

## **The Proposed Abolition of the River Arun IDD – Public Inquiry**

### **Statement of Case by Arundel Town Council**

Arundel is situated in the River Arun IDD in the Lower (tidal) Arun Valley alongside the River Arun, and the town is at risk from tidal, fluvial and surface water flooding.

The Environment Agency (EA) has assessed that to protect Arundel from flooding for the next 100 years would cost in the region of £73 million, albeit there is no available funding.

The Arun Valley is covered in many ordinary watercourses, of which a number are designated as ‘important’, and these are therefore, or should be, well maintained by the EA in its IDB role.

There are six IDB watercourses in the vicinity of Arundel, the effective periodic inspection and annual maintenance of each is essential to minimise flood risk. These are Warningcamp Ditch, Station Ditch, Corporation Ditch, Castle Ditch, Spring Ditch and Tortington Upper Ditch.

Whilst the role of these six important local watercourses is primarily to facilitate reductions in surface water flooding, they also have a role in the dissipation of fluvial and tidal flood water. The main flooding danger to Arundel comes not from the overtopping of the formal flood defences through the town, but from outflanking from all points of the compass. Thus it is important that all the local watercourses are efficiently maintained and capable of facilitating the speediest possible return of flood waters into the River Arun.

Historically the EA has been a poor steward of the IDB watercourses in the River Arun IDD in the vicinity of Arundel, and this became apparent in the floods of January and February 2014. The results of the annual inspections were not being followed-up, culvert headwalls were not being cleared, ditches were not being de-silted where necessary, and the annual weed-cutting plans and activities were not effective. Additionally, there was no regular liaison between the EA and the local landowners and their tenant farmers. The work was accorded a low priority by the EA, despite it being funded from local rather than national resources.

In essence, the EA’s management of the IDB work prior to 2014 was poor and, as a result, the flood risk to Arundel was higher than necessary. This situation has changed of late as a result of effective regular liaison, but the potential to revert to the previous unsatisfactory situation is very real in the face of the loss of regular coordinated action.

Despite Arundel Town Council having no formal role in the local IDB arrangements, the possibility of an increase in flood risk to the town and its inhabitants if no effective

alternative can be found to replace the IDD has caused the Town Council to oppose the proposed abolition.

The Town Council has written three times on the topic (copies attached). First to the EA on 5 November 2012, second to the EA again on 28 October 2013, and third to the Floods Minister at Defra on 1 October 2015, and at no time has the Town Council ever been reassured that the abolition of the IDD proposed by the EA will not result in an increase in the flood risk to Arundel.

As stated in the letters to the EA and Defra, the Town Council believes that this is the wrong change for the wrong reasons at the wrong time. The motivation is clearly the EA's desire to reduce costs, with administrative convenience rather than operational efficiency being the prime driver, irrespective of the possible negative impact on flood risk.

The result of the EA being allowed to walk away from its IDB responsibilities will be that there will be no coordinated periodic IDB ditch inspection arrangements, as well as no coordinated annual ditch maintenance activity, and this despite the fact that two of the ditches in the Arundel area (Warningcamp Ditch and Tortington Upper Ditch) are subject to multiple ownership.

Additionally, the proposal will negate the economies of scale associated with the present arrangements, particularly in terms of planning, approvals, personnel, plant and processes.

Instead, the effective annual maintenance of the ditches, and thus the need to ensure that the flood risks to Arundel are minimised, will rest directly with a variety of uncoordinated riparian owners, who may or may not give proper watercourse management the highest priority – until it is too late.

Also, as part of its proposal to abolish the River Arun IDD, the EA is proposing a split in the responsibility for the water-level control structures on the inside of the river banks and the associated outfalls on the river side of the banks. Thus, whilst the EA in its 'main river' role would remain responsible for the sluices, flaps and outfalls where the IDB Ditches enter the River Arun, the riparian owners (the farmers and their tenants) would become responsible for the maintenance of the integrated water-level control structures on the inner banks, an arrangement which would fail to engender confidence that the flood risks associated with these important ditches were being managed in the most effective fashion.

