

# Policy Flood Risk and Water Level Management

## Introduction

### Purpose

- 1.1. This policy has been prepared by the Sow & Penk Internal Drainage Board (the Board) to identify the Board's approach to management of water levels and flood risk within its Internal Drainage District (the District).
- 1.2. The Board is constituted by order of Parliament operating under the terms of the Land Drainage Act 1991 and is designated as a Risk Management Authority (RMA) under the Flood & Water Management Act 2010.
- 1.3. The Board undertakes its function by managing water levels in ordinary watercourses and water control infrastructure within its District to mitigate the risks from flooding and drought.
- 1.4. In delivering its function the Board will meet its environmental obligations.
- 1.5. The Board recognises its responsibility for good governance, local accountability and financial security, achieving value for money from all its activities. As an independent public body, the Board is committed to the pursuit of economy efficiency and effectiveness.

### Background

- 1.6. The Flood & Water Management Act 2010 details responsibilities for Flood and Coastal Risk Management in England, including policy responsibility, strategic overview responsibility, development maintenance and application of a strategy for local flood risk management. Risk Management is defined as a function under the Land Drainage Act 1991 (as amended)
- 1.7. This Policy sets out the Board's approach to meeting national policy aims and objectives in its Drainage District, as stated in the *National flood and coastal erosion risk management strategy for England 2020 (the National Strategy)*; The Policy will be revised when necessary to reflect future revisions of the National Strategy.

## 2. Delivering the National Strategy's policy aim and objectives

### Aim

- 2.1. The overall aim of the National Strategy is a nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100. The Strategy has 3 long term ambitions, underpinned by evidence about future risk and investment needs. They are:
  - **Climate resilient places:** working with partners to bolster resilience to flooding and coastal change across the nation, both now and in the face of climate change.
  - **Today's growth and infrastructure resilient in tomorrow's climate:** making the right investment and planning decisions to secure sustainable growth and environmental improvements, as well as infrastructure resilient to flooding and coastal change.
  - **A nation ready to respond and adapt to flooding and coastal change:** ensuring local people understand their risk to flooding and coastal change, and know their responsibilities and how to take action.

### Objectives

- 2.2. The Strategy sets out three objectives in pursuance of the overall aim:



- To better manage the risks and consequences of flooding from rivers, the sea, groundwater, reservoirs, ordinary watercourses, surface water and sewers and coastal erosion.
  - To contribute to planning and adapting to future flooding and coastal change; and
  - To create climate resilient places that facilitates a greener, cleaner, and more resilient future.
- 2.3. The Board supports the national aim and objectives for the management of flood risk and water levels and the Board's policy and approach will be consistent with them.
- 3. Flood risk and water level management in the Board's District**
- 3.1. The District has been determined as an area of special drainage need and to derive benefit from drainage operations. As such the District is at some risk from several types of flooding including pluvial, fluvial and ground water, but that risk is managed wherever it is practically, environmentally and financially viable.
- 3.2. The Board makes decisions regarding flood risk within the District considering the following:
- assets in place considering design standard and life;
  - Environment Agency and Lead Local Flood Authority flood risk strategies plans and maps;
  - other information such as the history of flooding and land use impacts.
- 3.3. The following outlines the key details of the District:
- Total area of the drainage district: 2,235 ha
  - Area of agricultural land: 1,649 ha
  - Area of other (non-agricultural) land: 586 ha
- 3.4. Assets for which the Board has operational responsibility:
- Watercourses the Board chooses to maintain based on need: 40.67 km
- 4. Building, maintaining and improving flood and coastal erosion risk management systems**
- 4.1. Through the operation, maintenance and improvement of pump stations and watercourse assets within the District, the Board seeks to achieve a general balance of water level management that enables the drainage and irrigation of agricultural land, reduce the risk of flooding to developed areas, and sustain environmental features within the District.
- 4.2. The Board monitors and reviews the condition of assets within its District, and a planned programme of maintenance is in place to ensure asset condition remains appropriate.
- 4.3. Where condition is not at the desired level, improvement works will be sought where considered by the Board to be practical and financially viable. Where improvement works meet the criteria set by Defra, financial support will be sought from the Government's Flood and Coastal Resilience Partnership Funding. Where possible, works will be undertaken in partnership with other Risk Management Authorities and the opportunity taken to work with natural processes.
- 4.4. Maintenance work for and by the Board will be carried out in accordance with environmental best practice taking regard of local flood risk management requirements and strategies, opportunities for partnership working, environmental obligations and guidance available from Defra, the Environment Agency, and other organisations.
- 4.5. The Board's power to carry out water level and flood risk management works are permissive, and resources are limited.



