

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

4394

Author:

Eddie Curry

Department:

Resident Services

Contact:

Eddie Curry

(Job Title: Head of Public Realm, Email: eddie.curry@nottinghamcity.gov.uk, Phone: 01158764982)

Subject:

Holme Sluices (Colwick Country Park) Fish Pass Project

Total Value:

£0 (Type: Nil)

Decision Being Taken:

To:

approve the partnership with the Environment Agency (EA) and the delivery of the Holme Sluices Colwick Country Park Fish Pass project as detailed in Appendix 1 Holme Sluice Briefing and Appendix 2 Site Plan;

note that the works will be fully funded by the EA and that the work will create some disturbance to park users throughout the construction period starting in October 2021 and lasting for over 12months. In order to keep park users informed and ensure access is maintained at all times the EA will work with the Parks Team to produce a full communication's and mobilisation strategy; and

To transfer the piece of land to the EA and delegate authority to the Director of Property Services to confirm lease arrangements relating to the land transfer and the realignment of the main access road.

**Reasons for the Decision(s)** The Holme Sluices at Colwick Country Park is the largest barrier to fish passage in the Midlands with fish unable to migrate upstream past the sluice gates due to the high water velocities under each sluice gate. The Water Framework Directive (WFD) assessment for the Trent waterbody upstream has identified fish failure as a significant reason for the Trent not meeting the required status of 'good ecological status (GES)' or 'good ecological potential (GEP)' and failing under the WFD.

Enabling fish passage at Holme Sluices would enable the EA to adhere to the Water Framework Directive (WFD), the Salmon and Freshwater Fisheries Act 1975 (SAFFA) and the Eel Regulations (Eel Regs) and is a key element of the 2010 strategy 'Eel Management plans for the United Kingdom - Humber River Basin District'.

The EA has the statutory power to construct the Fish Passes in inland waters under section 10 Salmon and Freshwater Fisheries Act 1975.

The creation of the Fish Pass will contribute to the delivery of the Council's Carbon Neutral 2028 ecological action plan objectives.

**Briefing notes documents:** Appendix 1 Holme Sluices Briefing.doc, Appendix 2 Site Plan.docx

**Other Options Considered:** The EA has the statutory power to construct the Fish Passes in inland waters under section 10 Salmon and Freshwater Fisheries Act 1975. The Fish Pass will help restore the historic migratory pathways for native fish in the River Trent and the project will be fully funded and delivered by the EA. The ecological benefits of the project will be significant and therefore taking these factors into account an option not to support the project has been rejected.

**Background Papers:** None

**Published Works:** None

**Affected Wards:** Dales

**Colleague / Councillor Interests:** None

**Consultations:** Date: 02/08/2021  
Ward Councillors: David Mellen, Rosemary Healy  
Cllr Mellen and Cllr Healy have been fully briefed and are supportive of the projects delivery.

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

n/a

**Equality:**

EIA not required. Reasons: The project will have no lasting negative impacts on park users .

**Decision Type:**

Portfolio Holder

**Subject to Call In:**

Yes

**Call In Expiry date:**

15/10/2021

**Advice Sought:**

Legal, Finance, Property

**Legal Advice:**

From the information from the author of the report and discussions with the property team surveyor there are no significant concerns with the proposed project. The contractual terms will need to be agreed between the respective parties and will be subject to a formal contract for sale incorporating the works to be carried out together with a transfer of the freehold property. Advice provided by Joanne Backhouse (Senior Solicitor in Conveyancing Legal team) on 01/09/2021.

**Finance Advice:**

The Holme Sluices Fish Pass project is a project that has been will be managed and delivered by the Environment Agency (EA). NCC has no responsibilities relating to the delivery and funding of the project and so there is very little financial risk to NCC.

It's anticipated that there will be some disturbance to users of Colwick Country Park which may have a knock on impact on the number of visitors over the period of the works, this may affect income streams at the park, such as car parking income. It is not possible to quantify the level of income loss at this point as there is no supporting information available for this to be reliably forecast. Finance will support the Parks & Open Spaces service in monitoring this.

EA will use the main park entrance to gain access to the works site. The Parks & Open Spaces service should ensure that an appropriate agreement is in place to ensure that any damage caused to the park through the period of the works is made good by EA to ensure the project does not result in NCC incurring additional expenditure.

The transfer of land to EA raises no significant concerns. Finance will work with Property Service and Parks & Open Spaces services to ensure that the disposal of the land is accounted for in line with International Financial Reporting Standards and the CIPFA Code.

Advice provided by Matthew Connell (Commercial Business Partner) on 31/08/2021.

