

CABINET MEETING – 10 MARCH 2014

AGENDA ITEM 3 – PUBLIC QUESTION TIME – ORDER IN WHICH THE CHAIRMAN WILL INVITE QUESTIONS BELOW RECEIVED IN WRITING IN ADVANCE OF THE MEETING

All questions from Mr Ormesher to the Cabinet Member for Environmental Services, Councillor Dendle

THE FULL DETAIL OF THE QUESTIONS TO BE ASKED IS DETAILED BELOW

QUESTION ONE

We note that up to £149,000 can be allocated to cover the appointment of an engineer and planned land drainage maintenance work. Can the Council confirm how much of this possible allocation would be used on maintenance expenditure within existing IDD's?

Response

It is recommended, as part of the paper being presented tonight, that the funds be initially allocated for use within the IDD areas. After the initial settling in period, and depending on the conditions encountered and the need for future maintenance in those areas as well as the conditions within the land drainage network elsewhere in the District, a future report will be considered to recommend any proposed change in Policy emphasis, scope, timing and priority for works to the network to be carried out by landowners or the relevant authorities. The dissolution of the IDDs is currently still only a proposal and, until that proposal is approved by the Minister and the IDDs cease functioning, the funds will continue to be paid as levy to the IDB's managed by the EA.

QUESTION TWO

Can the Council confirm that the same value of levy funds previously allocated to the IDB's will continue to be allocated towards rural flood protection, in particular within the existing IDD area?

Response

See the response to Q. 1. In the long term the level of resources allocated to any service will be determined by the Council at that time and in line with its current priorities and this would include land drainage works across the district. As noted above the IDD areas will be considered alongside the level of resources for flood risk protection in other areas of the District and, in line with normal practice, will form part of the Council's annual budget assessment having regard to funding available to the Council.

QUESTION THREE

We note the options report identifies that there may be a backlog of maintenance requirements in some areas. Can the Council confirm that they have sufficient knowledge of the maintenance work required, and can they confirm that where assets are handed over to riparian owners, these will be in an acceptable and functional state of repair and/or that the Council can commit to an appropriate future maintenance schedule.

Response

The recommended appointment of an additional engineer is initially to enable an inspection of the assets and watercourses in the IDD area, post any dissolution, to assist to ascertain the extent of future maintenance required.

The EA have recently provided an update on the condition of assets within the IDD's which indicates virtually all current IDD EA maintained assets are above their target condition.

It is recommended that, any landowner who has assets on their land that the EA propose to hand over to them, should inspect those assets prior to the possible dissolution and inform the EA of any concerns they have with regard

to the asset condition. This will be a matter for discussion/negotiation between the EA and the relevant landowner, not Arun DC

QUESTION FOUR

Can the Council confirm that the EA will leave pumping stations and other control structures in a suitable condition to satisfy any requirements under the Eel Regulations? Can the Council confirm that the costs for such regulatory compliance would not be unfairly handed over to riparian landowners?

Response

Arun has been advised by the EA that there are no pumping stations in the SW Sussex IDD and 3 pumps in the River Arun IDD. From this information Arun understands only one of the pumps in the Arun IDD is actually within the Arun District area at Houghton.

The EA informed Arun recently that all 3 pumps in the Arun IDD had failed over the recent winter and £65,000 from IDD funds had been allocated to fund repairs and or replacement.

Whilst it is not for Arun DC to advise on this matter, it would appear to be in the interests of any riparian landowner to ensure that the EA provide written confirmation of compliance with appropriate regulations before they accept a transfer of ownership of any equipment.

With regard to the Eel Regulations, we have been advised by the EA that there are 3 sluices in the River Arun IDD and 1 in the SW Sussex IDD that require works for compliance. The EA have indicated that they were proposing to complete the work this year out of IDB funds.

QUESTION FIVE

How will the Local Authority engage with landowners to ensure that affected rate payers are in a position to take on assets that would otherwise have been managed by the IDB, and will they seek to engage with landowners at a

sufficiently detailed level so that they understand their role in any new arrangements?

Response

The EA are in the best position to take on this role as they are aware of the various drainage aspects of these areas, they have therefore recently written to riparian landowners and stated that they will work with them to help them understand and meet their responsibilities if and when the IDD's are dissolved.

If the dissolution is agreed then the appointment of an additional engineer, which is recommended as part of today's report will, at least initially, be employed to inspect and identify what maintenance work is required and who is best placed to carry it out and fund it. Under the proposals landowners that currently pay drainage rates to the IDB's will no longer do so and therefore that funding could be used by landowners to carry out essential maintenance works on their land.

QUESTION SIX

Does the Cabinet have a sufficiently detailed knowledge of the way in which individual pumps can effect various multiple riparian landowners within the affected IDB's? Does the Council believe that the EA has considered in sufficient detail how the responsibilities for such assets will be distributed? Does the Council agree that it might be unfair to place the burden of responsibility on just one landowner where the effects of an asset concern a number of individuals upstream, and can the Council identify what, if any, provisions have been made in these cases.

Response

We have been informed by the EA that there is only one pump within the Arun DC part of the IDD area. The EA have so far not provided details to us of the land area that this pump drains.

It has always been an option for a number of organisations or landowners to work in partnership and establish working arrangements, outside of an IDD

set-up, that are of mutual benefit. If there is a group of landowners that benefit from that pump asset they could make their own local arrangement and provide the necessary funding. As noted above the landowners will no longer be required to pay Drainage Rates to the IDB.