

### Laxton Parish Council Correspondence Record

**19<sup>th</sup> September to 21<sup>st</sup> October 2017**

The Clerk will circulate correspondence when considered appropriate. If Councillors would like to see a copy of correspondence that has not be circulated, please notify the Clerk on [laxtonpc@btinternet.com](mailto:laxtonpc@btinternet.com) or 07932 016856.

Ref	Date Received	Attached?	From	Purpose of Correspondence	Additional Information
400	20/9/17	N	Society of Local Council Clerks	Membership Renewal - £67	
401	21/9/17	N	ERYC	Notice of National Churches Trust Community Grants	
402	21/9/17	Y	ERNLLCA	September Newsletter, including details of Wifi4EU	
403	28/9/17	N	Gilberdyke Parish Council	In principal, open to Laxton residents attending Gilberdkye and Newport Youth Club	
404	4/10/17	N	ERYC	Invitation to participate in a Community Safety Partnership Survey	
405	4/10/17	N	ERNLLCA	Consultation re attendance at District Meetings	
406	6/10/17	N	ERYC	Invitation to submit locally important street names to add to Street Name Bank	
407	9/10/17	N	ERYC	Invitation to put forward non-parochial topics for Scrutiny Panel review	

408	10/10/17	N	ERYC	Woodland creation scheme grant	
409	15/10/17	N	Two Ridings Community Foundation	Sixpenny Wood Wind Farm Trust is open for applications until 4 <sup>th</sup> December.	
410	16/10/17	Y	ERYC	Six Month Anti Social Behaviour Statistics	
411	18/10/17	N	ERYC	Approval of Erection of single storey extension to side and porch to front, Poplar Cottage Back Street Laxton East Riding Of Yorkshire DN14 7TP	
412	20/10/17	N	ERYC	Approval of Refurbishment of first floor bedrooms and staircase, reinstatement of staircase and installation of new bathrooms, Saltmarshe Hall	
413	10/10/17	Y	ERYC	Overview and Scrutiny Review of Internal Drainage Boards	



# EAST RIDING

OF YORKSHIRE COUNCIL

County Hall Beverley East Riding of Yorkshire HU17 9BA Telephone (01482) 393939

[www.eastriding.gov.uk](http://www.eastriding.gov.uk)

Paul Abbott Interim Head of Housing, Transportation and Public Protection

Issue 18  
October 2017

## TACKLING ANTI SOCIAL BEHAVIOUR IN OUR COMMUNITY

Please find attached issue 18 of our six-monthly updates.

The updates inform you of the interventions used in your area and this one sets out those used between 1 April 2017 and 3 September 2017. I also attach details of the number of calls received by your Anti Social Behaviour team.

Our team has recently taken responsibility for the safe and sound grant scheme to help residents stay safe in their own home. This issue provides more information on the scheme, including how residents can apply. This issue also provides information on the community payback scheme.

We are here to help those who suffer from anti social behaviour and our website provides helpful information on anti social behaviour and what can be done to tackle it:  
<http://www2.eastriding.gov.uk/living/crime-and-community-safety/anti-social-behaviour/>

We rely on information that residents pass on and I encourage you to use our website and report anti social behaviour to Humberside Police on 101 or your Anti Social Behaviour team on 01482 396380.

Thank you

Nigel Brignall  
Manager of the Anti Social Behaviour Team

### **Safe & Sound Fund:**

A pot of money is available to residents across the East Riding to help them minimise the fear of crime by increasing their home security.

The safe and sound scheme, run by East Riding of Yorkshire Council, allows people who may be vulnerable, to apply for additional home security measures such as additional locks for doors and windows, door chains and window alarms.

To qualify, applicants must be aged 60 or over or disabled and be a home owner, private sector tenant or housing association tenant and the combined savings of everyone living in the household must not exceed £5,000.

The scheme is not available to anyone who is council house tenant.

Successful applicants will be entitled to a free home security assessment and the fitting of any security measures.

To apply residents should request an application form by sending an email to [safe.communities@eastriding.gcsx.gov.uk](mailto:safe.communities@eastriding.gcsx.gov.uk) or by calling 01482 396380.

### **How can you help me?**

We can arrange for a qualified contractor to carry out a free home security assessment and fit home security equipment.

### **What additional home security measures are available to me?**

Measures include, but are not limited to\*:

- Additional locks for doors and windows
- Door Chains
- Door viewers
- Window alarms

\*some types of locks and security measures can only be fitted depending on the type of existing windows and doors.

### **How do I apply?**

You can request an application form by sending an email to [safe.communities@eastriding.gcsx.gov.uk](mailto:safe.communities@eastriding.gcsx.gov.uk) or by calling 01482 396380.

### **What is a Safe & Sound Grant?**

The grant is to help minimise the fear of crime by providing additional home security measures to enable residents to feel safer in their home.

### **Who is eligible for help?**

To qualify for assistance applicants must be:

- Aged over 60 or disabled;
- A homeowner or private sector tenant / Housing Association tenant.

Everyone living in the property must not have a bank balance, when added together, of over £5,000.

Further grants will not be made to anyone receiving support from the Safe and Sound grant scheme in the last two years.

### **Community Payback : Requests now need to be made on-line:**

In the Humberside area, over 160,000 hours of community, payback is completed every year by offenders on a community sentence. This equates to approximately £800,000 of free labour provided to local communities as offenders pay back for the crimes they have committed.

Community payback projects range from litter removal to clearing dense undergrowth, and environmental projects through repairing and redecorating community centres or removing graffiti. Offenders usually work as part of a team, monitored by a supervisor, and will work all day with short breaks, although there are some opportunities for individual placement.

The Humberside, Lincolnshire, and North Yorkshire Community Rehabilitation Company Ltd are working closely with the East Riding of Yorkshire Council to make sure that offenders do the things that you want them to do as payback for their offending. We are seeking your ideas for projects to be delivered throughout the East Riding in the future.

To be considered, your project must meet the following criteria:

- it must benefit the local community
- no one must make a profit from the work
- it must be challenging and demanding
- it must be worthwhile and constructive
- offenders must be seen to be putting something back into the community.

We also ask that you provide suitable rubbish bags and organise the collection of any cuttings and waste.

To apply please go to the page below on the East Riding of Yorkshire website:

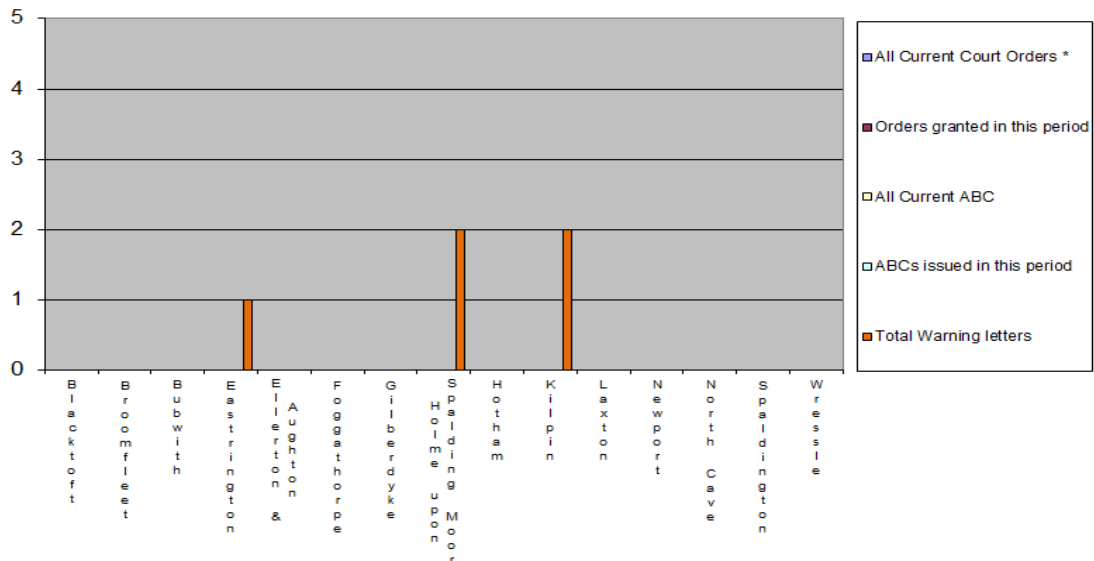
<http://www2.eastriding.gov.uk/living/crime-and-community-safety/reporting-a-crime/>

## Howdenshire

Six month data represents 1 April 2017 to 30 September 2017

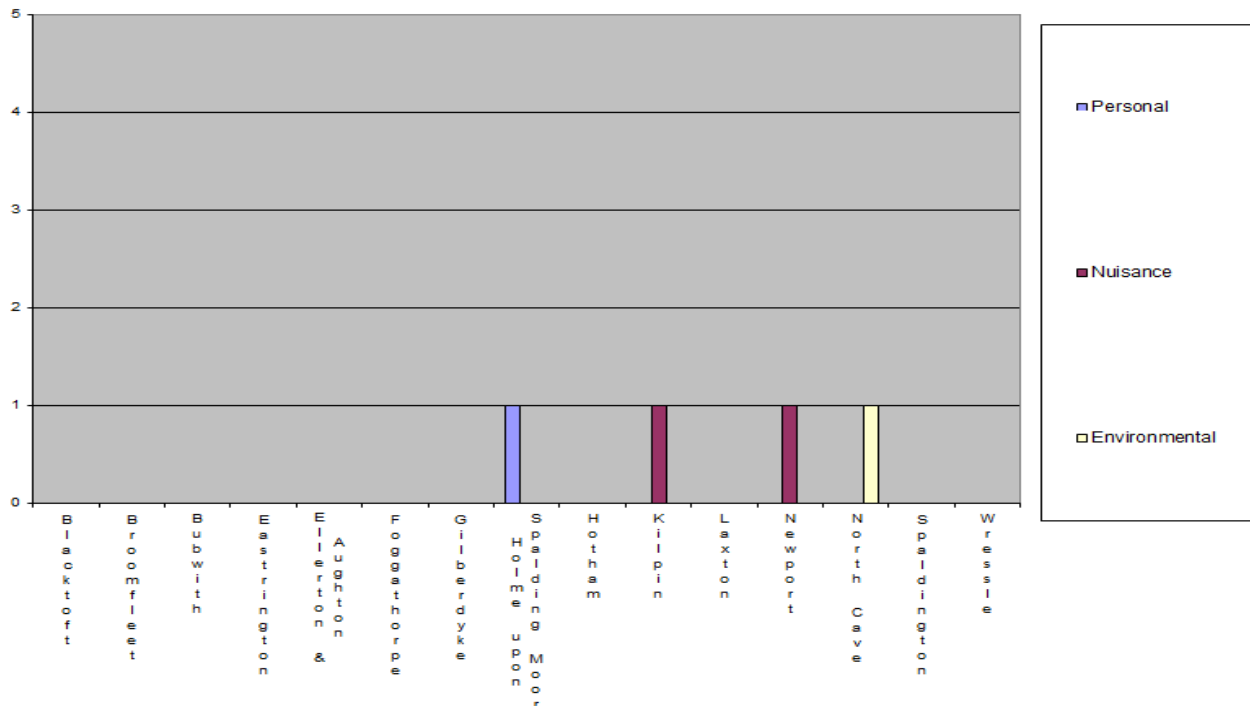
### Breakdown by Parish and Town Council area

