

**CABINET MEMBER FOR COMMUNITIES, CAMPUS, AREA BOARDS, LIBRARIES,
LEISURE AND FLOODING - CLLR JONATHON SEED**

DEPARTMENT OF COMMUNITY SERVICES

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REFERENCE: CCALLF-2-14

REPORT ON LAND DRAINAGE BYELAWS FOR WILTSHIRE COUNCIL

Purpose of Report

The making of drainage byelaws will provide scope for the Council to work with local communities to reduce flood risk, and help empower communities to do more for themselves. Flooding can have serious consequences for communities and businesses affected, and can cause serious disruption to transport links. The proposed byelaws will help the Council deliver its Business Plan and create stronger and more resilient communities.

This report is to inform and update the Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding on the procedure and progress of the making of the land drainage byelaws since November 2013 and following the sealing of the byelaws on 11 February 2014 in order that a decision can be made as to whether or not the Council should apply to the Secretary of State for the Environment Food and Rural Affairs to have the land drainage byelaws confirmed.

Consultation

The Secretary of State, Natural England and Canals and Rivers Trust were consulted in November 2013. A public consultation took place between 20 February 2014 and 20 March 2014 as required by the legislation.

Options Considered

The Council made the byelaws on 11 February 2014. No objections were received from the Department for Environment, Food and Rural Affairs, Natural England, the local navigational authority, local communities or the public. The byelaws cannot come into operation until one month after they are confirmed by the Secretary of State. If the byelaws are not confirmed they will be unenforceable and the Council will not be able to rely on the byelaws to carry out any enforcement or other appropriate flood management work. The public may also ask why the Council has not confirmed the byelaws when no objections were received by the Council during the informal and formal consultations.

Reason for Decision

The proposed land drainage byelaws, if confirmed by the Secretary of State, will assist the Council in carrying out its duties as Lead Local Flood Authority under the Flood and Water Management Act 2010 and Land Drainage Act 1991.

<p style="text-align: center;"><u>DECISION MADE</u></p> <p style="text-align: center;"><u>INTENTION TO MAKE DECISION</u></p> <p style="text-align: center;">Following consultation with officers I give notice that I intend to make the decision set out in the attached report. If you would like to make any representations to me on this issue please do so by 28 July 2014.</p>
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The following supporting documents are attached:

- Report
- Appendix 1 – Land Drainage Byelaws made 11 February 2014
- Appendix 2 – Environment Select Committee Report 10 December 2013
- Appendix 3 – Comments on proposed byelaws
- Appendix 4A – Report to Wiltshire Council Meeting 4 February 2014
- Appendix 4B – Minutes of Wiltshire Council Meeting 4 February 2014
- Appendix 5A, 5B and 5C – Copies of advertisements
- Appendix 5B -Copies of advertisements (2)
- Appendix 5C - Copies of advertisements (3)
- Appendix 6 – Parish Newsletter
- Appendix 7 – Public Consultation Website
- Appendix 8A – Consultation response from Natural England
- Appendix 8B – Email correspondence with Natural England
- Appendix 8C – Copies of correspondence with DEFRA

Date:

Area Boards, Libraries, Leisure and Flooding

Cllr Jonathon Seed
Cabinet Member for Communities, Campus,