

Report of the Strategic Director

MANAGEMENT OF WATER COURSES1. Purpose of report

To update members on the various roles and responsibilities relating to flood risk from water pathways in Broxtowe.

2. Background

Flood events are often a complex interaction between different water sources and pathways that water travels along. Responsibility for managing the various pathways be it rivers, streams, watercourses or larger bodies of water rests with a number of different organisations or individuals. This is summarised in the appendix. Given the number of organisations involved a clear definition of responsibilities and effective communication is vital if the risk to people, property and the environment is to be managed effectively. In Nottinghamshire the County Council is the Lead Local Flood Authority and their role and the respective roles of the other agencies are clarified in the Nottinghamshire Local Flood Management Strategy.

3. Financial implications

The current budget for monitoring the drainage ditches and watercourses that this council is responsible for is £30,000. Demand on this budget can vary annually depending on ground and weather conditions but there are key works that take place annually which are funded from this budget.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil

APPENDIX**Risk Management Authorities (RMA) in Nottinghamshire****1. Nottinghamshire County Council**

Nottinghamshire County Council is the Lead Local Flood Authority (LLFA) for Nottinghamshire and has a number of roles and responsibilities for flood risk management.

They are responsible for flood risk management from:

- Surface water,
- Groundwater and,
- Ordinary watercourses,

Operationally as a LLFA, the County Council:

- Investigates flooding incidents
- Develops Flood Risk Management solutions where viable and appropriate.
- Compiles a flood risk management asset database
- Undertakes various land drainage activities, including consenting to works and enforcement on ordinary watercourses
- Responds to planning applications for major developments as a statutory consultee on local flood risk management and drainage

Also as a Highways Authority they maintain drains and ditches that serve to drain the adopted highway.

Their responsibilities as LLFA, complement the work that partner organisations undertake including:

- Local land drainage
- Emergency planning and response
- Environmental management

They seek to work with relevant landowners to promote suitable action where private drainage networks have the potential to cause flooding. The County Council however has no legal responsibility for clearing out drains, ditches and watercourses that are on private land in private ownership.

2. Environment Agency

The Environment Agency (EA) takes a risk-based approach to flood risk management and is responsible for providing a strategic overview for all sources of flooding. The EA is a national organisation but is administered at a local level. It leads on the delivery of the national Flood and Coastal Erosion Investment Programme. The EA carries out maintenance to Flood Risk Management Assets in line with Government Policy of maximising benefits from available funding and leads nationally on Flood mapping, modelling, forecasting and warnings.

Locally the EA;

- Provides a Flood Warning Service, which helps and advises of imminent flood risk to individuals and emergency responders alike
- Provides a strategic overview role
- Has a key role in climate change adaption and provides critical flood risk data to individuals and private businesses

Generally the Environment Agency manages flooding from main rivers and regulates third party works on main rivers. The Environment Agency is also responsible for managing risk from reservoirs. They are also a statutory consultee for planning applications in Flood Zones.

3. Broxtowe Borough Council

Along with the other 6 District and Borough Councils in Nottinghamshire this Council is responsible for certain works on ordinary watercourses as part of its land drainage responsibilities to ensure that these do not have the potential to pose a flooding risk.

As the Local Planning Authority this Council is also responsible for managing planning applications and must ensure that proposed schemes have, where appropriate, sustainable drainage systems for the management of water run-off. The County Council as LLFA are consulted on the management of surface water and this Council must ensure that clear arrangements are in place for ongoing maintenance of the drainage over the lifetime of the development.

The key sections of watercourses that the Council is responsible for are:

Location	Comments
Nottingham Canal	Six miles of disused canal from Bramcote to Eastwood. The canal is an important wildlife corridor and forms part of the Erewash Valley Trail. The water levels are monitored during periods of drought and heavy rainfall for cracks and leaks.
Nether Green Brook, Eastwood	This links to the Beauvale Brook and runs through Hall Park. The section in Hall Park is checked regularly to clear debris that may create flooding upstream.
Beauvale Brook	This carries water down from Moorgreen Reservoir running through Eastwood Cricket Ground where maintenance work is undertaken to ensure free passage of water. It then runs to the rear of properties on Greenhills Road before emerging in Hall Park as the Nether Green Brook.