#### Interventions to Tackle ASB



\*Court Orders include ASBOs, Criminal Behaviour Orders and Civil Injunctions

#### Calls for Service to the ASB Team

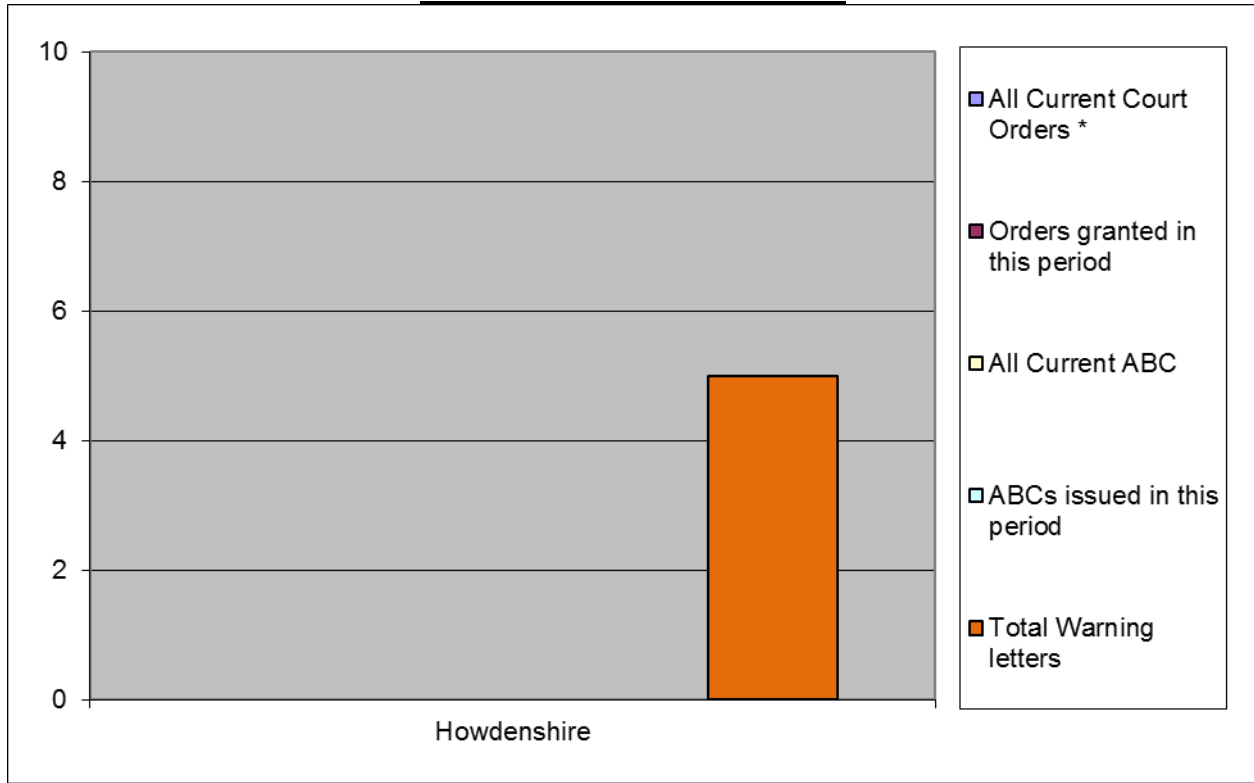


## Howdenshire

Six month data represents 1 April 2017 to 30 September 2017

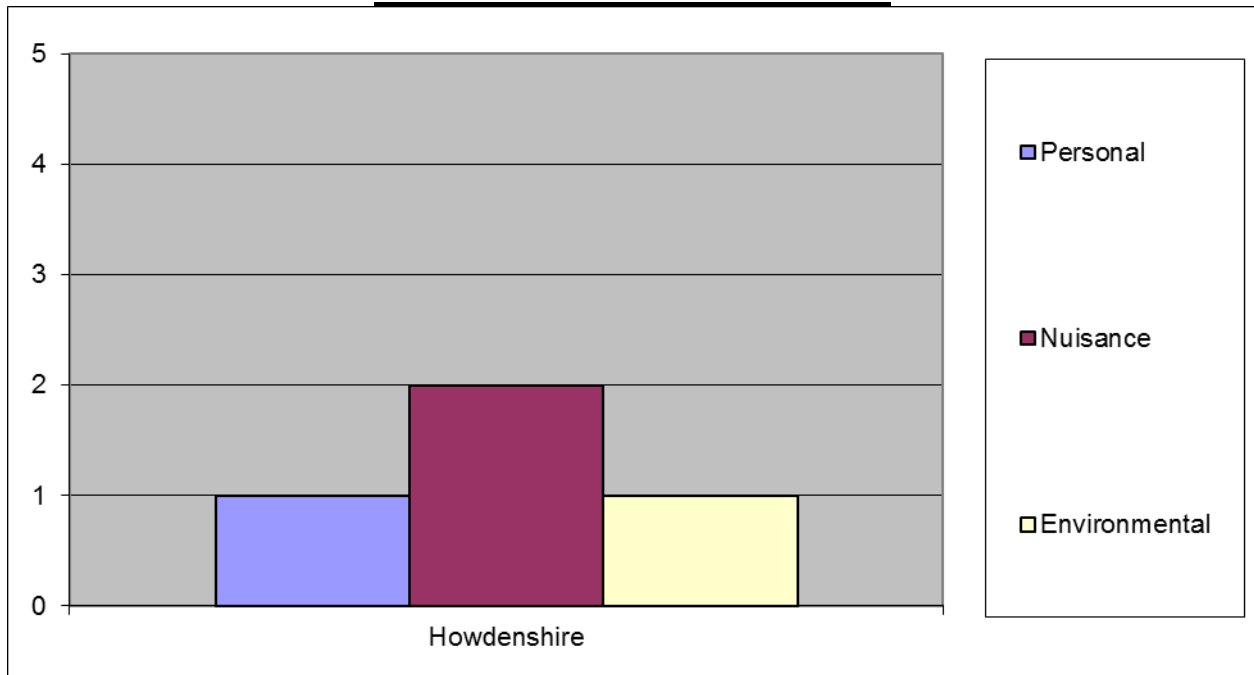
### Breakdown by Ward

#### Interventions to Tackle ASB



\*Court Orders include ASBOs, Criminal Behaviour Orders and Civil Injunctions

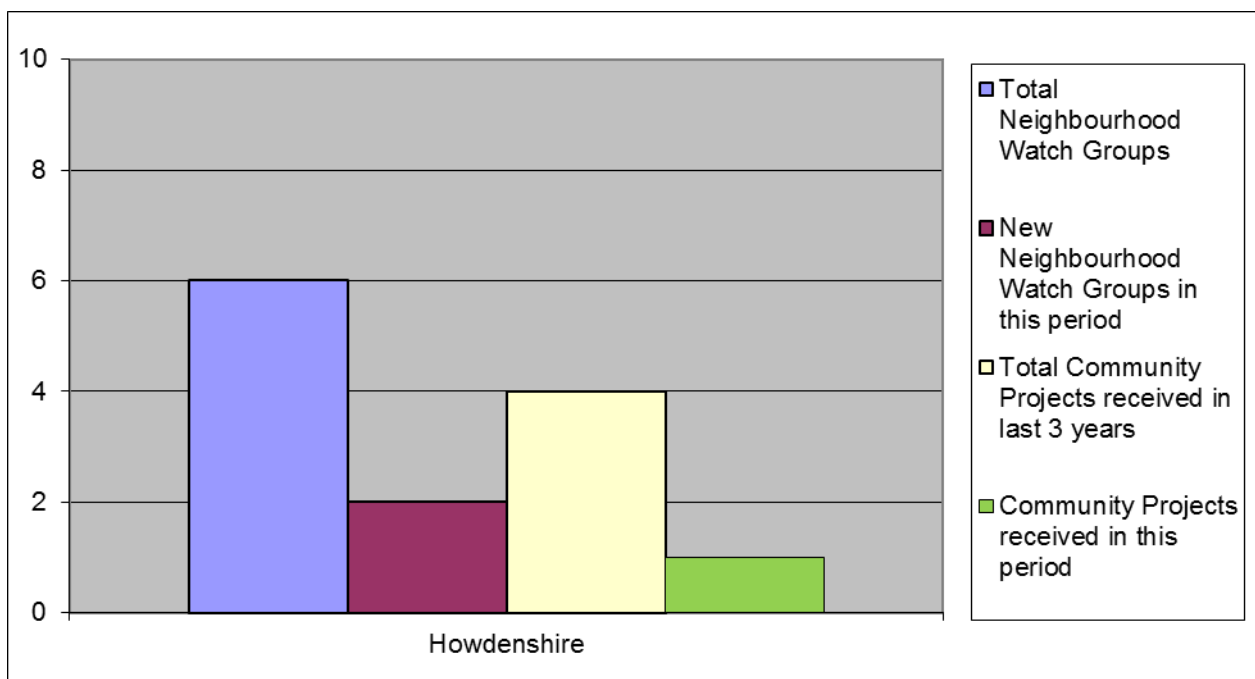
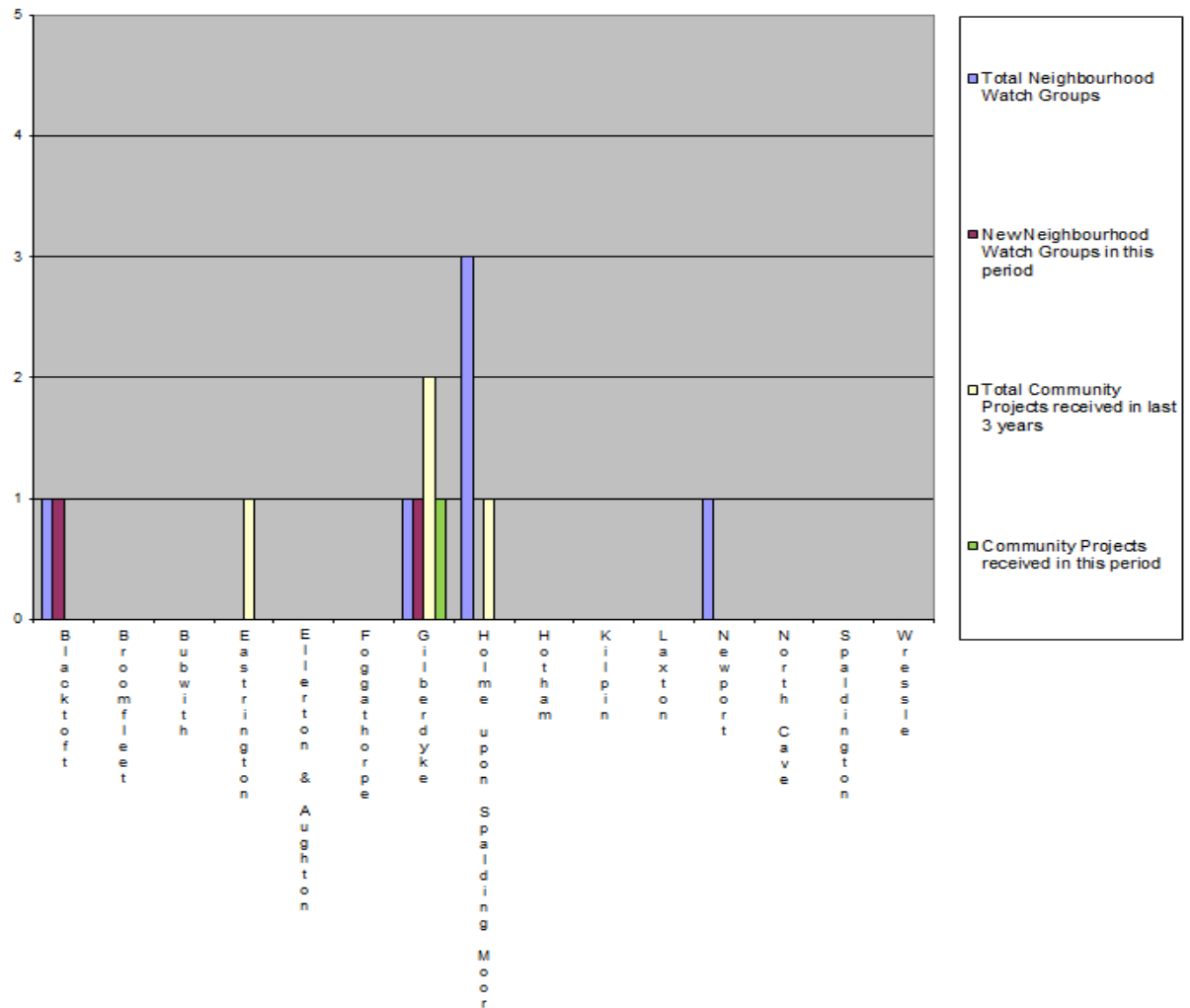
#### Calls for Service to the ASB Team