Thus, unless the EA can come forward with satisfactory alternative arrangements which will co-ordinate and ensure the active periodic inspection and annual maintenance of the IDB ditches in the Arundel area, Arundel Town Council believes that, in the interests of minimizing flood risk, the current anomalous status quo should continue despite the administrative inconvenience to the EA.



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5 November 2012

Ms Teresa Willway  
IDB Project Manager  
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Dear Ms Willway

**Re: The Future of the River Arun Internal Drainage Board**

Arundel Town Council is grateful for the opportunity to participate in the EA's consultation exercise about the future of the River Arun Internal Drainage Board (IDB), as set out in your e-mail message dated 19 October 2012 and its associated papers, and wishes to bring to your attention its concerns, including those relating to the potential impact of the current proposals on flooding in the Arun Valley. The Town Council also wishes to raise concerns about the dearth of factual data in support of your proposals, including the risks, costs and operational outcomes.

The prime interest of the Town Council is to encourage the minimisation of flood risk to Arundel, its inhabitants and buildings, stemming from the satisfactory maintenance, or otherwise, of the water courses in the Arun Valley to the north of the town. Thus we would be opposed to any changes to the current IDD arrangements and activities which increased such risks. On the other hand, we would support in principle any new organisation, arrangements and activities which reduced such risks. The Town Council obviously has no statutory

involvement in the process for deciding the most efficient and economic way ahead, and it is therefore inclined to support whatever solution is deemed best by West Sussex County Council and Arun District Council, each of which have varying responsibilities viz-a-viz flooding, as well as possessing professional land drainage expertise.

We are however concerned to note that the Chief Executive of the Environment Agency has stated, without apparent consultation, that the EA Board cannot continue to act as the Board for the Internal Drainage Districts (IDDs) in the South East, and that the EA therefore proposes to dissolve its internally administered IDD in England as soon as possible, and not later than mid-2014. We appreciate that the eight IDBs in the South East are an anomaly when compared with the 120 IDBs in England, and we also understand that the Floods and Water Management Act 2010 has introduced some complications concerning the management of these IDBs. Nevertheless, we suspect that the motivation for the proposed changes may well be directly related to the EA's drive to reduce its costs, and we are not convinced that the three Options being proposed are necessarily the only ones that are possible. The Town Council would therefore be grateful if you would please provide us with copies of the EA Main Board papers on this topic, so that we may understand the full thinking behind Mr Leinster's decision. In particular, we should like to know what local opinions were taken into account by the Board, what risks were considered, and the financial basis for the decision.

As far as the risks associated with the proposed changes are concerned, we note from Agenda Item No 10 of the Southern Region Flood and Coastal Committee Meeting held on 17 October 2012 that one of the actions taken during April and May 2012 was a risk assessment exercise - something which surely should have been undertaken even before the initial decisions were taken. However, be that as it may, the Town Council would wish to see the Risk Assessment document before offering its comments on any of the three Options to which the EA now seems to be wedded. We also note that between June and August 2012 there were local consultations with West Sussex County Council, Arun District Council and Natural England and, again, we would wish to see the results of these consultations before offering our comments. Indeed, we understand that Natural England has already advised that an IDB would be an essential replacement for the River Arun IDD, and we wonder therefore why Town and Parish Councils are being invited to give informal comments when one of the main professional players in the debate has already advised you that an IDB is essential.

We also note from Agenda Item No 10 of the Southern Region Flood and Coastal Committee Meeting held on 17 October 2012 that the local authorities (presumably WSCC and ADC) may not support the setting up of a River Arun IDB under current funding arrangements, and that it might be more appropriate for the IDB to be nationally funded and managed as a main river. Additionally, we note that you have received a number of expressions of interest in taking over the

administration of "some or all" of the IDD's from other independent IDBs, and details of such possibilities are clearly information which town and parish councils need in order to be able to make a coherent response to your consultation questions. Without such information, responses will be based on only limited evidence and much speculation.

