



**Cyfoeth  
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**Natural  
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Wales

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9 February 2018

Dear Richard

**Land Drainage Act 1991**

**Scheme for the alteration of the boundaries of Afon Conwy, Ardudwy Marsh, Glaslyn-Pensyflog, Gwent, Harlech and Maentwrog, Llanfrothen, Mawddach and Wnion, Powysland (Wales) Internal Drainage Districts.**

Pursuant to section 3(1) of the Land Drainage Act 1991 (the **Act**), the Natural Resources Body for Wales (**NRW**) has prepared and now submits to the Welsh Ministers for confirmation, a scheme (**the Scheme**) for the alternation of boundaries of the Afon Conwy, Ardudwy Marsh, Glaslyn-Pensyflog, Gwent, Harlech and Maentwrog, Llanfrothen, Mawddach and Wnion, Powysland (Wales) Internal Drainage Districts (**IDDs**).

The Scheme makes provision for:

- 1 the removal of four parcels of land from Afon Conwy IDD;
- 2 the removal of one parcel of land from Ardudwy Marsh IDD;
- 3 the removal of one parcel of land from Glaslyn-Pensyflog IDD;
- 4 the removal of four parcels of land from, and the addition of one parcel of land to, Gwent IDD;
- 5 the removal of six parcels of land from Harlech and Maentwrog IDD;
- 6 the removal of one parcel of land from Llanfrothen IDD;
- 7 the removal of 18 parcels of land from Mawddach and Wnion IDD; and
- 8 the removal of one parcel of land from, and the addition of one parcel of land to, Powysland (Wales) IDD.

## **Policy background to the Scheme**

When the decision was made by the Welsh Government that NRW was to administer all IDD's in Wales, NRW was instructed to review the boundaries of those IDD's. Accordingly, between November 2014 and January 2017, NRW conducted a review under section 2 of the Act of the boundaries of thirteen<sup>1</sup> of the IDD's in Wales.

As a result of that review and in light of responses to a subsequent consultation exercise (see below) NRW proposes to alter the boundaries of eight IDD's in Wales (Afon Conwy, Ardudwy Marsh, Glaslyn-Pensyflog, Gwent, Harlech and Maentwrog, Llanfrothen, Mawddach and Wnion, and Powysland (Wales)). These changes are to be effected by the Scheme.

This Scheme is proposed because the quality of land or its use in each of the IDD's was found to have changed over time and land parcels that once needed to be part of the IDD's no longer require specific management of water levels by the Internal Drainage Board.

In the case of two locations, the land use has changed such that additional areas merit inclusion in the IDD.

## **Consultation**

NRW undertook a consultation exercise on its proposals between 6 March 2017 and 17 April 2017. This process included consulting all ratepayers and special levy payers within the above listed IDD's and Afon Ganol IDD, as to the proposed alteration of boundaries in each IDD. Details of the proposed scheme were also provided to the local authorities and Farming Unions.

A period of one month was allowed for responses and a total of 21 responses were received, from 16 organisations and interested parties.

The main concerns raised by respondents were based on flood risk and the impact of land drainage on sensitive ecosystems.

In respect of Afon Ganol IDD, a consultee disagreed with NRW's proposal to remove land from the IDD, suggesting that maintenance works needed to address flooding issues in the area would be best coordinated by the IDD. NRW agreed with this reasoning and the Scheme therefore makes no changes to this IDD.

NRW considered the responses and concluded that the appropriate action was to modify the relevant IDD boundaries based on the responses received and to submit a formal Scheme for the alteration of IDD boundaries to the Welsh Ministers for approval.

A copy of the consultation report associated with this exercise is enclosed with this letter.

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<sup>1</sup> There are 14 IDD's in total within Wales, but it was decided early in the review to exclude Borth Bog IDD from the review due to ongoing studies into the management of Cors Fochno UNESCO biosphere reserve, SSSI and SAC which is located within this IDD.

## Relevant Legislation

The effect of the Scheme, if confirmed, would be to alter the boundaries of the Afon Conwy, Arudwy, Glaslyn-Pensyflog, Gwent, Harlech and Maentwrog, Llanfrothen, Mawddach and Wnion, and Powysland (Wales) IDD. To assist Ministers, an index of the legislation affected by the proposals can be found within the Schedule to this letter. We also enclose copies of the relevant Orders.

Despite a thorough search, it has not been possible to locate a copy of The Merionethshire Rivers Catchment Board (Arudwy Marsh Internal Drainage District) Order 1939 nor a further Order in relation to this IDD, which we believe was made in 1942, transferring the powers of the then Internal Drainage Board to the then Rivers Catchment Board. In lieu of this and to confirm the existence and location of the Arudwy Marsh IDD we enclose correspondence which refers to the 1942 transfer and a copy of the map which would have accompanied the 1939 Order.

## Advertisement of proposed scheme

In accordance with the requirements of section 3(4) of the Act, NRW has sent copies of the Scheme to the Afon Conwy, Arudwy, Glaslyn-Pensyflog, Gwent, Harlech and Maentwrog, Llanfrothen, Mawddach and Wnion, and Powysland (Wales) IDBs and to the following authorities:

- Conwy County Borough Council;
- Conwy Harbour Authority;
- Gwynedd Council;
- Monmouthshire County Council;
- Newport City Council;
- Gloucester Harbour Trustees;
- Environment Agency; and
- Powys County Council

NRW and the Agency have also arranged for the submission of the Scheme to be advertised on its website from 12 February 2018 at <https://naturalresources.wales/guidance-and-advice/environmental-topics/consultations/our-own-consultations-closed/internal-drainage-districts-boundary-review-consultation/?lang=en>, in local shops within or near the IDBs affected and at Dolgellau Library. A copy of the notice, which appears in English and Welsh, is enclosed with this letter.