## Howdenshire

**Six month data represents 1 April 2017 to 30 September 2017**

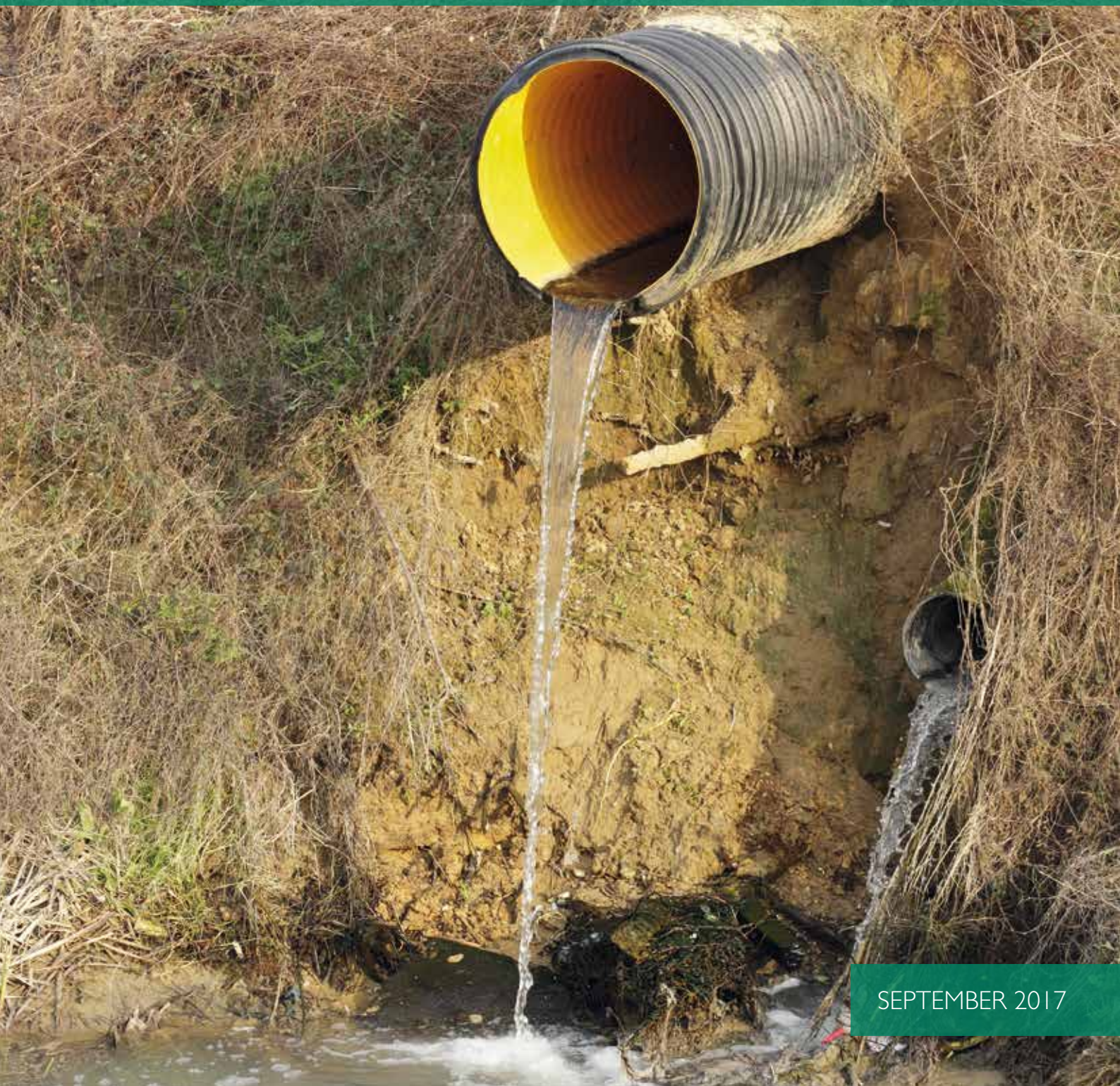
### **Neighbourhood Watch Groups and Community Projects**





# REVIEW OF INTERNAL DRAINAGE BOARDS

REPORT OF THE REVIEW PANEL



SEPTEMBER 2017



EAST RIDING  
OF YORKSHIRE COUNCIL



## **Approval by East Riding of Yorkshire Council**

At its meeting of 11 October 2017 East Riding of Yorkshire Council received this report, fully supported the findings of the Panel and approved all of the recommendations contained within this report, subject to the following additional wording in *italics* being added to the following recommendations:

### **Recommendation 2:**

“That the Association of Drainage Authorities, in conjunction with the Lead Local Flood Authority, lobbies the Department for Environment, Food and Rural Affairs to work with the Environment Agency in order that Public Sector Co-Operation Agreements can be extended for longer periods, *subject to the appropriate funding.*”

### **Recommendation 7:**

“That Internal Drainage Board members newly appointed by the Council be provided with a briefing regarding their role and remit on drainage boards and operations of Internal Drainage Boards *and that appointed members be proactive in seeking an induction from the Clerk of their Internal Drainage Board.*”

### **Recommendation 10:**

“That Internal Drainage Boards, *in conjunction with East Riding of Yorkshire Council,* raise their profile within their communities and demonstrate their operational spend and value for money of the levy placed on the Council and paid for by taxpayers.”

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## CHAIRMAN'S FOREWORD

It is always a pleasure to work with people who genuinely want to help others to deliver an improved service and those associated with land drainage are no exception. Internal Drainage Boards (IDBs) are an important integral part of flood management. The districts they cover are by nature low lying and often the first part to flood. Balancing the needs to maintain the drainage capabilities and protect the environment within limited financial resources is very challenging.

This review, however, was not about the mechanics of land drainage maintenance but to focus in on governance arrangements, funding and the working relationship with other agencies.

When the review commenced in October 2016 it quickly became apparent the complexity of the environment in which IDBs have to work. It was also apparent that the approach to flood risk management has moved on and there are many examples of good modern day working practices.

This review has brought to the forefront some of the issues which, if addressed, will bring about improvements and efficiencies to the service.

Some of the recommendations require national attention, others can be addressed locally. Although some may be considered aspirational, it would be remiss of the review panel not to have included them.

Probably the most controversial issue raised was whether smaller IDBs should amalgamate in order to reduce administration costs and improve efficiency. Set against this is the importance of retaining local knowledge which has great benefits when delivering a very local service. The alternative is to establish a consortium which appears to achieve both objectives.

The Panel recognises, however, that IDBs are independent authorities in their own right and it is for their members to agree any changes in governance. That said as Local Lead Flood Authority the Council has and should continue to support IDBs to meet their objectives.

Probably the most rewarding for me was the willingness of the IDBs, the Association of Drainage Authorities, the Environment Agency and Council officers to engage with the review. My thanks go out to them.

I particularly wish to thank Simon Clark, who at the start of the review helped the Panel to establish its remit and Gareth Naidoo, Senior Committee Manager, who joined us half way through the review. Gareth has expertly detailed and collated all the information required by the Panel to establish the recommendations and this report.



Councillor Christopher Matthews  
Review Panel Chair

## EXECUTIVE SUMMARY

Over an eleven month period the Panel considered the operations, governance and clerking arrangements of Internal Drainage Boards (IDBs). The Panel met with representatives of IDBs from across the East Riding, the Environment Agency (EA) and the Association of Drainage Authorities (ADA) to gain a greater insight into the operations of IDBs and to understand the particular issues and challenges facing IDBs across the East Riding.

There is a view amongst Risk Management Authorities (RMAs) that there is over-regulation from the Department for Environment, Food and Rural Affairs (Defra) agencies; the amount of 'red tape' necessary to be able to undertake works was becoming 'suffocating', especially relating to environment regulation and legislation. The Panel suggests that it would be far more efficient and effective for Defra agencies to agree a scheme of 'standing advice' for an Internal Drainage District (IDD) allowing IDBs to self-regulate on these matters.

There is very strong feeling amongst IDB representatives that the length of Public Sector Cooperation Agreements (PSCAs) needs to be lengthened for up to five years in order to allow effective joint forward planning between all parties concerned. It would appear that IDBs would welcome greater responsibility and freedom to undertake work on behalf of the EA (such as 'de-maining' of main rivers) in its catchment and the extension of PSCAs could help achieve this. The Panel believes that IDBs, in partnership with the Lead Local Flood Authority (LLFA), are in some instances the best placed organisations to carry out long term or larger scale projects in their local area and therefore having some longer term financial stability would help increase operations and provide added sustainability of IDBs.

That being said, based on the variable sizes and resources of IDBs operating across the East Riding, it is important that the Council as LLFA is confident that these organisations are fit for purpose and have the capability and capacity to deliver large scale projects in a manner consistent with other RMAs, including LLFAs.

IDBs have reported that they struggle to appoint board members with appropriate environmental expertise. Some smaller IDBs have reported benefits from merging with each other, forming consortia or working collaboratively. The Panel encourages very small IDBs to form consortia or amalgamate and believe a cap of 17 should be set for the maximum number of members on any given IDB in order for them to operate effectively and efficiently.

Some local authorities are able to appoint a good spread of councillors that complement the elected members on IDBs, however others find it challenging to find councillors or specialist officers willing to sit on an IDB. Town and parish councils may either have appropriately skilled councillors sitting on its council or know of suitable individuals within its community that could fill vacant seats on IDBs on behalf of the Council. The Council should therefore seek assistance from town and

parish councils in appointing a local representation to an IDB vacancy. Likewise, some IDBs have a small composition and the number of appointed members entitled to sit on an IDB from the levy paying authority is sometimes minimal or altogether non-existent. The Panel therefore urges ADA to review the composition of smaller IDBs whose appointed member allocation is small.

