

November 2014

Dear Pevensey Levels Internal Drainage District Ratepayer:

Have your voice heard on the future of the Pevensey Levels Internal Drainage District!

Furthermore to the Environment Agency's letters of October 2012 and July 2014, I am writing to you as chairman of the East Sussex IDD Steering Group, to encourage you to voice your views on the future management of the Pevensey Levels Internal Drainage District (IDD).

The Steering Group is made up of people representing the interests of those who pay for and benefit from drainage district management work. Ratepayers are represented on the group by the National Farmers Union (NFU) and Country Land and Business Association (CLA). **As a ratepayer, you are receiving this letter because you might be affected by management changes to the Pevensey Levels IDD.**

The two future management options being considered for the existing Pevensey Levels IDD are:

1. **Set-up a replacement Internal Drainage Board (IDB) to manage the Pevensey Levels IDD:** Communities or other suitable organisations would set-up a new IDD and IDB to replace the Environment Agency operated IDD, in order to manage water levels in the Pevensey Levels catchment. This could be a new stand-alone IDB just for the Pevensey Levels catchment, or as part of an IDB that also covers the River Ouse and/or the River Cuckmere catchments.

You would pay drainage rates to the new IDB in a similar manner that you pay to the EA today. The new IDB would determine the rates and would also determine how those rates (and other income from local authorities and the Environment Agency) are spent, and would make arrangements for the operations and maintenance work to be done. You would be able to elect drainage rate payers to sit on the IDB as your representatives.

2. **Drainage management reverts to riparian landowner control:** There would be no replacement IDB to manage the Pevensey Levels IDD. Under this option, once the existing IDD is abolished, the Environment Agency will no longer maintain any ordinary watercourses in the Pevensey Levels catchment nor will they operate any of the eight pumping stations on those watercourses.

Whilst you will no longer have to pay drainage rates, if you have currently-maintained IDD watercourses on your land, **you will need to make alternative arrangements for fulfilling your responsibilities as a riparian landowner.** (For information about what this means, see the EA's booklet

'Living on the Edge' at <https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities> . If you don't have access to the internet, you may request a hard copy by writing to the IDD project manager at the address at the end of this letter.)

Local council officers on the Steering Group have drawn up their reports for their councillors, who will be deciding on their preferred option for future drainage management within the Pevensey Levels.

Why are the changes being made?

Although the Steering Group wanted the Environment Agency to continue to manage the Pevensey Levels IDD, this was not included as an option because the Secretary of State for the Environment has directed that IDBs need to be more locally accountable.

By transferring management of ordinary watercourses in the IDD to locally accountable bodies, landowners and local people can make better decisions about local priorities. The changes do not affect the Environment Agency's work on main rivers such as Pevensey Haven or Wallers Haven.

What happens next?

In December 2014, District and Borough Councillors will be making their decision on their preferred option for the management of the Pevensey Levels when the existing IDD is abolished. These decisions are likely to determine whether or not the Environment Agency proposes that a new IDD/IDB be set up when the existing Pevensey Levels IDD is abolished.

By the end of June 2015, the Environment Agency, advised by the East Sussex IDD Steering Group, plans to submit its proposals to Defra to dissolve the existing Pevensey Levels IDD and put in place alternative arrangements. Once the proposal is submitted there will be further opportunities to make representations to Defra. Ultimately it is the Secretary of State for the Environment who will make the final decision on the proposal. If the Secretary of State approves the proposal, the existing Pevensey Levels IDD will be abolished and alternative arrangements in place on 31 March 2016.

If you would like to make your views known, please inform your local councillor. You can find your councillor and their contact details as follows:

Eastbourne Borough, <http://www.eastbourne.gov.uk/about-the-council/councillors-and-committees/>

Wealden District <http://council.wealden.gov.uk/mgMemberIndex>.

Rother District <http://www.rother.gov.uk/article/179/Councillors>

Hastings Borough <http://hastings.moderngov.co.uk/mgMemberIndex>

Alternatively, contact the Environment Agency at:

PevenseyLevelsIDB@environment-agency.gov.uk or the address at the end of this letter.

Members of the NFU or CLA can also contact:

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NFU South East Region
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01264 313434 (office)

megan.cameron@cla.org.uk.