The concept of setting up a new organisation in these financially straightened times, or even persuading an extant local government organisation (such as WSCC or ADC) to take over the EA's existing responsibilities at the very time when the latter is seeking to reduce its spending in relation to flood defence, viz: *"the constraints within which we operate are leading us to reduce the amount of work that the Environment Agency currently does to the flood defences"*, seems to us to be very difficult to achieve, if not impossible. We note the almost total absence of clear information about the costs of the three Options, all of which would seem to destroy the economies of scale associated with the present arrangements - particularly in terms of personnel, plant and processes. Additionally, we understand that there is already a considerable backlog of maintenance work in relation to the Arun Valley water courses, brought about by the current EA policy of simply de-weeding them, rather than de-silting them as well. Indeed, we note that, in the paperwork you have provided, there is no information whatsoever about past, present and predicted performance: an essential element of any proper case for change.

The Town Council notes that the FAQ Sheet dated October 2012 says that the operational costs of the River Arun IDD is approx £70,000 pa, thus implying that this is likely to be the level of cost associated with each of the three Options, however this seems to be at odds with the figures set out in Agenda Item No 21 of the Southern Region Flood and Coastal Committee Meeting held on 11 January 2012. The latter shows a budget of £106k for FY 12/13, but does not, unfortunately, differentiate between the expenditure on overheads and the expenditure on maintenance activities. Also, we have checked on possible costs as described in the guidance document "Establishing New Internal Drainage Boards", and note (from page 66) that the Finningley IDB, which appears to be similar in size and complexity to the River Arun IDD, has an annual expenditure of some £215,000 pa. It is our view that each of the three Options is likely to be more costly than the current arrangements, that each will require considerable capital investment, particularly in relation to start-up costs, that there will be a one-off requirement for up-front expenditure to eliminate the backlog of de-silting maintenance work, and that there will be a need for additional ongoing expenditure to undertake all essential maintenance (both de-weeding and de-silting) in the future. If this is so, and if each of the Options offered will be more expensive than the current arrangements, albeit that their implementation would reduce the EA's costs, then it would seem to be necessary to re-visit the original EA decision in order to reconsider the total costs involved. What may seem to be good for the EA may have severe negative financial implications elsewhere.

In summary, whilst Arundel Town Council is very interested in and concerned about the arrangements for the proper maintenance of non-main river water courses in the Arun Valley, especially to the north of the town, lack of comprehensive information in support of the current consultation exercise about the future of the River Arun IDD makes it well nigh impossible for us to provide rational comments about the EA's proposals for the future. As a start, we would query why the EA is so intent on a unilateral opt-out of its current responsibilities, when perhaps some simple administrative re-arrangements might be more sensible. Also, in order to make an informed choice between the three Options presented, and to participate in the ongoing debate, the Town Council would wish to have far more information about the risks of the proposed changes, the likely financial implications of each of the Options, and the specific views of the local statutory consultees which must, by definition, carry far more weight than ours.

It seems to us that the changes being proposed are in essence a sub-optimal solution to an internal EA administrative problem, without due regard to the wider issues and risks. They will undoubtedly relieve the EA of a responsibility and possibly reduce its overheads, but if the changes are to be given proper consideration, then there needs to be a full Business Case based on performance, risks and costs, dealing not just with the advantages to the EA, but also the advantages to all others involved in the process. The operational outcome must include improved flood protection, but at the same time it must obviously take due account of the economic implications.

Thus, in response to your consultation, all that we can say at present is that we suspect the EA's motives behind the proposed changes, we are not convinced that we are being offered the only possible Options, and we would need far more information before we could provide an objective response to your consultation questions. Arundel Town Council would nevertheless wish to be involved in the discussion process, if only as an observer. This on the basis that any resulting increase in flooding in the water courses to the north of the town is likely to increase the flood risk to the town itself - something we would wish to avoid.

Yours sincerely,



**Councillor Mrs Anne Harriott**  
**Chair of the Planning and Environment Committee**  
**Arundel Town Council**

**Copies to:**

Chief Executive, West Sussex County Council  
Chief Executive, Arun District Council  
Town Clerk, Littlehampton Town Council  
Nick Herbert, MP



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28 October 2013

Ms Teresa Willway  
IDB Project Manager  
Environment Agency  
Guildbourne House  
Chatsworth Road  
Worthing  
West Sussex BN11 1LD

*Dear Ms Willway,*

**Re: Internal Drainage District Review - River Arun**

Arundel Town Council was grateful to receive the EA's e-mail message dated 9 October 2013 together with the update regarding the review of Internal Drainage Districts in Sussex, and we note the ongoing action. You will however recall our response dated 5 November 2012 to your consultation exercise in October last year, and I write to say that we have since seen nothing to persuade us that, within current cost constraints, the EA's proposals are likely to improve the land drainage arrangements in the lower Arun Valley.