It is the responsibility of the clerk to an IDB to induct newly appointed members (whether elected, appointed or co-opted). As members are appointed to represent the Council on IDBs the Panel believes it necessary that newly appointed members be given training or a briefing from the Council as to their particular role and remit on the IDB.

Whilst it is acknowledged that there is accountability of IDBs through four internal audits and one external audit a year (including a period of 30 working days within the audit process where accounts are open to any person interested), along with the IDB1 form process, the Panel still feels that transparency of business to the general public and rate payer could be improved. The Panel is unaware of any standardised or set lists of indicators which all IDBs can use to demonstrate the value of their work to the local community or to their ratepayers. The Panel believes that if IDBs have a standardised range of Key Performance Indicators (KPIs) to work to this would not only provide consistency of IDB operations across the East Riding (and nationally too), but also add an extra level of accountability, transparency and value for money from IDBs to the rate payer and key stakeholders.

Whilst Defra has policy responsibility relating to IDBs it has no statutory powers to intervene in their day-to-day activities or management, as IDBs are local independent bodies. Even though local authorities appoint councillors to sit on IDBs they do not have the authority to direct the IDBs in their area. The Panel recommends a rolling programme to receive IDB annual reports and review vacancy levels be included on the Council's Environment and Regeneration Overview and Scrutiny Sub-Committee work programme each year, whereby relevant IDB personnel could be invited to attend meetings to discuss their annual report and operations further.

For 2017/18 IDBs across the East Riding levied in total £1.4m on the Council. Yet for such significant sums of public money spent, relatively little is known or heard about IDBs by the rate paying members of the public. The Panel believes that IDBs need to raise their profile and justify the money they spend and prove value for money.

The Panel feels that the responsibilities of riparian owners is an area which is often overlooked by IDBs and that greater work needs to be done by IDBs and town and parish councils in order to fully map each local community for riparian ownership. A greater drive to raise awareness of riparian ownership rights and responsibilities needs to be undertaken by town and parish councils within known flood risk areas that can bring together the riparian owned community.

**(i) REVIEW PANEL RECOMMENDATIONS**

<b>No.</b>	<b>Recommendation</b>	<b>Organisation to Action</b>
1	That the Lead Local Flood Authority works with Department for Environment, Food and Rural Affairs agencies to develop a wide ranging licensing scheme for each Internal Drainage District with a form of standing advice.	East Riding of Yorkshire Council [Asset Strategy]
2	That the Association of Drainage Authorities, in conjunction with the Lead Local Flood Authority, lobbies the Department for Environment, Food and Rural Affairs to work with the Environment Agency in order that Public Sector Co-Operation Agreements can be extended for longer periods, subject to the appropriate funding.*	Association of Drainage Authorities East Riding of Yorkshire Council [Asset Strategy]
3	That the Association of Drainage Authorities, in consultation with the Lead Local Flood Authority, supports very small Internal Drainage Boards to form consortia or amalgamate where appropriate.	Association of Drainage Authorities
4	That the Association of Drainage Authorities, in consultation with the Lead Local Flood Authority, encourages Internal Drainage Boards to cap its membership at a maximum of 17 members where appropriate.	Association of Drainage Authorities
5	That, when vacancies arise on Internal Drainage Boards, Democratic Services, on behalf of the Chief Executive, considers approaching town and parish councils to seek suitable local representation. [See Recommendation 7 for training of appointed members]	East Riding of Yorkshire Council [Democratic Services]
6	That the Association of Drainage Authorities, in consultation with the Lead Local Flood Authority, reviews the number of appointed members on smaller Internal Drainage Boards.	Association of Drainage Authorities East Riding of Yorkshire Council [Democratic Services]
7	That Internal Drainage Board members newly appointed by the Council be provided with a briefing regarding their role and remit on drainage boards and operations of Internal Drainage Boards and that appointed members be proactive in seeking an induction from the Clerk of their Internal Drainage Board.*	East Riding of Yorkshire Council [Infrastructure and Facilities]
8	That the Lead Local Flood Authority liaise with the Association of Drainage Authorities in establishing a standard set of Key Performance Indicators for Internal Drainage Boards in order to encourage the sharing of good practice.	East Riding of Yorkshire Council [Asset Strategy] Association of Drainage Authorities
9	That the Environment and Regeneration Overview and Scrutiny Sub-Committee undertake a rolling programme to receive Internal Drainage Boards' annual reports and review vacancy levels.	East Riding of Yorkshire Council [Overview and Scrutiny]
10	That Internal Drainage Boards, in conjunction with East Riding of Yorkshire Council*, raise their profile within their communities and demonstrate their operational spend and value for money of the levy placed on the Council and paid for by taxpayers.	Internal Drainage Boards
11	That Internal Drainage Boards and town and parish councils within known flood risk areas be encouraged to work together to form riparian owner working groups and raise awareness of riparian ownership.	Internal Drainage Boards Town and Parish Councils

\* Resolution by East Riding of Yorkshire Council on 11 October 2017 for additional wording.

## (ii) MEMBERS OF THE REVIEW PANEL

Councillor	Political Group
Chris Matthews (Chair)	Conservative
David Elvidge	Conservative
Paul Hogan	Labour
Ros Jump	Independent
Mike Stathers	Conservative
David Tucker	Conservative

## (iii) REVIEW CONTACT INFORMATION

Gareth Naidoo - Senior Committee Manager

Email: [gareth.aidoo@eastriding.gov.uk](mailto:gareth.aidoo@eastriding.gov.uk)

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Address: East Riding of Yorkshire Council  
Democratic Services  
Overview and Scrutiny  
County Hall  
Beverley  
HU17 9BA

## (iv) PURPOSE OF THE REVIEW

The aim of the review was to examine the role and complexities of Internal Drainage Board operations, governance and clerking arrangements.

The review considered:

- (i) the role and membership of Internal Drainage Boards;
- (ii) the governance and monitoring of Internal Drainage Boards;
- (iii) the funding of Internal Drainage Boards;
- (iv) the operations and efficiency of Internal Drainage Boards in maintaining water courses/drains;
- (v) the Flood Risk Strategy and its impact on the work of Internal Drainage Boards.

## (v) FINANCIAL IMPLICATIONS

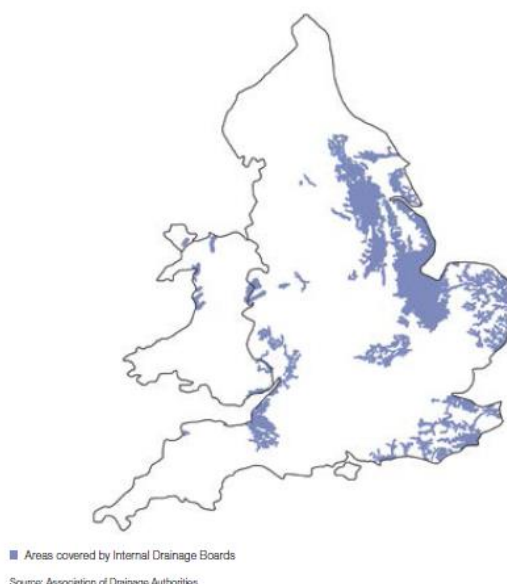
A number of recommendations within this report may have financial implications for partner organisations which will need to be assessed.

## 1. INTRODUCTION

1.1 Internal Drainage Boards (IDBs) are local independent public bodies responsible for managing water levels in low-lying areas where there is a special drainage need. IDBs also contribute to flood risk management and the protection and enhancement of biodiversity in urban and rural areas.<sup>1</sup>

1.2 There are 112 IDBs in England today, covering 1.2 million hectares (9.7 percent of the total land area of the country). They play a key role in reducing flood risk to over 600,000 people, nearly 900,000 properties, industries of national importance and much of the UK's critical infrastructure (including oil refineries, power stations, major industrial premises, motorways and the rail network). IDBs operate and maintain over 500 pumping stations, 22,000 km of watercourse, 175 automatic weed screen cleaners and numerous sluices and weirs.<sup>2</sup>

Geographical distribution of Internal Drainage Boards



1.3 Each IDB has permissive powers to undertake work to provide water level management within their Internal Drainage District (IDD), undertaking works to reduce flood risk to people and property and manage water levels for local needs. Much of their work involves the maintenance (ie not large capital improvement schemes) of rivers, drainage channels, outfalls and pumping stations, facilitating drainage of new developments and advising on planning applications within its IDD. They also have statutory duties with regard to the environment and recreation when exercising their permissive powers.<sup>3</sup>

1.4 The forerunners of today's IDBs date back to the time of Henry III who established a Commission

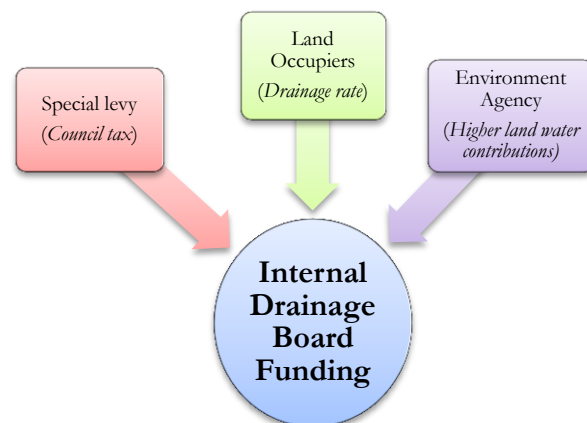
<sup>1</sup> National Audit Office (2017). *Internal Drainage Boards*

<sup>2</sup> [http://www.ada.org.uk/member\\_type/idbs/](http://www.ada.org.uk/member_type/idbs/) [accessed 27/06/17]

<sup>3</sup> Association of Drainage Authorities. *An Introduction to Internal Drainage Boards (IDBs)*



for drainage of Romney Marsh in Kent in 1252. Today, most IDBs were established by the Government following the passing of the Land Drainage Act 1930. The activities and responsibilities of IDBs are currently controlled by the Land Drainage Act 1991 as amended by subsequent legislation. IDBs are also defined as Risk Management Authorities (RMAs) within the Flood and Water Management Act 2010 alongside the Environment Agency (EA), councils and water companies.<sup>4</sup>



1.5 The Flood and Water Management Act 2010 places a duty on all Flood Risk Management Authorities (FRMA) to co-operate with each other. The Act also provides Lead Local Flood Authorities (LLFAs) and the EA with the power to request information required in connection with their flood risk management functions. LLFAs are required, under section 21 of the Flood and Water Management Act 2010, to maintain a register of structures and features which are likely to have a significant effect on flood risk in their area. LLFAs are responsible for managing the risk of flooding from surface water, groundwater and ordinary watercourses and lead on community recovery. Within the East Riding, the Council is designated as the LLFA.

1.6 It is the responsibility of each IDB to have arrangements in place to ensure that its business is conducted in accordance with the law and proper standards, set by the Joint Practitioners Advisory Group (the sector-led body responsible for producing proper practices for smaller authorities in England). Each IDB must also ensure that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. IDBs should be accountable to the communities they serve, incorporating local residents, businesses and landowners and the relevant local authority or authorities.<sup>5</sup>

1.7 IDBs raise funding mainly through drainage rates paid directly by farmers and landowners and through special levies on councils within the IDD. Each IDB sets a budget for its planned work for the forthcoming year and any investments it needs to make for future projects. The Land Drainage Act 1991 (Section 36) determines that these expenses of an IDB should be met by:

- Drainage rates collected from private agricultural land and buildings within the IDD;
- Special Levies issued to the local authority within the IDD;
- Contributions from the EA<sup>6</sup>

1.8 IDB budgets nationally for 2015-16 ranged from as little as £7,000 to £3.7 million. Together, IDBs spent more than £61 million in 2015-16.<sup>7</sup>

1.9 Most IDBs operate as independent bodies with a board. The composition of each board depends on the IDB catchment area. Boards consist of a locally determined mix of interested parties:

- (i) Elected members (any person who owns or occupies land within the Drainage District or is nominated by a landowner or occupier of the drainage district)
- (ii) Appointed members (any person nominated by levy-paying local authority - normally councillors)
- (iii) Co-opted members (specific interest groups)

The current term of office for elected members is three years with an election of members at the end of each term.