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

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'J E St-Pierre', with a stylized flourish at the end.

J E "Sam" St-Pierre,
Chair East Sussex IDD Steering Group

c/o Teresa Willway
IDD Project Manager
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APPENDIX 3

Risk Matrix for Ouse IDD and potential impact on Lewes District Council

Risk posed to LDC	Likelihood of occurrence	Impact	Score	Commentary	Opportunities
Legal					
If the IDB reconstituted – Ouse only	Medium(2)	2	4	Costs and administration of establishing a new administration – this would incur a cost to LDC	
If the IDB reconstituted – Pan East Sussex	Medium (2)	2	4	Costs and administration of establishing a new administration – this would incur a cost to LDC and partners Governance is likely to mean that LDC is smaller partner with less control	
Future dissolution	Medium (2)	2	4	Potentially costly	
Financial					
If the IDB dissolved	Medium (2)	2	4	Loss of monies from Special Levy within SFA occurs after 2020 await clarification from DCLG	Opportunity depending on the response to DCLG letter for monies to be used to deliver water management service across district Potential gain of monies through SFA of extra monies to manage ordinary water courses which were once within the IDD
If the IDB reconstituted – pan East Sussex	High (3)	3	9	Potential inability to control the spend of monies raised with the Ouse IDD to spent within the IDD	Potential for savings if consortia existed to deliver the

Risk posed to LDC	Likelihood of occurrence	Impact	Score	Commentary	Opportunities
				Potential for drainage rates and special levy to be increased in order to resolve issues in other IDD's	administration and management of the IDD and IDB – albeit probably limited Probably better financial management
If the IDB reconstituted - Ouse only IDB	High to Medium (3)	2	6	<p>The costs of an IDB are between 193 and 200k and the contribution from LDC is 124k – there is a financial gap which needs to be closed. WDC contribute 6% (12k), MSDC 7% (14k) and Landowners 8% (16k). At 200k expenditure this leaves a 42k hole. The majority of any deficit is likely to fall predominantly upon LDC.</p> <p>Although any potential increases in the Special Levy and Drainage Rates to be increased by IDB – but LA representatives have casting vote which should act as a method of checking any increase. This could result in additional financial pressure to LDC necessitating further budget cuts to fund. In order to have effective control of the IDB Finances, LDC would need to</p>	Probably better financial management

Risk posed to LDC	Likelihood of occurrence	Impact	Score	Commentary	Opportunities
				ensure that WDC and MSDC share our concerns both now and into the future. Risk of large capital (£000's) costs should a pump fail.	
Flood Risk					
Impact on land owned by LDC See Maps 2 and 3	Medium/low (2)	1	2	Locations which lie within or close to the IDD and are deemed economically important Land deemed as important for biodiversity and where flooding will have an adverse effect Land where flooding is considered of little consequence	
Impact of Pan Sussex IDB on reducing flood risk in LDC area	Medium 2	2	4	The focus is likely to be on Pevensey Marshes and Eastbourne	
Impact of Ouse IDB on reducing flooding risk in LDC area	Low 1	1	1	Given predominant source of flooding will be from fluvial flooding from main river managed by EA	
Impact of no IDB	Low 1	2	2	Under land Drainage Act ESCC, as Lead Local Flood Authority, would have the ability to regulate land drainage issues as all water courses would be ordinary water courses in what was the IDD LDC and other LAs have permissive powers to undertake works where they	

Risk posed to LDC	Likelihood of occurrence	Impact	Score	Commentary	Opportunities
				consider necessary. Given limited assets at risk ESCC would see regulation with the Ouse IDD area as a low priority	
Reputation					
Impact on reputational risk if large scale flooding in future to LDC not having an IDB	Medium (2)	3	6	<p>During a flooding incident it is difficult to identify a single source of flooding. The Pitt Review recommended that there is a need to seek a coordinated approach to managing and minimising the risk of flooding. Without an IDD the only way the flood plain would drain would be through gravity and as the river the period when the floodplain can empty is limited by tidal flaps. This means that the flood plain would take longer to empty.</p> <p>The responsibility for maintaining the ordinary water courses will lie with the riparian land owners. where the riparian owners are not undertaking their duties ESCC have power to enforce the Land Drainage Act</p>	

Map 1 River Ouse Inland Drainage District

