



Sussex
Wildlife Trust



giving
nature
a home



3 April 2017

Carol Tidmarsh
Flood Risk Management Division
Department for Environment, Food and Rural Affairs
Area 3C Nobel House
17 Smith Square
London SW1P 3JR

Dear Ms Tidmarsh

Re: River Arun Internal Drainage District (Abolition) Order 2017 – Ref: LDC 2505

The Arun Vision Project was initiated by stakeholders interested in the future of the Arun Valley. The partners working on the Vision foresee a landscape-wide strategy which reflects our sense of pride and place in the Arun Valley and its special qualities. We aim to work collaboratively to enhance the area's value for wildlife and ensure a prosperous future for the people who live and work here.

We acknowledge the requirement for the Environment Agency (EA) to no longer administer the Internal Drainage Board (IDB) but see a key role of the Project in developing a shared approach to coordinating drainage activity in the valley after the EA withdrawal. We are writing to express our disappointment in the approach and timing set out in the Order and associated Scheme for the abolition of the Internal Drainage District (IDD).

The partners in the Arun Vision Project are committed to working together with other community stakeholders to explore potential arrangements for the future management of the catchment, and thus we believe that the Arun Vision Project should be given adequate time and resource to run its course. These options might include a proposal for a new IDB but this option cannot be progressed at the current time, in part because Defra are of the opinion that they need to update the Land Drainage Act 1991 with regard to the rateable values for non-agricultural land and buildings.

In addition, there is confusion around the ownership of assets currently operated by the IDB. The Sealed Scheme states that *'property is transferred to and vested in the Environment Agency absolutely (from the IDB)'* but the EA is of the view that the IDB never owned the assets and therefore responsibility for operating them will rest solely with the landowners. This raises significant issues of cost and liability that need to be resolved before the Order is confirmed.

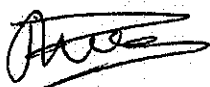
Many assets that the EA proposes to transfer to landowners are in a poor state of repair. We believe it is unfair to transfer assets in this state and that the IDB should ensure they are in good working order before the IDD is abolished.

Finally, the EA's conclusion that there is '*no significant adverse effect*' on the Arun Valley Special Area of Conservation (SAC) and Special Protection Area (SPA) is dependent on the enmainment of several ordinary watercourses in Amberley Wildbrooks. This has not yet taken place and without it, the appropriate management of the protected area is not secured. The Order should not be confirmed until the arrangements for future management of water within the protected area have been established.

The Rt Hon Nick Herbert MP shared the letter he received from the Rt Hon Therese Coffey MP, dated 15 February, regarding the intention to publish notice of the draft order in the London Gazette. In that letter the Minister expressed her understanding that the EA is working to address local concerns. We have no doubt that, given time, those concerns can be addressed but at present they remain significant and we ask that the Order is not confirmed until further information has been shared with the partners and solutions identified.

In addition to this submission, the partners may submit separate responses, describing how the proposal affects their particular interests.

Yours sincerely



Jess Price
Conservation Officer
Sussex Wildlife Trust



Claire Kerr
Area Manager- Sussex & Surrey
RSPB



David Exwood
West Sussex County Chairman
National Farmers Union

cc Rt Hon Nick Herbert MP