**Property Advice:**

**Property will support the Parks Team in this matter.**

**The Environment Agency already own the freehold interest of their flood sluice and its accompanying yard and compound, and this is where the majority of the fish pass will be located, however a section of land owned by the city council will be required and this will require a transfer of ownership. No terms have yet been agreed or discussed regarding this, and the Property team will need to liaise with the EA to find suitable terms. Approval to these terms can be granted under standard delegated powers if the principle to the project is agreed here.**

**Furthermore, the access road and paths around the compound that lead to the marina and other parts of the country park will need to be reconfigured. These will stay within the city council's land ownership and maintenance liabilities, so terms will need to be agreed with the EA to ensure this is completed to a satisfactory standard and design. Again, Property will support the Parks team in this matter.**

**Finally, further agreement will be needed documenting access to the works area. This will be via the main entrance to the park and an agreement will need to ensure that any damage caused by their vehicles will be fully reinstated at the completion of the works. Advice provided by John West (Estates Surveyor) on 23/08/2021.**

**Signatures**

<b>Rosemary Healy (Portfolio Holder Highways, Transport, Cleansing)</b>
<b>SIGNED and Dated: 08/10/2021</b>
<b>Frank Jordan (Corporate Director, Resident Services)</b>
<b>SIGNED and Dated: 06/10/2021</b>

# Holme Sluices (Colwick) Fish Pass

June 2021



*Source: Environment Agency/Royal Haskoning*

### Background

Holme Sluices spans the full width of the River Trent to the south of Nottingham and was built in the 1950s as part of a large scale flood defence scheme. It is a major Environment Agency operational structure that helps to protect Nottingham from flooding and controls river levels upstream. It is the largest barrier to the natural migration of fish in the Midlands. Alongside over 30 local partner organisations we have been developing an ambitious project to restore the River Trent and reconnect communities and wildlife within it – the third longest river in the country. As part of the Lower Trent & Erewash Catchment Partnership, the Trent Gateway project aims to create a healthy watercourse that not only reduces flood risk and provides better wildlife habitats but also engages local communities about the natural and social history of the river. The Holme Sluices fish pass is the first major project that will help towards the delivery of the Trent Gateway vision.

### Who are we working with?

We have worked with a number of partners on the design. In 2013 we assessed all of the options to enable fish to pass around the sluices and the preferred option has been developed with our designers and contractors over the last 5 years. We are also liaising with Nottingham City Council as they develop plans to create an educational and interpretation hub at Colwick Country Park that will become a centre for visitors to learn about the River Trent and its amazing history. Trent Rivers Trust are hosts of the Lower Trent & Erewash Catchment Partnership and are leading on the development of projects to further enhance the river and deliver the ambition of Trent Gateway. The Environment Agency will be leading the fish pass project.

### Why are we doing it?

In total there are eight large weirs along the lower River Trent from Cromwell near Newark to Sawley near Long Eaton without a fish pass. These barriers affect the natural migration of fish as

they try to reach spawning habitat upstream into the Midlands. Holme Sluices is the largest barrier and is owned and maintained by the Environment Agency. We are addressing our barrier first and through Trent Gateway we are seeking a partnership approach to further open up access to spawning grounds in the rivers Derwent, Soar and Dove. Species that will benefit include Salmon, Lamprey, Eels and other coarse fish.

#### **What are we doing?**

We will be building a 'twin deep vertical slot' fish pass that will be 200m long, 6m wide and 6m deep. It will run around the Environment Agency compound at Colwick and is broken up into a series of 21 ascending chambers into which the water flows through narrow slots. All fish species will be able to swim through these slots and rest in the next chamber above before continuing their journey up the pass and into the river above. It will also include an eel pass to help support the critically endangered European Eel as well as a public viewing platform so people can try and spot fish as they make their way through the pass.

Holme Sluices at Colwick is the largest barrier on the Trent and we have now completed the final design. We anticipate that construction will start in October 2021. We will continue to work alongside partners as they seek to make additional improvements to the Colwick Country Park and other surrounding areas to make this part of Nottingham a key visitor destination where communities can learn about the natural environment and the River Trent.

#### **Where can I find out more about the project?**

We will be providing updates throughout the construction via our Citizen Space page (due to be live in the next few weeks) and our Midlands Twitter account - @EnvAgencyMids

You can also contact us via [EMDenquiries@environment-agency.gov.uk](mailto:EMDenquiries@environment-agency.gov.uk)

#### ***Similar fish pass examples from the River Severn***



**Source: Environment Agency**

Appendix 2 Site Plan