- 4.6. All watercourses are the responsibility of riparian owners or other parties and the Board operates permissive powers under the Land Drainage Act 1991.
- 4.7. The Board has a supervisory duty, under section 1(2)(d) of the Land Drainage Act 1991 over all matters relating to the drainage of land in its District and will, where appropriate, advise others regarding the undertaking of works where it is inappropriate for the Board to exercise its powers.
- 4.8. The Board will also seek to ensure, where possible, that assets which reduce flood risk to the District, managed by other RMAs are maintained. Where those other RMAs do not have sufficient resource to provide maintenance, the Board will consider entering into a Public-Sector Co-operation Agreement to undertake that work on behalf of other RMAs.
- 5. Regulation of activities - Avoiding inappropriate development and land management**
  - 5.1. The Board will take appropriate steps to help riparian owners understand their responsibilities for maintenance, byelaw compliance and environmental regulation.
  - 5.2. The Board will regulate as necessary, using available legislative powers and byelaws, the activity of others to ensure actions within, alongside, and otherwise impacting the maintained drainage system, do not increase flood risk by prevent the efficient working of drainage systems, or adversely impact the environment.
  - 5.3. The potential impact on flood risk from future development, both within the District and the wider catchment draining into the District, is fully recognised by the Board. The Board will take an active role in the assessment of local plans, major development, and planning applications, to prevent inappropriate development and land use within the District ensuring that flood risk is not increased.
  - 5.4. The Board will where appropriate designate structures or features affecting flood risk under section 30 of the Flood and Water Management Act 2010.
- 6. Communication and transparency**
  - 6.1. The Board will publicise the local risks from flooding, the reasons for managing water levels within the District and articulate the efforts being undertaken by the Board to manage water levels and mitigate flood risk. The Board will be open and transparent in its actions and decisions and will publish on its website
    - A map of the watercourses it periodically maintains;
    - Its Annual Report to Defra (IDB1 Form)
    - Board Agenda, meeting papers and Minutes
  - 6.2. The Board will work with local partners to build a culture within which water level management is seen as vital to managing flood risk and enhancing habitat and amenity. Every effort will be made to dissuade abuse of watercourses.
- 7. Working together**
  - 7.1. The Board will co-operate and share information with other relevant authorities in the exercise of their flood and coastal erosion risk management functions. The Board will contribute to local strategies, plans and consultations relevant to its catchment and functions.
  - 7.2. The Board will assist other Risk Management Authorities where possible during flood emergencies however the Board is neither a Category I or Category II responder in these situations. The Board will participate as necessary in exercises to develop and test emergency response procedures.
- 8. Environmental measures**
  - 8.1. The Board's watercourse maintenance work constitutes vegetative control of submerged, emergent, and floating aquatic plants and will control bankside vegetation



to ensure shrub successional growth is tempered. Inevitably some short-term impacts may arise, however herbaceous growth re-establishes over the next growing season.

8.2. When carrying out maintenance work the Board works in accordance with environmental best practice guidelines.

8.3. When undertaking improvement work consistent with the need to maintain satisfactory flood protection, the Board aims to:

- Avoid any unnecessary or long-term damage to natural habitats and species;
- Take appropriate opportunities to achieve multiple environmental outcomes and work with natural processes, wherever possible, including the enhancement of habitats and water bodies within the District.

8.4. The District contains two sites of biological interest at Doxey & Tillington Marshes SSSI and Baswich Meadows SSSI:

## **9. Approval and Review of this Policy Statement**

9.1. This Policy is adopted by the Board on 08/02/2023

The Board will review and update this document as and when required