The representation period will therefore expire on 12 March 2018.

If you have any questions regarding the proposals, please contact Neil Evans (NRW) on T: 03000 654 270.

Yours faithfully

A handwritten signature in black ink that reads "Birchan Dyson Bell". The signature is written in a cursive, flowing style.

**Birchan Dyson Bell**

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Encl

Sealed Scheme in English and Welsh with accompanying maps

Copy of notice (in English and Welsh)

Consultation report

Copies of legislation affected by the Scheme

Correspondence and a map relating to the Arudwy Marsh Internal Drainage District

## Schedule – Affected legislation

Order	Principal provisions	Effect of current scheme
The River Conway Drainage Order 1922	<p>Creation of Internal Drainage District under Land Drainage Acts 1861 and 1918.</p> <p>Creation and appointment of Internal Drainage Board.</p>	Boundaries of Internal Drainage District are to be amended
The Llanfrothen Drainage Order 1928	<p>Creation of Internal Drainage District under Land Drainage Acts 1861 and 1918.</p> <p>Creation and appointment of Internal Drainage Board.</p>	Boundaries of Internal Drainage District are to be amended
The Merionethshire Rivers Catchment Board (Ardudwy Marsh Internal Drainage District) Order 1939	Assumed to create an Internal Drainage District and create and appoint an Internal Drainage Board.	Boundaries of Internal Drainage District are to be amended
The Merionethshire Rivers Catchment Board (Harlech and Maentwrog Internal Drainage District) Order 1940	<p>Alteration of the boundaries of the Harlech Marsh Drainage District, reconstitution of the Harlech Marsh Drainage Authority under section 4(1)(b) of the Land Drainage Act 1930.</p> <p>Creation of a new Internal Drainage District.</p> <p>Creation and appointment of Internal Drainage Board.</p>	Boundaries of Internal Drainage District are to be amended
Transfer Order in respect of Ardudwy Marsh IDD 1942	Assumed to transfer the powers of the Ardudwy Marsh Internal Drainage Board to the Rivers Catchment Board.	Boundaries of Internal Drainage District are to be amended
The Caernarvonshire Rivers Catchment Board (Llanfrothen Internal Drainage District) Order 1943	Alteration of the boundaries of the Llanfrothen Internal Drainage District and reconstitution of the Llanfrothen Internal Drainage Board under section 4(1)(b) Land Drainage Act 1930.	Boundaries of Internal Drainage District are to be amended

The Merionethshire Rivers Catchment Board (Mawddach and Wnion Internal Drainage Board) Order 1947	Creation of Internal Drainage District under section 4(1)(b) of the Land Drainage Act 1930.  Creation and appointment of Internal Drainage Board.	Boundaries of Internal Drainage District are to be amended
The Merionethshire Rivers Catchment Board (Reconstitution of the Mawddach and Wnion Internal Drainage Board) Order 1949	Reconstitution of the Internal Drainage Board under section 4(1)(b) Land Drainage Act 1930 and appointment of eight original members.	Boundaries of Internal Drainage District are to be amended
The North West Wales River Board (Transfer of Powers of the Mawddach and Wnion Internal Drainage Board) Order 1950	Transfer of powers of the Internal Drainage Board appointing the North West Wales River Board as the Internal Drainage Board under section 11 of the Land Drainage Act 1930.	Boundaries of Internal Drainage District are to be amended
The North West Wales River Board (Transfer of Powers of Llanfrothen Internal Drainage Board) Order 1951	Transfer of powers of the Internal Drainage Board appointing the North West Wales River Board as the Internal Drainage Board under section 11 of the Land Drainage Act 1930.	Boundaries of Internal Drainage District are to be amended
The North West Wales River Board (Transfer of Powers of the Harlech and Maentwrog Internal Drainage Board) Order 1951	Transfer of powers of the Internal Drainage Board appointing the North West Wales River Board as the Internal Drainage Board under section 11 of the Land Drainage Act 1930.	Boundaries of Internal Drainage District are to be amended
The North West Wales River Board (Transfer of Powers of the River Conway Drainage Board) Order 1953	Transfer of powers of the Internal Drainage Board appointing the North West Wales River Board as the Internal Drainage Board under section 11 of the Land Drainage Act 1930.	Boundaries of Internal Drainage District are to be amended
The Gwynedd River Board (Glaslyn-Pensyflog Internal Drainage District) Order 1964	Creation of Internal Drainage District under sections 4(3) and 13 of the Land Drainage Act 1930.  Creation and appointment of Internal Drainage Board.	Boundaries of Internal Drainage District are to be amended

The Powysland Internal Drainage District (Abolition) Order 2015	Abolition of Powysland Internal Drainage District and creation of a new Internal Drainage District wholly within Wales under section 3(1)(a) and 4(3) Land Drainage Act 1991.	Boundaries of Internal Drainage District are to be amended
Lower Wye and Caldicot and Wentlooge Internal Drainage Districts (Abolition) Order 2015	Abolition of Caldicot and Wentlooge and Lower Wye Internal Drainage Districts and creation of a new combined Internal Drainage District under section 3(1)(a) and 4(3) Land Drainage Act 1991.	Boundaries of Internal Drainage District are to be amended