### Local Facts and figures

1.10 The area of an IDB is decided by water catchment areas in a region, rather than county or council boundaries. Over the course of recent years the number of IDBs across the East Riding has significantly reduced due the amalgamation of local IDBs. Across the East Riding there are 14 IDBs, the majority of which are managed through consortia.

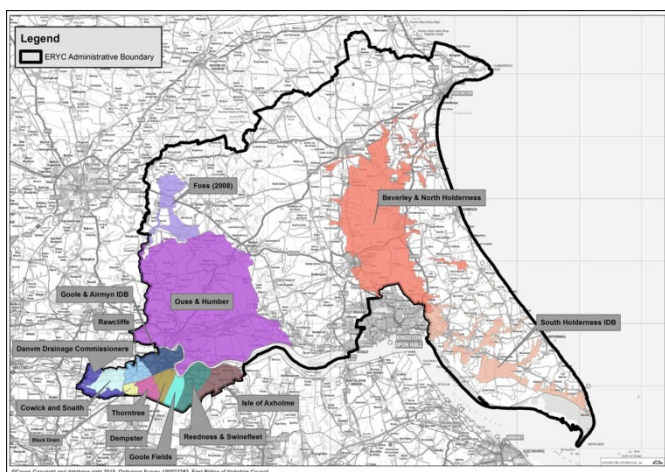
<sup>4</sup> Association of Drainage Authorities. *An Introduction to Internal Drainage Boards* (IDBs))

<sup>5</sup> National Audit Office (2017). *Internal Drainage Boards*

<sup>6</sup> Association of Drainage Authorities. *An Introduction to Internal Drainage Boards* (IDBs)

<sup>7</sup> National Audit Office (2017). *Internal Drainage Boards*





See Appendix 1 for larger picture

Internal Drainage Boards in the East Riding	Managed by Consortium
Beverley and North Holderness IDB	York Consortium Drainage Boards
Foss IDB	
Black Drain Drainage Board	Shire Group
Danvm Drainage Commissioners	
Goole Fields District Drainage Board	
Goole and Airmyn IDB	
Cowick and Snaith IDB	Aire, Don and Ouse Consortium of Drainage Boards
Dempster IDB	
Rawcliffe IDB	
Reedness and Swinefleet IDB	Water Management Consortium
Isle of Axholme and North Nottinghamshire Water Level Management Board	
South Holderness IDB	N/A
Ouse and Humber Drainage Board	N/A
Thorntree IDB	N/A

1.11 IDBs can request money from the local authority for the services they provide in a financial year. This is known as a 'levy'. Levies are included in council tax charges but are not detailed separately on council tax bills.

IDB Levy charged to the Council		
Levy 2016/17	Levy 2017/18	Increase in Levy
£1,352,272	£1,462,975	£110,703 (7.6%)

See appendix 2 for a breakdown of levy, expenditure and membership per IDB across the East Riding

1.12 There is no statutory governance standard for IDBs and the Government has no legislative powers to ensure that IDBs undertake sound internal governance and financial management. IDBs are independent public bodies and, under the relevant legislation, no Government department has direct oversight role in their day-to-day activities or operations.

1.13 The Association of Drainage Authorities (ADA), a sector-based membership organisation, has developed non-statutory governance standards

with the support of the Department for Environment, Food and Rural Affairs (Defra). Under the legislation the EA (an executive non-departmental body sponsored by Defra) has a supervisory role and powers to act if an IDB injures the land. Although IDBs have to comply with the Local Flood Risk Management Strategy for their area and local authorities may review and scrutinise the exercise of IDBs' risk management functions, local authorities have no legal powers to directly influence IDBs' governance and administration.<sup>8</sup>

## 2. REGULATION BY DEFRA AGENCIES

- 2.1 A number of non-departmental Government agencies sponsored by Defra have regulatory and supervisory functions with respect to some of the activities that IDBs and other RMAs undertake. The principal agencies involved are the Environment Agency (EA), the Marine Management Organisation (MMO) and Natural England (NE).
- 2.2 The main functions that impact of IDB activities include statutory permitting, licensing and in certain cases statutory consultation on planning matters.
- 2.3 The EA as an executive non-departmental public body sponsored by the Defra is responsible, amongst other things, for:
  - water quality and resources;
  - inland river, estuary and harbour navigations;
  - managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.
- 2.4 The EA issues permits for water discharge or groundwater activities or work on or near a main river or sea defence.
- 2.5 NE is the Government's adviser for the natural environment in England, helping to protect England's nature and landscapes. Within England, NE is responsible, amongst other things, for:
  - promoting nature conservation and protecting biodiversity;
  - conserving and enhancing the landscape.
- 2.7 The MMO is responsible for marine licensing in English inshore and offshore areas. They include the waters of every estuary, river or channel where the tide flows at mean high water spring tide.
- 2.8 To carry out a number of areas of work IDBs are required to apply for an environmental permit (formerly known as flood defence consents), although there are exemptions which apply in

<sup>8</sup> National Audit Office (2017). *Internal Drainage Boards*

some situations. Environmental permits are required for activities relating to:

- on or near a main river;
- on or near a flood defence structure;
- in a flood plain;
- on or near a sea defence.

### Key Findings

- 2.9 There was a view amongst RMAs that there was over-regulation from Defra agencies; the amount of ‘red tape’ necessary to be able to undertake works was becoming ‘suffocating’, especially relating to environment regulation and legislation. The relevant regulations and legislation were open to interpretation which led to financial consequences and eventually to further demands on local tax payers.
- 2.10 The Panel was informed that the new Environmental Permit process (introduced in 2016) is far more restrictive than the previous Flood Defence Consents process. There are now very few applications that are exempt and the application process requires significantly more information with no flexibility or allowance for a risk based approach; all of which results in more officer time spent on the applying for the permit and a lengthy application process.
- 2.11 It would also appear that there is little capacity within the EA to carry out enforcement relating to its consent/permitting powers (given that there is only one part time enforcement officer to cover the whole of the Yorkshire area).
- 2.12 Serious concern had been expressed by IDB representatives to the Panel at the excessive time and cost it had taken to obtain the necessary licences to undertake essential flood risk work that impacts directly on East Riding communities. In giving the example of dealing with the MMO the process was found to be extremely bureaucratic, expensive and in the view of the IDB completely unnecessary.
- 2.13 There appears to be some duplication where separate permits/licences are required from different organisations who then consult each other on these applications.
- 2.14 The Panel urges Defra agencies to work towards a solution that would see unnecessary red tape cut to speed up these processes, thereby reducing unnecessary pressures on the public purse and reducing continued flood risk to East Riding residents. The Panel suggests that it would be far more efficient and effective for Defra agencies to agree a scheme of ‘standing advice’ for an

**IDD allowing IDBs to self-regulate on these matters with occasion ‘light touch’ reviews.**

### **Recommendation 1**

**That the Lead Local Flood Authority works with Department for Environment, Food and Rural Affairs agencies to develop a wide ranging licensing scheme for each Internal Drainage District with a form of standing advice.**

## **3. FUNDING AND PUBLIC SECTOR COOPERATION AGREEMENT (PSCA)**

- 3.1 Funding for Flood and Coastal Erosion Risk Management (FCERM) comes via Defra’s Flood Defence Grant in Aid (GiA), also known as the National Flood Defence Grant. The EA is the accountable body for administering this fund on behalf of Defra. Public bodies, such as IDBs and councils (and in some circumstances water companies) can apply for this grant.
- 3.2 In applying for GiA the public body must demonstrate that the cost of any flood or coastal defences proposed at least outweighs the cost of flooding prevented by a factor of one. This is called a cost benefit ratio. Defra then applies policy outcome measures which weigh these factors based on available public funds. At present most types of flood damage only attracts just over five pence in every pound. Funding for flood prevention of residential property attracts far more money than other things such as road, railways, factories and shops.
- 3.3 Over the last five years the Council has secured over £58m of funding from the EA (GiA and Local Levy inclusive).
- 3.4 A Public Sector Cooperation Agreement (PSCA) provides arrangements for the EA and IDBs, LLFAs, district councils or other RMAs to deliver flood risk maintenance functions and similar activities by a partnership approach. The agreement places both parties on a sound legal basis to deliver work as agreed; either party may undertake work for the other. PSCAs ensure consistency of approach to partnership working across the country and should be considered the first approach before bespoke agreements for individual works are pursued.
- 3.5 Based on section 13(4) of the Flood and Water Management Act 2010, a PSCA can cover any maintenance or permissible activity such as inspections, obstruction removal, weed control, grass cutting, tree work, vermin control, dredging, pump operation etc. It also provides for mutual RMA support in managing flood incidents. In some cases it can be used for capital asset improvement or replacement works.

- 3.6 Benefits to a PSCA include:
- securing efficient local working arrangements which will achieve value for money in delivering operational maintenance activities;
  - taking advantage of local skills and experience including local knowledge of geography, associated river/ drainage systems and operational practices, to benefit local communities;
  - sound legal basis for either party to undertake activities for the other party , as agreed;
  - having flexible partnership working arrangements. Agreements typically cover a period of up to 5 years, with annual reviews to discuss/agree the specific extent of activities to be carried out under the PSCA;
  - standardised documents which are simple to apply to local needs.<sup>9</sup>

3.7 On 14 March 2017 Defra gave the green light to a number of pilot projects to propose to ‘de-main’ certain sections of main rivers across the country. The process involves investigating the passing of river maintenance and operational activities from the EA to RMAs where there is mutual agreement, a locally generated appetite, and benefit to do so.<sup>10</sup> IDBs were very keen to explore this opportunity within the East Riding but would not wish to take responsibility for assets that had not been adequately maintained or funded by the EA.

### Key Findings

- 3.8 The Panel heard from a number of professionals and IDB representatives that believe the current GiA is not fit for purpose as there is a significant deficiency that revolves around the policy outcomes of the amount of funding available for damage caused through flooding. The small amount of GiA available for damage to agricultural areas was also highlighted as a serious issue.
- 3.9 The Panel agrees with IDBs on this and believes that fairer measures, particularly for agricultural areas, should be considered by Defra which should take into account a wider range of factors.
- 3.10 There was very strong feeling amongst IDB representatives that the length of PCSAs needed to be lengthened for up to five years in order to allow effective joint forward planning between all parties concerned. It would appear that IDBs would welcome greater responsibility and freedom to

undertake work on behalf of the EA (such as ‘de-maining’ of main rivers) in its catchment and the extension of PCSAs could help achieve this.