Location	Comments
Daisy Farm Brook	Open brook running through Smithurst Road Open Space down towards the A610.
George Avenue Allotments Brook, Chilwell	Brook that runs on the boundary of the allotments and Hetley Pearson Recreation Ground. Routine work to clear debris.
Gloucester Avenue Brook, Nuthall	Brook that forms the boundary with Nottingham City Council. Any maintenance is done on a partnership arrangement between Broxtowe, the County Council and Nottingham City Council with the City council taking lead responsibility.
Brinsley Brook, Brinsley Headstocks	Section of brook running through the Headstocks site which then eventually feeds down into the Beauvale Brook

Canal and Rivers Trust

This charitable organisation was set up in 2012 to care for various waterways holding them in trust for the public to enjoy. They are responsible for 2,000 miles of canals and rivers across England and Wales together with bridges, tunnels, aqueducts and reservoirs. In Broxtowe they are responsible for the Erewash Canal, Beeston Canal and Moorgreen Reservoir.

Riparian Responsibilities

Landowners adjacent to a watercourse are under common law the riparian owner of the watercourse. If the watercourse is situated between two or more property boundaries, each owner will be equally responsible. A riparian owner has the right to protect their property against flooding from the watercourse. They are also responsible for maintaining the bank and bed of the section of watercourse adjacent to their property in order to avoid any obstruction or flow of the watercourse.

APPENDIX 2

Relevant Key Terms

Term	Definition
Aquifer	A source of groundwater comprising water bearing rock, sand or gravel capable of yielding significant quantities of water
Attenuation	The storing of water to reduce peak discharge in other areas
Catchment Flood Management Plan	A high-level planning strategy through which the Environment Agency works with their key decision makers within a river catchment to identify and agree policies to secure the long term sustainable management of flood risk.
Culvert/culverted	A channel or pipe that carries water below the level of the ground.
Floodplain	Area adjacent to river, coast or estuary that is naturally susceptible to flooding.
Flood Risk	The level of flood risk is the product to the frequency or likelihood of the flood events and their consequences (such as loss, damage, harm, distress and disruption).
Flood Risk Assessment	Considerations of the flood risks inherent in a project, leading to the development actions to control, mitigate or accept them.
Fluvial flooding	Flooding by a river or a watercourse.
Groundwater	Water that is in the ground, this is usually referring to water in the saturated zone below the water table.
Local Flood Risk	Defined in the Flood and Water Management Act as flooding from surface runoff, ordinary watercourses and groundwater.
Main River	Watercourse defined as a 'Main River Map' designated by DEFRA. The Environment Agency has permissive powers to carry out flood defence works, maintenance and operational activities for main rivers only.
Mitigation Measure	An element of development design which may be used to manage flood risk or avoid an increase in flood risk elsewhere.

Term	Definition
Ordinary Watercourse	A watercourse that does not form part of a main river. This includes 'all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices (other than public sewers) and passages, through which water flows.
Overland Flow	Flooding caused when intense rainfall exceeds the capacity of the drainage systems or when, during prolonged periods of wet weather, the soil is so saturated such that it cannot accept any more water.
Riparian Owner	Anyone who owns land or property alongside a river or other watercourse. Responsibilities include maintaining river beds/banks and allowing flow of water to pass without obstruction.
Sustainable Drainage System (SuDS)	Methods of management practices and control structures that are designed to drain surface water in a more sustainable manner than some conventional techniques.

APPENDIX 3**Way Forward**

It is clear that whilst this Council does not take the lead on flooding and the potential risk of flooding in Broxtowe, it does have a key role to play working alongside other agencies. The current budget for monitoring the drainage ditches and watercourses that this council is responsible for is £30,000. Demand on this budget can vary annually depending on ground and weather conditions but there are key works that take place annually which are funded from this budget. They include:

- Monthly checks and clearance of outfalls and drains at key locations.
- Servicing and maintenance of pumping stations at:
 - Mill Lane, Cossall
 - Beacon Road Flats, Beeston
 - Queens Road, Beeston
 - Lower Road, Beeston

The council will continue to assess the watercourses in the area and build on the programme of works currently undertaken to mitigate the risk of flooding. It will also liaise with both the County Council and the Environment Agency at times of flood risk. In particular it will work with the Environment Agency on schemes that protect and enhance both the Blue and Green Infrastructure within Broxtowe through work on the watercourses and the areas adjacent to them that offer benefits for recreation, wildlife, heritage and education. A project that embraces these values, the "Trent Gateway Project", is currently being developed and a report will be brought to this committee next year relating to this proposal.