considers appropriate when exercising its discretion to determine whether to change the status of a

watercourse or part of a watercourse. The Environment Agency should consider relevant benefits or costs for the local community and representations from the local community and others in response to consultation.

## **B. Guidance in respect of consultation and publication under section 193C(2) and (5) Water Resources Act 1991**

### **How proposed amendments are publicised**

There are two types of change the Environment Agency may make to the main river map:

factual changes (updating the map so the location of watercourses is more accurate)

designation changes (changing an ordinary watercourse so that it is a main river, or a main river so that it is an ordinary watercourse)

Under section 193C(2) of the Water Resources Act 1991 the Environment Agency must publicise any proposed changes to the main river map and consider representations made.

### **Factual changes**

1.1 The Environment Agency must publish notices of proposed factual changes on GOV.UK.

1.2 The Environment Agency should also consider contacting the landowners when the map is being amended to show the correct course of a culvert (a structure that lets the watercourse go under a road, for example).

### **Designation changes**

2.1 The Environment Agency must publicise proposed designation changes in the following ways:

by writing to any person who owns land next to the watercourse, and other key stakeholders (for example, Internal Drainage Boards or Local Authorities);

by placing public notices in local newspapers;

by publishing notices on GOV.UK;

by placing notices in local buildings (for example, in libraries or council offices).

2.2 The Environment Agency should carry out proportionate and meaningful consultation on designation changes by:

giving stakeholders an opportunity to shape, comment on and influence the outcome. Stakeholders include directly affected landowners, relevant public bodies, relevant interest groups and other persons, including the local community, affected by or interested in a proposed determination to change the designation of a watercourse;

providing sufficient information and allowing enough time to enable stakeholders to understand how the proposal affects them and engage with the issues. This should include providing relevant information on the flood risk, environmental aspects, the costs and benefits for local communities and coordinating with those taking on the responsibility for the watercourse to help the public have access to information on proposed future management of the watercourse; and

taking into account the views of all those who respond to the consultation when reaching its decision.

2.3 Anyone aggrieved by the designation change has the right to appeal to the Secretary of State.

# 7. Acknowledgements

We would like to thank the Isle of Axholme and North Nottinghamshire Water Level Management Board for their contributions and support in developing our consultation proposals.

We would also like to thank everyone who took the time to attend meetings, public drop-in sessions and respond to the consultation. Your feedback has been extremely valuable and will help inform our decision on whether or not to proceed with the Snow Sewer, Isle of Axholme de-maining pilot proposals.

## 8. Glossary

Word/phrase	Definition/explanation
<b>Asset</b>	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.
<b>Asset decommissioning</b>	Planned shut-down or removal of an asset from operation or usage.
<b>Asset maintenance work</b>	Works to maintain the performance and reliability of an asset.
<b>Byelaws</b>	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.
<b>Competent authority</b>	An authority or authorities identified under a relevant piece of legislation who has the legally delegated power to perform the designated function.
<b>De-maining</b>	Re-designation of a watercourse from main river to ordinary watercourse.
<b>Designated sites</b>	<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> <p>Special Protection Areas and Special Areas of Conservation: these are often referred to as Habitats Directive sites, N2K sites or Protected Areas.</p> <p>Ramsar sites: these are wetlands of international importance designated under the Ramsar convention and are treated in the UK as Protected Areas.</p> <p>Sites of Special Scientific Interest (SSSI): these are nationally important habitat and geological sites designated by Natural England.</p> <p>Scheduled Ancient Monuments (SAMs): Scheduled monuments are of national importance and scheduled under the Ancient Monuments and Archaeological Areas Act 1979</p> <p>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.</p>
<b>District Councils</b>	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.
<b>Environmental Non-Governmental Organisations (ENGOS)</b>	A non-governmental organization (NGO) in the field of environmentalism. Examples of ENGOS include the Wildlife Trusts, RSPB, WWT and Blueprint for Water.
<b>Environmental Permitting Regulations</b>	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.
<b>FCERM grant in aid</b>	Government grants from the Department for Environment, Food and Rural Affairs (Defra) for flood and coastal erosion risk management.

<b>Flood risk</b>	Flood risk is expressed by combining information on probability (sometimes referred to as likelihood) and consequence (sometimes referred to as impact).
<b>Flood Risk Activity Permit</b>	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
<b>Flood and Water Management Act 2010</b>	The legislation by which risk management authorities operate when exercising their powers.
<b>Flood risk management activities</b>	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.
<b>Governance</b>	the way that organizations or countries are managed at the highest level, and the systems for doing this the way that organizations or countries are managed at the highest level, and the systems for doing this. The way that organisations or countries are managed at the highest level and the systems for doing this
<b>General drainage charge</b>	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
<b>Hydromorphological harm</b>	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.
<b>Internal Drainage Boards</b>	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.
<b>IDB precept</b>	Payments from IDBs to the Environment Agency to reflect water moving from internal drainage districts into main rivers.
<b>Internal Drainage District</b>	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.
<b>Land Drainage Act</b>	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.
<b>Lead Local Flood Authority</b>	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 internal drainage district.
<b>Local authorities</b>	This term has been used in this consultation to reflect :  County councils and unitary authorities  District, borough or city councils

<b>Local levy</b>	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.
<b>Maintenance programme</b>	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.
<b>Main river</b>	Main river means all watercourses shown as such on the statutory main river maps held by the Environment Agency and published on GOV.UK.
<b>Ordinary watercourse</b>	A watercourse that does not form part of a main river.
<b>Ordinary watercourse consents</b>	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.
<b>Permissive powers</b>	Powers which confer on an organisation the right to do things but not the duty to do them.
<b>Regional flood and coastal committees</b>	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"> <li>to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines</li> <li>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</li> <li>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.</li> </ul>
<b>Riparian landowners</b>	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.
<b>Risk Management Authority</b>	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 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.
<b>Statutory main river map</b>	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 <b>river</b> or watercourse is treated as a ' <b>main river</b> '.
<b>Statutory duties</b>	The duties and functions that an organisation must undertake by law.
<b>Watercourse</b>	Includes all streams, rivers, ditches, drains, cuts, dykes, sluices, sewers (other than public sewers) and passages through which water flows.
<b>Water Framework Directive</b>	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.



<b>WFD objectives</b>	<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>
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