

Doyle-Wiaczek , Caroline

From: Mpopo, Kilie (Defra) <kilie.mpopo@DEFRA.GSI.GOV.UK>
Sent: 05 December 2013 11:58
To: Marshall, Sarah
Subject: RE: Land Drainage Bye laws - County of Wiltshire

Sarah

Thank you for sending us your byelaws and apologies for not coming back to you sooner. Our model byelaws are on the following website: <https://www.gov.uk/flooding-and-coastal-change-guidance-for-practitioners>.

Please can you confirm that you have followed our model byelaws so that I can arrange for them to be approved.

Regards,

Kilie

From: Marshall, Sarah [<mailto:sarah.marshall@wiltshire.gov.uk>]
Sent: 11 November 2013 23:06
To: Administrative Support Unit (FM); matthew.boon@environment-agency.gov.uk
Cc: Everett, Daniel; Binley, Peter
Subject: Land Drainage Bye laws - County of Wiltshire

Please find attached a draft of the bye laws Wiltshire Council are proposing to make by way of a prior informal consultation as suggested in the current Defra guidance for local authorities dated October 2012. Please note that the only changes that have been made to the model bye laws are the removal of paragraphs 18 (tidal outfalls), 23 (a) concerns vessels in tidal waters, 28 (b) concerns foreshore owned by the Crown because Wiltshire is a landlocked county with no shoreline and paragraph 32 which concerns revocation of byelaws which does not apply in this case.

It is the Council's intention to commence the consultation with Natural England and any local navigation authority on 14/15 November 2013. The Council will also undertake a pre consultation with Parish Council's and provide information to the Area Boards around this time. Under Wiltshire Council's constitution bye laws are made by full Council which is next due to meet on 4 February 2014 – if full Council agree that the bye laws can be made the byelaws will be made and advertised by the Council as required by s. 236 of the Local Government Act 1972.

Please would you acknowledge receipt of this email and confirm that Defra do not require any modifications to the attached Land Drainage draft bye laws.

Please do not hesitate to contact me on the numbers below if you need to discuss further.

Yours sincerely,

Mrs Sarah Marshall
 Solicitor
 Legal Unit
 Wiltshire Council

Direct Line - 01225 718567
 Fax - 01225 713998
 Mobile - 07771 506703
 Email - sarah.marshall@wiltshire.gov.uk
 Web - www.wiltshire.gov.uk

Follow Wiltshire Council



Please note I work Monday to Wednesday and work from home on Thursdays. For any urgent legal matters that cannot await my return to the office please contact Paul Taylor on 01225 718366.

For all other administrative/PA matters (arranging meetings and telephone messages) please contact the Litigation Paralegal Sharon Lewis on 01225 718055 and ensure I am copied into any meeting related emails to Sharon.

This email is intended for the use of the addressee only; it is confidential and may be the subject of legal professional privilege. Any distribution, dissemination, copying or use of the communication without the permission of the addressee is prohibited. If you have received this email in error please notify the sender immediately and delete it and any attachments from your system.

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

Department for Environment, Food and Rural Affairs (Defra)

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within Defra systems we can accept no responsibility once it has left our systems. Communications on Defra's computer systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

Doyle-Wiaczek , Caroline

From: Marshall, Sarah
Sent: 17 December 2013 16:57
To: Binley, Peter
Subject: FW: Proposed Land Drainage Bye Laws - Wiltshire Council
Attachments: 104188_land_drainage_byelaws_wilts.pdf; ATT00001.txt; 131111 slm DRAFT drainage bye laws 091786.doc; ATT00001.txt

See email below from Defra - FYI – all sorted now and Defra are happy!
Sarah

This email is intended for the use of the addressee only; it is confidential and may be the subject of legal professional privilege. Any distribution, dissemination, copying or use of the communication without the permission of the addressee is prohibited. If you have received this email in error please notify the sender immediately and delete it and any attachments from your system.

From: Thirkettle, Ruth (Defra) [mailto:Ruth.Thirkettle@defra.gsi.gov.uk]
Sent: 17 December 2013 16:55
To: Marshall, Sarah; Fuller, Aimee
Subject: FW: Proposed Land Drainage Bye Laws - Wiltshire Council

Sarah, Aimee,
Apologies for the delay in responding to your enquiry. I have been in touch with Alice Walker at Natural England to understand their concerns.

Let me reassure you that there is no need to amend the model byelaws. Rather Natural England is looking for reassurances about how Wiltshire County Council intends using its powers once the byelaws have been made. You need to reassure Natural England that when someone approaches you for a byelaw consent for an activity taking place within an SSSI (or other protected area or that would affect an SSSI or protected species) you will alert them to the potential need for a separate consent or licence from Natural England.

Ms Walker explained that they were particularly concerned about byelaw 9, Notice to Cut Vegetation. In this case you need to reassure Natural England that you will consult them before issuing notices to land owners/occupiers in SSSIs or other protected areas.

Best wishes
Ruth

Ruth Thirkettle | Flood Risk Management team | **Department for Environment, Food and Rural Affairs** | Direct line: 0207 238 4389 | Email: ruth.thirkettle@defra.gsi.gov.uk | Address: Area 3C, Nobel House, 17 Smith's Square, London, SW1P 3JR

From: Marshall, Sarah [mailto:sarah.marshall@wiltshire.gov.uk]
Sent: 05 December 2013 16:05
To: Mpopo, Kilie (Defra)
Subject: FW: Proposed Land Drainage Bye Laws - Wiltshire Council

Kili
Second attempt! Please see response letter I received from Natural England by email on Monday.
Regards,
Sarah

Mrs Sarah Marshall
Solicitor
Legal Unit
Wiltshire Council

Direct Line - 01225 718567
Fax - 01225 713998
Mobile - 07771 506703
Email - sarah.marshall@wiltshire.gov.uk
Web - www.wiltshire.gov.uk

Follow Wiltshire Council



Please note I work Monday to Wednesday and work from home on Thursdays. For any urgent legal matters that cannot await my return to the office please contact Paul Taylor on 01225 718366.

For all other administrative/PA matters (arranging meetings and telephone messages) please contact the Litigation Paralegal Sharon Lewis on 01225 718055 and ensure I am copied into any meeting related emails to Sharon.

This email is intended for the use of the addressee only; it is confidential and may be the subject of legal professional privilege. Any distribution, dissemination, copying or use of the communication without the permission of the addressee is prohibited. If you have received this email in error please notify the sender immediately and delete it and any attachments from your system.

From: Walker, Alice (NE) [<mailto:Alice.Walker@naturalengland.org.uk>]
Sent: 02 December 2013 11:56
To: Marshall, Sarah
Subject: Proposed Land Drainage Bye Laws - Wiltshire Council

Dear Sarah

Please find attached our response to the consultation on proposed land drainage byelaws for Wiltshire Council.

Kind regards,

Alice Walker
Lead Adviser, Land Use Operations
Natural England
Temple Quay House
2 The Square
Bristol BS1 6EB

0300 060 4923
alice.walker@naturalengland.org.uk

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.



Natural England is accredited to the Cabinet Office Customer Service Excellence Standard

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this

email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

