

## **Future Arrangements for Land Drainage Management – Alt Crossens**

The Government Department for Environment, Food and Rural Affairs (DEFRA) has set policy that requires Environment Agency (EA) resources and investment to be focused on the protection of life and property from flood risk, rather than the sort of discretionary land drainage activity in the Alt Crossens catchment of West Lancashire that has traditionally benefited from EA funding. As a result the EA are keen to find alternative arrangements for meeting the cost of, and managing land drainage arrangements in the catchment, and have been working with relevant partner organisations and risk management authorities, in the form of an advisory body, to investigate options.

As a result of the work of the advisory board, it has been determined that the most appropriate governance arrangement for this activity, and that preferred by the majority of the partner organisations for the future management of land drainage throughout the catchment, would be an Internal Drainage Board (IDB). However, IDB's are reliant for a significant element of their funding on a levy to be raised by the appropriate district or unitary authorities, as detailed later in this report.

This requirement is a cause for concern for West Lancashire Borough Council (WLBC) in particular, and a report on the Alt Crossens issues was taken to a WLBC meeting on 18 December 2013 at which the following resolutions were made.

- A. That the EA be asked to reconsider its position and to continue to meet the obligations it has taken on over many years in relation to the Alt Crossens catchment, rather than transferring responsibility for funding these obligations to other parts of the public/private sector.
- B. That the Managing Directors write to Rosie Cooper MP and Lorraine Fulbrook MP seeking support for the Council's position.
- C. That the Managing Directors write to the Leader and Interim Chief Executive of Lancashire County Council seeking support for the Council's position.
- D. That the Managing Directors write to the Department for Communities and Local Government (DCLG) and the Department for Environment, Food and Rural Affairs (DEFRA) seeking a meeting with relevant Ministers to discuss the Council's position in this matter.
- E. That the EA be advised that this Council is not currently persuaded that the case has been made for the creation of an Internal Drainage Board.
- F. That concern for the Council Tax payers of West Lancashire be placed on record if a special levy were to be introduced, particularly at a time of financial austerity.

A delegation including representatives of the National Farmers Union, County Land Owners Association, Rosie Cooper MP, United Utilities, Environment Agency, Lancashire County Council, and Sefton and West Lancashire Borough Councils, met with Dan Rogerson, Minister for DEFRA, in July 2014. The purpose of the meeting was to raise the awareness of the problems facing the Alt Crossens catchment and explore any possible assistance the government may be able to offer in supporting ongoing land drainage activities whilst protecting and enhancing the rural economy.

The outcome of the meeting was that the Minister confirmed there would be no additional funds from central government, and that the establishment of an IDB would be an appropriate solution, but which would need to operate under the long established funding formula.

An Appendix to this report details the options and associated funding mechanisms in operating alternative IDB solutions, ranging from an IDB covering the entire Alt Crossens catchment, to a scaled down boundary option (excluding watercourse maintenance) which covers specific localised areas of land served by 6 fixed pumps within the administrative boundary of the West Lancashire district.

This latter, scaled down boundary version of the IDB is the most affordable option at an estimated total cost of £182K per year, which would need to be funded through the raising of a special levy by West Lancashire Borough Council (£49K), Sefton MBC (£22K), and drainage rates from local landowners (£111K). All costs are estimates at this stage.

Under this option the watercourse maintenance would be the responsibility of the riparian owner of the land through which the drainage channel flows. Currently there is a pilot scheme in operation supported by the EA within the Alt Crossens catchment which is encouraging local landowners to move fully towards this riparian approach of maintenance, on main rivers. There are however some reservations as to whether this option would deliver sufficiently reliable maintenance.

The Environment Agency have confirmed they will continue to operate the two main Crossens and Altmouth pumping stations which pump out the drainage systems to the sea, because these are large strategic pumping stations which provide reduced flood risk to residential properties throughout the area.

The county council has offered a contribution of £15K per year for the first 2 years of any IDB operation, in order to assist WLBC who would need to raise a special levy payment for the remainder (currently estimated at 34k per year).

The offer is dependent on WLBC agreeing to meet the remaining £34K per year over the first two years, and the full £49k annual cost thereafter. WLBC however continues to have concerns over the accuracy of the current estimated operating figures for an IDB, particularly as the creation of an IDB places a statutory obligation on WLBC to meet the Special Levy precept.

WLBC also do not believe that the case for an IDB has been fully made, and are awaiting the outcome of economic assessment work which the EA is undertaking. This includes modelling work to demonstrate anticipated flooding extents and their

effects on surrounding property and infrastructure, should each of the pumps be switched off.

The EA attended the LCC Scrutiny Committee on 13<sup>th</sup> February 2015 and provided an update on possible timescales and any handover arrangements that could be agreed prior to serving notice on those pumps in the catchment that the EA cannot justify operating in the future. The recommendations from the Scrutiny Committee are awaited, but the Committee raised major concerns regarding negative impacts from the proposal on the rural economy of this area of West Lancashire, if the pumps were to be decommissioned.