- 3.11 The Panel supports this proposal, especially given it understands that the EA now has a five year revenue settlement agreed with Defra which should now make these types of arrangements possible.
- 3.12 Longer term financial planning ensures that larger projects could be tendered for and undertaken by IDBs. The Panel believes that IDBs, in partnership with the LLFA, are in some instances the best placed organisations to carry out long term or larger scale projects in their local area and therefore having some longer term financial stability would help increase operations and provide added sustainability of IDBs.
- 3.13 That being said, based on the variable sizes and resources of IDBs operating across the East Riding, it is important that the Council as LLFA is confident that these organisations are fit for purpose and have the capability and capacity to deliver large scale projects in a manner consistent with other RMAs, including LLFAs. In the first instance existing expertise of the LLFA should be utilised.

### **Recommendation 2**

That the Association of Drainage Authorities, in conjunction with the Lead Local Flood Authority, lobbies the Department for Environment, Food and Rural Affairs to work with the Environment Agency in order that Public Sector Co-Operation Agreements can be extended for longer periods, subject to the appropriate funding.

## **4. CONSORTIA/ AMALGAMATION AND COMPOSITIONAL SIZE OF IDBs**

- 4.1 IDBs have reported that they struggle to appoint board members with appropriate environmental expertise, therefore having to resort to employing consultants. More widely, it is a challenge for IDBs to find willing individuals with appropriate knowledge and experience of key matters such as public finance, environmental regimes or legislative controls. It is not always possible for IDBs to identify these skills gaps and fill them.
- 4.2 Some smaller IDBs have reported benefits from merging with each other, forming consortia or working collaboratively. Other IDBs have not merged or formed consortia, despite being close to one another or very similar in nature. In some cases some amalgamated IDBs have reported better technical and administrative support and shared best practice that these measures offer.

<sup>9</sup> [http://www.ada.org.uk/wp-content/uploads/2016/10/PSCA\\_Briefing\\_Note\\_March\\_2016.pdf](http://www.ada.org.uk/wp-content/uploads/2016/10/PSCA_Briefing_Note_March_2016.pdf) [accessed 28/06/17]

<sup>10</sup> <http://www.ada.org.uk/2017/03/ada-announces-first-tranche-river-maintenance-transfer-de-maining-pilots/> [accessed 26/06/17]



Since 2006 the number of IDBs nationally has reduced from 172 to 112 due to amalgamation taking place.<sup>11</sup>

- 4.3 A review of IDBs was commissioned by Defra in 2005 with a particular focus on organisational arrangements and their efficiency, accountability and ability to represent levy-payers and wider interests. This review found scope for reducing administration costs where IDBs had a turnover of less than £500,000 by amalgamation.<sup>12</sup> Following this many IDBs rationalised their operations through mergers or by forming consortia. In 2010, this review was followed up and found that it remained reasonable to expect IDBs that are close to one another or of a similar nature to combine or operate as consortia. It also found that IDBs that are geographically isolated or different from others should be encouraged to join a consortium. This would ensure that they receive appropriate technical and administrative support, and benefit from sharing best practice. There is still the potential for further amalgamation of smaller IDBs both nationally and in the East Riding.<sup>13</sup>

### **Key Findings**

- 4.4 **Given the wide range of challenges that IDBs face, it is important that they have access to the skills and expertise they need to fulfil their role. In their 2015-16 returns, 85 percent of IDBs nationally reported that they had no board member with appropriate environmental expertise and 76 percent stated that they had no directly employed staff with the environmental expertise required.**<sup>14</sup>
- 4.5 **The challenge of recruiting board members with sufficient expertise is exacerbated by the low level of awareness of IDB functions which results in most IDBs having to rely heavily on buying in skills and expertise. ADA actively encourages mergers and consortia working, where such arrangements are appropriate, as does the Panel.**<sup>15</sup>

### **Recommendation 3**

**That the Association of Drainage Authorities, in consultation with the Lead Local Flood Authority, supports very small Internal Drainage Boards to form consortia or amalgamate where appropriate.**

- 4.6 **ADA informed the Panel that there was research which showed that a Board of seven members was the optimum size and for every one extra member appointed over and above**

**seven, there was a 10 percent deficiency in operational effectiveness.**

- 4.7 **Across the East Riding there are eight IDBs whose board size is over 17 members (three of whose IDBs have a composition of 25 members). The Panel believes a cap of 17 should be set for the maximum number of members on any given IDB in order for them to operate effectively and efficiently. Employing a cap would also help reduce vacancy levels on boards.**

### **Recommendation 4**

**That the Association of Drainage Authorities, in consultation with the Lead Local Flood Authority, encourages Internal Drainage Boards to cap its membership at a maximum of 17 members where appropriate.**

## **5. APPOINTING MEMBERS TO IDBs**

- 5.1 IDBs are responsible for ensuring that their boards function correctly and that their members are clear about their responsibilities. The number of people involved or employed by an IDB varies considerably, depending on its area, income and the complexity of its operations. The largest boards consist of several dozen members; within the East Riding the largest is Ouse and Humber Drainage Board which consists of 23 board members. Smaller boards with only six or seven members generally have a majority of elected members, primarily local landowners; within the East Riding the smallest is Goole Fields District Drainage Board which consists of just 5 board members.<sup>16</sup>
- 5.2 Board members need a wide range of skills and knowledge, including an understanding of the local area and knowledge of public finance and procurement, the social and economic impact of IDBs' operations and environmental and legislative controls. Although the boards draw from a wide range of stakeholders, many elected board members, including local land or business owners, have limited experience in at least some of these areas. It is not always possible for IDBs to identify and fill these skills gaps. The survey of IDBs by Defra and ADA also highlighted the issue of ageing membership and the need to attract younger board members.
- 5.3 Some local authorities are able to appoint a good spread of councillors that complement the elected members, however others find it challenging to find councillors or specialist officers willing to sit on an IDB. It does not have to be a councillor, however, appointed by the local authority; it can be an individual that has

<sup>11</sup> National Audit Office (2017). *Internal Drainage Boards*

<sup>12</sup> JBA (2006). *Internal Drainage Board Review: Final Report*

<sup>13</sup> National Audit Office (2017). *Internal Drainage Boards*

<sup>14</sup> National Audit Office (2017). *Internal Drainage Boards*

<sup>15</sup> National Audit Office (2017). *Internal Drainage Boards*

<sup>16</sup> National Audit Office (2017). *Internal Drainage Boards*

specific knowledge or skills relating to IDB operations.

### **Key Findings**

- 5.4 The Annual Meeting of the Council formally approves the appointments to all outside bodies, which includes appointments to IDBs. The authority to appoint members to IDBs is delegated to the Chief Executive, in consultation with the Conservative Group Secretary, which is facilitated by Democratic Services.
- 5.5 The Council currently has 17 vacancies out of 73 seats it holds on IDBs across the East Riding. The number of representatives on each IDB is proportionate to the rate paid. Where possible the Council always tried to appoint a local ward councillor to the IDB but this is not always possible or appropriate and therefore, particularly with the large number of IDBs across the East Riding, it can be difficult to fill vacant seats.
- 5.6 Notwithstanding this, the Council does appoint, where appropriate and possible, individuals from the local community on behalf of the Council to sit on IDBs. These can range from a town or parish councillor to an individual with an interest or expertise in IDB operations, environmental and legislative controls. Still this can prove challenging to find the appropriate personnel to represent the Council.
- 5.7 The Panel believes that town and parish councils either have appropriately skilled councillors sitting on its council or know of suitable individuals within its community that could fill vacant seats on IDBs on behalf of the Council. The Chief Executive could therefore write to town or parish councils in such instances to seek assistance in appointing a local representation to an IDB vacancy.

#### **Recommendation 5**

That, when vacancies arise on Internal Drainage Boards, Democratic Services, on behalf of the Chief Executive, considers approaching town and parish councils to seek suitable local representation.

- 5.8 Some IDBs have a small composition and the number of appointed members entitled to sit on an IDB from the levy paying authority is sometimes minimal or altogether non-existent. This would raise questions of governance for those IDBs as a lack of appointed members would mean a lack of accountability to the charging authority.
- 5.9 Within the East Riding there are a number of IDBs whose footprint crosses over into other

local authorities and therefore an IDB may have more than one charging authority it places a levy on, yet appointed membership allocation does not appear to be proportionate to the levy paid.

- 5.10 The Land Drainage Act 1991, Schedule 1 Part 2 Section (2)(b) states that the proportion of appointed members should be as near as possible to the proportion of levy to the overall funding required. The Panel therefore urges ADA to review the composition of smaller IDBs whose appointed member allocation is small.

#### **Recommendation 6**

That the Association of Drainage Authorities, in consultation with the Lead Local Flood Authority, reviews the number of appointed members on smaller Internal Drainage Boards.

- 5.11 It is the responsibility of the clerk to an IDB to induct newly appointed members (whether elected, appointed or co-opted). As members are appointed to represent the Council on IDBs the Panel believes it necessary that newly appointed members be given training or a briefing from the Council as to their particular role and remit on the IDB. Such training or briefing could also help provide that member with a wider understanding of the operations of IDBs in general. In particular for members appointed by the Council who are not councillors it is important that they understand their role and why they have been appointed to represent the Council and the tax payer, particularly when it comes to the annual setting of the levy placed on the Council by that IDB.

#### **Recommendation 7**

That Internal Drainage Board members newly appointed by the Council be provided with a briefing regarding their role and remit on drainage boards and operations of Internal Drainage Boards and that appointed members be proactive in seeking an induction from the Clerk of their Internal Drainage Board.

## **6. GOVERNANCE OF IDBs AND THE DEVELOPMENT OF KEY PERFORMANCE INDICATORS (KPIs)**

- 6.1 The policy and operational responsibilities of IDBs are split between two Government departments. When the Department of Environment, Transport and Regions was disbanded in the 1990s, policy responsibility for the IDBs remained with the Department for Environment, Food & Rural Affairs (Defra). However, as IDBs operate as local bodies (similar to small authorities such as parish councils), they

were formerly under the remit of the Audit Commission, but are now classified as relevant authorities under the Local Audit and Accountability Act 2014 and subject to limited assurance. As of April 2015, the Comptroller and Auditor General (the government official responsible for supervising the quality of public accounting and financial reporting) published the Code of Audit Practice and guidance to support reviews carried out by external auditors, such as those of the IDBs.

- 6.2 Defra has policy responsibility relating to IDBs but it has no statutory powers to intervene in their day-to-day activities or management, as IDBs are local independent bodies. IDBs, however, are ultimately answerable to the Minister, as defined in the Land Drainage Act 1991 (the Act). This is currently the Secretary of State for the Environment, Food and Rural Affairs. IDBs do not fall within Defra's accounting boundary and their activities and finances are not included in Defra's accounts.<sup>17</sup>
- 6.3 Each year, IDBs must submit an annual return to Defra (the 'IDB1 form') and undergo a 'limited assurance review' by their auditor. This annual return reports on the IDB's finances and confirms that it has been run according to good practice over the previous year. There are three parts to the return:
- financial information from their internal audit report setting out income (for example, drainage rates, special levy, EA contributions) and expenditure;
  - a forecast of next year's levy incomes;
  - a series of declarations that the IDB has complied with relevant guidance and best practice for the sector during the preceding year.
- 6.4 Most IDBs make their IDB1 form publicly available through their websites and it is Defra's expectation for them to do so to improve transparency and public accountability.

