

FREEDOM OF INFORMATION ACT 2000 - River/Watercourse/Lake

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

Please treat this as a FOI request. Please can you supply the following information in relation to your authority and its duties:

1. Km of river, watercourse, waterway, canal or drain that the authority is responsible for (such as km of riparian ownership)

The Leicester Riverside team does not hold data on this topic. No accurate record has ever been made of any of the riparian ownership within the city and to do so would involve considerable work. Likewise the details of ownership by Leicester City Council is of land as a whole and to extrapolate riparian ownership from this has never been carried out and would involve considerable work. This is therefore a refusal notice under s17 of the Act – information not held.

Different parts of the Council have different responsibilities. Whilst some of it is through riparian ownership, for others area of work and teams it is by legal requirements. There is a difference between the City Council having a responsibility as a riparian owner for a water course and having a responsibility as a Lead Local Flood Authority.

A third area of involvement exists whereby councils are the fall-back body to tackle matters that either should be dealt with by others or for various reasons slip through the net.

The main water course through the City is made up of the River Soar. Sections of this also form part of the Grand Union Canal Leicester Line. There are also sections of canal proper.

Sections of canal proper are the sole responsibility of British Waterways, whereas the river and canalised parts of the river have mixed responsibilities depending on statutory duties, riparian ownership

2. Km2 of lake, reservoir, open still freshwater that the authority is responsible for

We do not own any reservoirs, but do own a considerable number of lakes and ponds. The area of lakes and ponds that the authority is responsible for is 22.5 Km2. These are mainly sited within the City's parks or nature areas. See attached spreadsheet for sizes and locations. Leicester City Council also has fields that are rented out to farms and graziers which also contain water bodies. Unlike watercourses, we generally do not have any responsibility for any enclosed body of water we do not own.

3. The money spent by the authority directly or through contract on managing, controlling or addressing invasive aquatic vegetation in financial years 2009-2010 and 2010-2011

There is no means to identify the money specifically on Leicester Riverside spent on this issue out the revenue finances, as the spend costs do not identify down to this level of detail. It is part of the overall budget for the team. This is therefore a refusal notice under s17 of the Act – information not held.

I can confirm that Leicester City Council has spent no money directly in the control of aquatic invasive species. It does however carryout grounds maintenance work and volunteer tasks that could contain within them unspecified elements of this work.

4. The budget for managing, controlling or addressing invasive aquatic vegetation in financial year 2012-2013

There is no dedicated budget for this work. However, that is not to say some money will not be spent as indicated by the answer to 3.

5. Any policy or standing operational instructions adopted by the authority with regard to invasive aquatic plants, including those listed within schedule 9 Part II of the Wildlife & Countryside Act 1981.

Leicester City Council only has a duty under the law through any riparian ownership they may have. The law itself only requires the landowner to not willfully allow its spread to others land.

It is worth you noting that many aquatic species are free floating and so would not fall under any requirement to control as the riparian owner does not own the water itself and by this reason anything floating in it.

Many of the plants that are currently classed as aquatic invasive species are not covered by any legal requirements to control.

We do sometimes carry out control of species deemed detrimentally invasive. This is predominantly by the use of volunteers and very often is run as a joint project with the Environment Agency and/or British Waterways. We do have a tripartite working party looking at the problem we have with Floating Pennywort. This group, by its nature and expertise within it, has also shared knowledge on the other species and carried out work as a by product of the work on Floating Pennywort.

6. (If specific financial information is not readily available please can you provide the lengths, areas of aquatic weed treated for the years 2009-2010 and 2010-2011 or the weight of weed removed for those years)

No information is held in an identified format of any work carried out on in previous years on Leicester Riverside.

The nearest details we could give you to answer the question is based on the work carried out on Leicester Riverside which is the running “questimate” of the work carried out by our volunteers. This is an imprecise figure as very often the work is done alongside our general river clean-ups.

For 2009-10 we would have removed in the region of 100 cubic metres of Floating Pennywort (note our work focuses on the smaller starter clumps before they become the large bulk rafts) and 500 square metres of Himalayan Balsam.

For 2010-11 the figures are 70 cubic metres and 300 square metres respectfully.

The work will have been undertaken along the 10 miles of the main river and canal as it passes through the city.

As indicated we are unable to provide more precise data as it does not exist and all the answers given are based on my personal experience and I hope this helps you in the purpose for which you need the information. This is therefore a refusal notice under s17 of the Act – information not held.

For your further information, The City Council has recently adopted Leicester’s Biodiversity Action Plan (BAP) (2011 – 2021) which contains a section on the management of habitats. The most relevant to the FOIA is the habitat action plan for Wetland (Rivers, Streams, Ponds) and refers to the management of invasive species. Extracts from this section of the BAP are below:

History of Biodiversity Strategies in Leicester

R Soar and Grand Union Canal (GUC) provide a strategic corridor for wildlife linking the City to surrounding countryside. Major tributaries include Saffron/Wash Brook, Melton, Braunstone and Rothley Brook.

Biodiversity is threatened by diffuse pollution from agricultural and urban runoff and more directly from industrial centres; a legacy of culverting and channel straightening resulting in removal of habitat features in 1970s; land drainage and increased sediment load; water abstraction and discharge, and increased litter along the banks. Climate impacts from droughts and flooding; unsympathetic development adjacent to the watercourses and the spread of non-native species of flora and fauna are reducing biodiversity.

Where We Are Now

R Soar and GUC are largely designated as a LWS through the City with areas adjacent designated as Biodiversity Enhancement Sites (BES) which form part of the green network. Larger areas to the north and south are designated LNR (Aylestone Meadows and Watermead CP).

LCC programme to control Floating Pennywort (non-native invasive plant) along Soar and GUC since 2006 in partnership with EA and BW.

Recent strategies include “Re-Wilding the Soar” (2008 – Leicestershire & Rutland Wildlife Trust), “River Soar and Grand Union Canal” (2009) Biodiversity Opportunity Mapping (Natural England 2009) and Leicester and Leicestershire Strategic Green Infrastructure Report (EMGIN 2010) to identify areas for creation and enhancement of biodiversity along strategic corridors such as the R Soar. Otter (UK and local BAP species) found in City (Aylestone LNR, Willowbrook LNR and Melton Brook).

Habitat Programme 2011

- Complete otter survey of Soar and main tributaries. Map and produce otter strategy for the City;
- Write/update 5 yr rolling Mgt Plans for Aylestone Meadows, Castle Gardens, and Watermead CP;
- Continue programme of invasive plant control – Japanese knotweed, Himalyan balsam, floating pennywort;
- Enhance wetland and access within Regeneration Areas e.g. Abbey Meadows and Rally Park

Looking Forward to 2011-2015

- Complete/commission wetland BAP species surveys (water vole, white-clawed crayfish, great crested newt)
- Continue programme of invasive plant control – floating pennywort and Japanese Knotweed through appropriate funding support
- Seek funding for pond/wetland creation projects with partners and create 2 x ponds per

I hope that this information is of interest.

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If you are dissatisfied with the handling of your request please write to:

Head of Information Governance

Information and Support

Leicester City Council

FREEPOST (LE985/33)

New Walk Centre

LEICESTER LE1 6ZG

e-mail: FOIA@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow SK9 5AF

Telephone: 01625 545 700

www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to Head of Information Governance before contacting the Commissioner.

Yours sincerely

Lynn Wyeth

Information Governance Manager