The prime interest of the Town Council remains the minimisation of any flood risks to Arundel, its inhabitants and buildings. Thus we are opposed to any changes to the current IDD arrangements for the maintenance of the watercourses in the Arun Valley to the north of the town which might increase such risks. As stated previously, the Town Council will support whatever solution is deemed best by West Sussex County Council and Arun District Council however we understand that neither is enthusiastic about taking on the duties which the EA is seeking to slough off.

In our view, the EA's unilateral proposal to dissolve its internally administered IDD's could increase the risk of tidal, fluvial and surface water flooding in the lower Arun Valley, and we believe that what is required is an improved version of the status quo, with the EA taking far more interest in the current IDD's than appears to be the case at present. This is particularly because there is already a considerable backlog of maintenance work in relation to the Arun Valley watercourses, brought about by the EA's financially-driven policy of de-weeding the banks rather than de-silting the beds.

In summary, Arundel Town Council continues to be concerned about the arrangements for the proper maintenance of non-main river water courses in the Arun Valley, especially to the north of the town, and we remain opposed to the proposal that the EA should opt-out of its current responsibilities. As stated in our earlier letter, we suspect the motives behind the proposed changes, and we are not convinced that we are being offered the only possible Options. Any resulting increase in flooding in the water courses to the north of the town is likely to increase the flood risk to the town itself, and this is something that we would wish to avoid.

Yours sincerely,

*Cllr A Harriott*

Chair Planning and Environment

**Copies to:**

Howard Davidson, EA South East Regional Director  
Kieran Stigant, Chief Executive, West Sussex County Council  
Nigel Lynn, Chief Executive, Arun District Council  
Nick Herbert, MP  
WSCC County Councillor Nigel Peters  
ADC District Councillor Paul Dendle



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19 October 2015

Rory Stewart, MP  
Parliamentary Under-Secretary  
Department for Environment, Food and Rural Affairs  
Area 3C, Nobel House  
17 Smith Square  
London, SW1P 3JR

Dear Mr Stewart,

**LDC 2505 - Proposed Abolition of the River Arun Internal Drainage District**

Arundel Town Council has a prime interest in encouraging the minimisation of flood risk to Arundel, its inhabitants, facilities and buildings. Thus the arrangements made for the effective maintenance of the local water courses are very important, and we are opposed to any changes which could increase the risks of local tidal, fluvial or surface water flooding.

The Town Council is therefore grateful for the opportunity to comment on the Environment Agency's proposal to abolish the River Arun Internal Drainage District (IDD) because, despite close liaison with the EA concerning this topic during the past 2 years, we continue to believe that this is the wrong change for the wrong reasons at the wrong time.

We appreciate that the locally-funded, but EA-run, IDD's in the South East are an anomaly, however we suspect that the motivation for the proposed change is directly related to the Environment Agency's drive to reduce its costs, and we are not convinced that it will bring benefits to the process of maintaining the most important of the local watercourses. The reason for the change seems to be more for administrative convenience rather than operational efficiency, and this is not a sound basis on which to deal with flood risk.

Despite the EA's poor stewardship of the IDD over recent years, and the obvious lack of priority accorded to its IDD role, one of the advantages of the River Arun IDD is that the EA co-ordinates the maintenance of the important IDD watercourses, and this will be largely abandoned as a result of the changes. Also, the proposal will negate the economies of scale associated with the present arrangements - particularly in terms of planning, personnel, plant and processes.

In summary, Arundel Town Council suspects the EA's motives behind the proposed changes, and we are concerned that they may result in an increase in the flood risk to the town itself. However, as the Town Council has no statutory involvement in the process for deciding the most efficient and economical way ahead, we accept the solution that has been agreed, albeit reluctantly, by West Sussex County Council and Arun District Council, and we realise that the abolition of the River Arun IDD is now a fait accompli with which we must learn to live.

Yours sincerely,

Amanda Fynamore  
Town Clerk

CC – Nick Herbert, MP

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