### Key Findings

- 6.5 Whilst Defra manages the IDB1 process through ADA and reviews the information, identifies any issues arising and shares them with ADA, the information is not routinely subject to detailed analysis or used to engage with IDBs or trigger activity by Defra itself. Nor is it subject to any standard checks or verification to ensure consistency with other information on the IDB, such as the limited assurance review.
- 6.6 Whilst it is acknowledged that there is accountability of IDBs through the four

internal audits and one external audit a year (including a period of 30 working days within the audit process where accounts are open to any person interested), along with the IDB1 process, the Panel still feels that transparency of business to the general public and rate payer could be improved. ADA has worked with IDBs and Defra to develop a suite of governance documents to assist IDBs with putting in place and maintaining good governance arrangements.

- 6.7 The Panel is aware that the Council as LLFA has set measures (similar to performance indicators) for all RMAs to adhere to as both part of the Flood Risk Management Strategy and emerging Flood Risk Management Plans. Likewise the Panel is aware that in January 2015 a report *Internal Drainage Board Beneficiaries and Performance Indicators* published by Defra aimed to establish methods and tools to enable IDBs to identify the beneficiaries of their work. It also considered how these benefits could be quantified, thus improving the line of sight between income and expenditure. Some IDBs have used this report to then produce their own Key Performance Indicators (KPIs) against which that IDB performs.
- 6.8 That withstanding although individual IDBs may report aspects of their performance, the Panel is unaware of any standardised or set lists of indicators which all IDBs can use to demonstrate the value of their work to the local community or to their ratepayers.
- 6.9 The Panel believes that if IDBs had a standardised range of KPIs to work to this would not only provide consistency of IDB operations across the East Riding (and nationally too), but also add an extra level of accountability, transparency and value for money from IDBs to the rate payer and key stakeholders.
- 6.10 Through the development of the proposed KPIs, IDBs should be able to demonstrate how their businesses operations comply with the law and appropriate standards. For example, the Council as LLFA demonstrates environmental management compliance obligations through the delivery and maintenance of an environmental management system which is accredited to the internationally recognised ISO14001 standard. As such it does not seem unreasonable for IDBs to operate within a quality assured framework to ensure consistency with other RMAs.
- 6.11 By having a set of standardised KPIs in place this would also aid IDBs in benchmarking performance against other IDBs and

<sup>17</sup> National Audit Office (2017). *Internal Drainage Boards*

encourage the sharing of good practice. Based on the Council's experience, working within such a framework helps to identify associated training and development needs which could help establish a coherent and consistent approach to training for board members. The development of KPIs can only support and strengthen the existing audit arrangements in place for IDBs to adhere to.

#### Recommendation 8

That the Lead Local Flood Authority liaise with the Association of Drainage Authorities in establishing a standard set of Key Performance Indicators for Internal Drainage Boards in order to encourage the sharing of good practice.

### 7. MONITORING OF IDB OPERATIONAL SPEND AND PERFORMANCE

7.1 Whilst meetings of IDBs are public meetings they are not widely advertised or rarely attended by members of the public. IDBs are required to provide annual accounting statements (detailing income and expenditure) and compliance declarations to Defra. These must be provided in accordance with *Governance and Accountability in Internal Drainage Boards in England - A Practitioners' Guide 2006 (Revised November 2007)*. Defra reviews the information provided, identifies any issues arising and shares them with ADA. The information, however, is not routinely subject to detailed analysis and is not used to engage with IDBs or to trigger activity by Defra itself.

7.2 ADA may carry out its own analysis of the returns and determine any actions it may feel are required. Defra does not use the data in the statements and declarations to identify areas where IDBs need support or guidance.

#### Key Findings

7.3 Ward councillors and individuals appointed by the Council to sit on IDBs are there to represent the Council and the local tax payer. The Panel feels that the accountability of each councillor or individual appointed to an IDB was somewhat lacking. Whilst there is a standing item on every full Council agenda to ask a question and report back on Outside Bodies this is rarely used and certainly has never been used for IDB questions. There is no other process for appointed members to feedback on IDB meetings and issues. All councillors should therefore be encouraged to use the opportunity at full Council to ask questions on IDBs via this procedural rule. These questions could be answered by either the lead councillor relevant to that IDB or by the relevant Portfolio Holder.

7.4 Each IDB the Council appoints a member to has a designated lead councillor. Appointed members, whether ward councillors or individuals appointed by the Council, should therefore feedback to the lead councillor on a frequent basis, who in turn should feed back to the Council's lead officer for IDBs.

7.5 The Panel learned that the Council's Children and Young People Overview and Scrutiny Sub-Committee holds four meetings a year in addition to its regular meetings to consider all reports following Ofsted inspections of schools within the East Riding and monitors school performance. Headteachers and Chairs of Governors of relevant schools are invited to attend these meetings to discuss the outcome of their Ofsted inspection and how improvements are being made.

7.6 In a similar way the Panel believes that the Council's Environment and Regeneration Overview and Scrutiny Sub-Committee could undertake a similar role in holding to account and monitoring the work of IDBs. A rolling programme to receive IDB annual reports and review vacancy levels could be included in the Environment and Regeneration Overview and Scrutiny Sub-Committee work programme each year whereby relevant IDB personnel could be invited to attend meetings to discuss their annual report and operations further. Likewise lead appointed councillors to the relevant IDB could also be invited to attend such meetings.

#### Recommendation 9

That the Environment and Regeneration Overview and Scrutiny Sub-Committee undertake a rolling programme to receive Internal Drainage Boards' annual reports and review vacancy levels.

### 8. RAISING THE PROFILE OF IDB OPERATIONS AND SPEND

8.1 Significant sums of money are levied and spent by IDBs across the East Riding (£1.4m in total for 2017/18). Yet for such sizeable sums of public money spent, relatively little is known or heard about IDBs by the rate paying members of the public.

8.2 The operations of most large public bodies are usually highly visible within the local community they serve (for example local authorities, fire and rescue service and the police) and they act with transparency so that the tax payer is aware how and why their money is being spent. To the Panel this did not appear to be the case for most IDBs.



## Key Findings

8.3 The Panel believes that IDBs need to raise their profile and justify the money they spend and prove value for money. It is suggested that IDBs work with their local community to inform the public of their programme of works. For example, IDBs could attend parish council meetings or local fun day shows/events, or send letters to rate payers. IDBs could also make use of social media or promote and maximise their websites more. If Recommendation 7 were to be implemented then it would be far easier for IDBs to engage with key stakeholders and the community in showcasing their operational performance when connected with KPIs.

8.4 IDBs need to identify whom they believe are their key stakeholders (ie the rate paying individuals and community). That way it would be easier to demonstrate performance against operations and value for money to the rate payer. The Panel feels that IDBs should be encouraged to have in place a communication strategy which demonstrates this. In turn, engagement with the local community might result in further social and commercial benefits for IDBs.

### **Recommendation 10**

**That Internal Drainage Boards, in conjunction with East Riding of Yorkshire Council, raise their profile within their communities and demonstrate their operational spend and value for money of the levy placed on the Council and paid for by taxpayers.**

## **9. RAISING AWARENESS OF RIPARIAN OWNERSHIP**

9.1 Individuals who own land adjoining, above or with a watercourse running through it have certain rights and responsibilities and in legal terms are known as a 'riparian owner'. Riparian owners have a number of responsibilities, which if not undertaken correctly can result in legal action being taken by enforcement agencies (such as the EA, LLFA or IDBs). Such responsibilities include:

- allowing water to flow through their land without any obstruction, pollution or diversion which affects the rights of others;
- accepting flood flows through their land, even if these are caused by inadequate capacity downstream;
- keeping the banks clear of anything that could cause an obstruction and increase flood risk, either on their land or downstream if it is washed away;

- maintaining the bed and banks of the watercourse and the trees and shrubs growing on the banks and clearing any litter and animal carcasses from the channel and banks, even if they did not come from their land;
- keeping any structures, such as culverts, trash screens, weirs and mill gates, clear of debris;
- not causing any obstructions, temporary or permanent, that would stop fish passing through.

9.2 LLFAs are required, under section 21 of the Flood and Water Management Act 2010, to maintain a register of structures and features which are likely to have a significant effect on flood risk in their area. Within the East Riding 1,707 assets have currently been identified as being significant to flood risk. This number is likely to increase as work on the Flood Risk Management Plans for the hydraulic catchments within the East Riding boundary continues and the understanding of flood risk to the area improves. Note: the 1,707 assets identified includes linear assets that may be broken down into multiple parts (e.g. the River Hull is identified in multiple extents, rather than as a single asset).

9.3 The LLFA and IDBs do not have a complete map of all riparian assets across the East Riding and have at times struggled to engage with riparian owners, largely mainly due the fact that many individuals are not aware that they themselves are riparian owners and have such responsibilities. The Council, as the LLFA, has frequently placed articles in the authority-wide magazine Your East Riding to raise awareness of riparian owner rights and responsibilities.

## Key Findings

9.4 The Panel feels that the responsibilities of riparian owners is an area which is often overlooked by IDBs and RMAs and that greater work needs to be done by IDBs and town and parish councils in order to fully map each local community for riparian ownership.

9.5 The Panel believes it should be an aspiration for the Council, as LLFA, to have a register detailing all riparian owned land but this is something which it cannot do alone. Indeed it will need the IDBs and town and parish councils to facilitate this as they are best placed and have the local knowledge to undertake such work.

9.6 As there are a significant number of individuals across the East Riding who are unaware that they are riparian owners the Panel feels that a greater drive to raise



awareness of riparian ownership rights and responsibilities should take place by town and parish councils within known flood risk areas that can bring together the riparian owned community. This in turn could benefit town and parish councils in the development and review of their Community Emergency Plan and general flood risk management of their area.

- 9.7 It is the Panel's suggestion that within certain communities IDBs and town and parish councils could facilitate the formation of riparian owner groups that brings together land owners whose water course connects across multiple land. The working group could then work together to carry out its riparian responsibilities, whether that be undertaking the work themselves or sub-contracting it out to other bodies, such as IDBs.

#### **Recommendation 11**

That Internal Drainage Boards and town and parish councils within known flood risk areas be encouraged to work together to form riparian owner working groups and raise awareness of riparian ownership.

clear that changes are required to environmental regulations and policies; however until the United Kingdom exits the European Union it is unclear as to what the make-up of new environmental policy should be.

- 10.6 By working more closely or in conjunction with the EA, IDBs have the potential to increase their operations further. For this to be realised it will require Defra to work more closely with the EA in order that PSCAs can be extended for longer periods. Without this change the long term planning and investment by IDBs is significantly inhibited whereas there is potential for IDBs to expand their remit further in the future.

## **10. CONCLUSION**

- 10.1 IDBs play a crucial role in the delivery of flood risk management, protection and enhancement of biodiversity across the East Riding and yet they are seldom heard about or their functions understood by the general public.
- 10.2 With IDBs placing a levy of £1.4m on the Council for 2017/18 it is important that IDBs' finances are transparent and that their operations are accountable and easily evidenced to the local rate payer.
- 10.3 By engaging more closely with local communities and businesses IDBs can raise their profile, using the connection to showcase their operations more widely, which in turn might provide additional funding opportunities for IDBs.
- 10.4 By considering the size of their boards and amalgamation or consortia arrangements this will help IDBs to function more effectively and with greater sustainability whilst increasing the prospect of attracting individuals with the appropriate skills set to sit on their boards.
- 10.5 The Panel understands that over-regulation and 'red tape' can be suffocating for IDBs to operate efficiently and effectively. As relevant regulations and legislation are open to interpretation this has led to increased financial costs to IDBs which ultimately has to be paid for by local tax payers through the local levy placed on the Council. It is

## TABLE OF ABBREVIATIONS

<b>ADA</b>	Association of Drainage Authorities
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>EA</b>	Environment Agency
<b>FCERM</b>	Flood and Coastal Erosion Risk Management
<b>FRMA</b>	Flood Risk Management Authorities
<b>IDB</b>	Internal Drainage Board
<b>IDD</b>	Internal Drainage District
<b>KPI</b>	Key Performance Indicator
<b>LLFA</b>	Lead Local Flood Authority
<b>MMO</b>	Marine Management Organisation
<b>NE</b>	Natural England
<b>PSCA</b>	Public Sector Cooperation Agreement
<b>RMA</b>	Risk Management Authority

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## ACKNOWLEDGEMENTS

### Officers of East Riding of Yorkshire Council

Mike Ball	Principal Engineer (Civil Engineering)
Simon Clark	Senior Committee Manager
Claire Hoskins	Strategic Infrastructure Group Manager
Alan Menzies	Director of Planning and Economic Regeneration
Iain Omand	Finance Manager

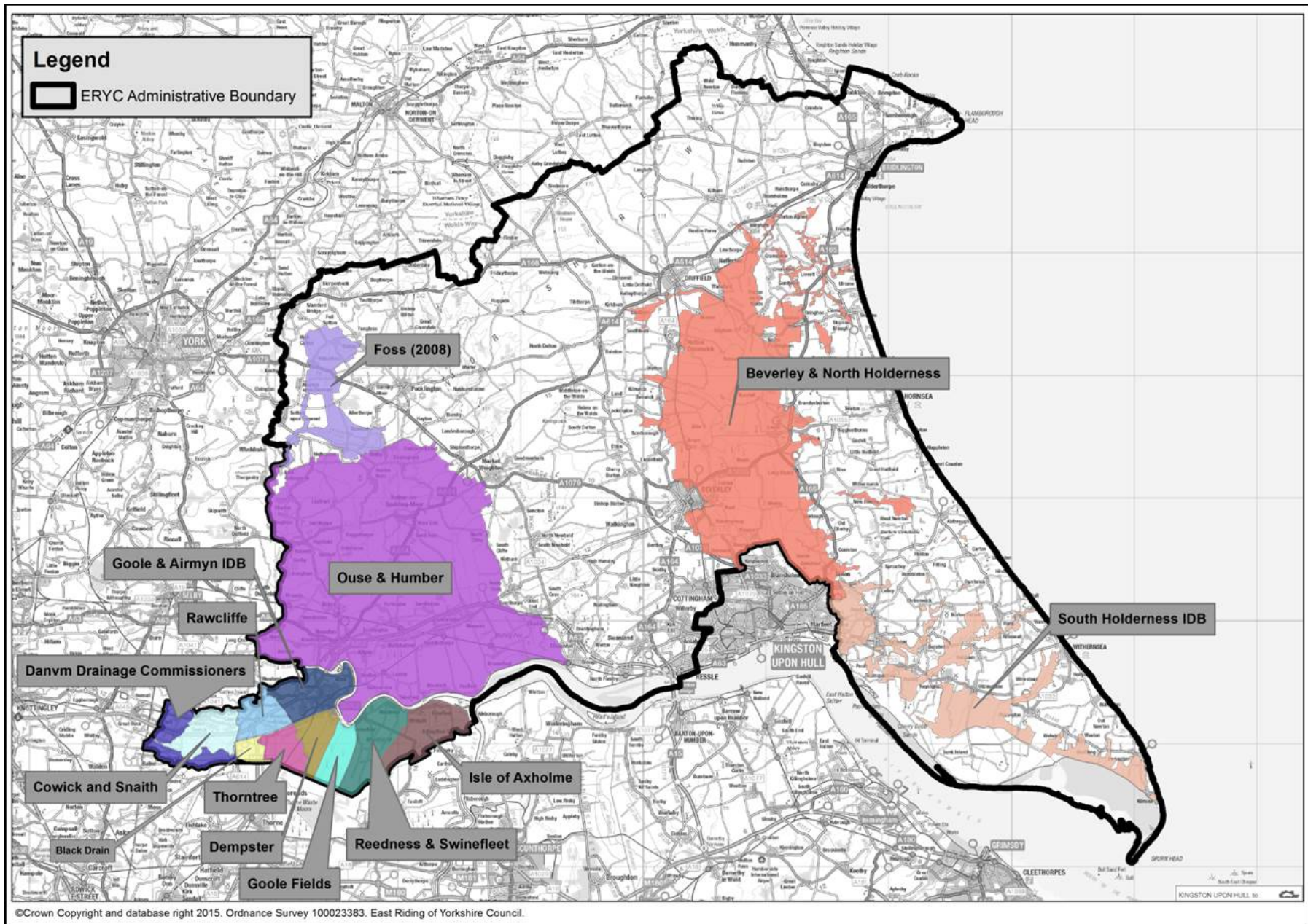
### East Riding of Yorkshire Council Portfolio Holder

Councillor Symon Fraser	Portfolio Holder for Asset Management, Housing and Environment
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### External Contributors

Organisation	Person	Description
Aire, Don and Ouse Consortium of IDBs	Iain Omand	Responsible Finance Officer
Aire, Don and Ouse Consortium of IDBs	Mike Ball	Clerk
Association of Drainage Authorities	Robert Caudwell	Vice Chairman
Beverley and North Holderness IDB	John Duggleby	Chair
Dempster IDB	Peter Chantry	Chair
Environment Agency	Paul Stockhill	Partnership & Strategic Overview Team Leader
Environment Agency	Vicki Townend	Advisor - Flood and Coastal Risk Management - Yorkshire Area
Foss IDB	Philip Coverdale	Chair
Goole and Airmyn IDB	Ian Benn	Clerk
Ouse and Derwent IDB	Richard Britton	Chair
Ouse and Humber IDB	Andrew McLachlan	Chief Executive
Rawcliffe IDB	Peter Chantry	Chair
Shire Groups of IDBs	Alison Briggs	Administrator
South Holderness IDB	John Maston	Chair
South Holderness IDB	Rachel Speck	Assistant Clerk
York Consortium of IDBs	Bill Symons	Clerk

# Internal Drainage Boards within East Riding of Yorkshire





## IDB Expenditure 2016/17 &amp; 2017/18

Internal Drainage Boards in the East Riding	Income and expenditure	2016/17 (£)	2017/18 (£)	Increase or decrease (-)	No. of Board Members (elected/appointed)	Vacancies (elected/appointed)	Managed by Consortium
Beverley and North Holderness IDB	Gross expenditure	1,098,492	992,868	-105,624	25	7	York Consortium Drainage Boards
	Levy requirement on the Council	317,228	320,608	3,380	(12/13)	(1/6)	
Black Drain Drainage Board	Gross expenditure	92,125	98,926	6,801	19	0	Shire Group
	Levy requirement on the Council	391	431	40	(9/10*)		
Cowick and Snaith IDB	Gross expenditure	71,474	72,633	1,159	19	8	Aire, Don and Ouse Consortium of Drainage Boards
	Levy requirement on the Council	50,871	50,871	No change	(9/10)	(0/8)	
Danvm Drainage Commissioners	Gross expenditure	1,867,616	1,170,299	- 697,317	25	2	Shire Group
	Levy requirement on the Council	12,178	26,170	13,992	(12/13*)	(2/0)	
Dempster IDB	Gross expenditure	33,218	34,768	1,550	13	4	Aire, Don and Ouse Consortium of Drainage Boards
	Levy requirement on the Council	20,103	20,696	593	(7/6)	(0/4)	
Foss IDB	Gross expenditure	582,012	726,313	144,301	21	3	York Consortium Drainage Boards
	Levy requirement on the Council	14,054	14,923	869	(10/11)	(0/3)	
Goole and Airmyn IDB	Gross expenditure	195,656	211,172	15,516	17	7	Shire Group
	Levy requirement on the Council	247,446	247,919	473	(9/8)	(5/2)	
Goole Fields District Drainage Board	Gross expenditure	27,177	27,177	No change	6	1	Shire Group
	Levy requirement on the Council	5,184	5,490	306	(5/1*)	(0/1)	
Isle of Axholme and North Nottinghamshire Water Level Management Board	Gross expenditure	1,157,807	1,262,307	104,500	25	2	Water Management Consortium
	Levy requirement on the Council	7,683	7,834	151	(12/13)	(0/2)	
Ouse and Humber Drainage Board	Gross expenditure	3,607,589	4,672,925	1,065,066	23	0	N/A
	Levy requirement on the Council	550,099	633,503	83,404	(11/12)		
Rawcliffe IDB	Gross expenditure	76,784	81,433	4,649	14	1	Aire, Don and Ouse Consortium of Drainage Boards
	Levy requirement on the Council	51,592	57,421	5,829	(6/8)	(0/1)	
Reedness and Swinefleet IDB	Gross expenditure	57,134	56,517	-617	12	3	Aire, Don and Ouse Consortium of Drainage Boards
	Levy requirement on the Council	18,908	20,484	1,576	(8/4)	(2/1)	
South Holderness IDB	Gross expenditure	153,390	159,090	5,700	19	0	N/A
	Levy requirement on the Council	54,381	54,381	No change	(12/7)		
Thorntree IDB	Gross expenditure	16,350	16,772	422	6	0	N/A
	Levy requirement on the Council	2,154	2,244	90	(6/0*)		
Total	Gross expenditure	9,036,824	9,583,200	546,106			
	Levy requirement on the Council	1,352,272	1,462,975	110,703			

\* Appointed member seats for other local authorities - no appointed member seat for East Riding of Yorkshire Council despite paying a levy.

## Scope of the Review

<b>Proposed review - including desired outcomes and objectives</b>	<p>The aim of the review is to examine the role and complexities of Internal Drainage Board operations, governance and clerking arrangements.</p> <p>The review will examine:</p> <ul style="list-style-type: none"> <li>• the role of the Boards;</li> <li>• their efficiency in maintaining water courses/drains;</li> <li>• how their work relates to flood risk management,</li> <li>• the role of elected members on the Boards and funding.</li> </ul> <p>The review relates to the following corporate priorities:</p> <ul style="list-style-type: none"> <li>• Maximising our potential;</li> <li>• Valuing our environment;</li> <li>• Reducing costs, raising performance.</li> </ul>
<b>Areas the Review Panel wishes to consider</b>	<p>The scope of the review will cover the following areas, amongst any additional issues which may come to light during the review process:</p> <ul style="list-style-type: none"> <li>• role and membership of the Internal Drainage Boards;</li> <li>• role elected members can play when sitting on Internal Drainage Boards;</li> <li>• who oversees and monitors the work of the Boards;</li> <li>• what funding is available to the Board?;</li> <li>• understand how the Council can assist Internal Drainage Boards with its bidding and funding processes;</li> <li>• efficiency of Internal Drainage Boards in maintaining water courses/drains;</li> <li>• consideration of the Flood Risk Strategy and its impact on the work of Internal Drainage Boards;</li> <li>• look at the function of the Council's Flood Resilience and Protection Board &amp; Flood Liaison Group and how they impact on the work of Internal Drainage Boards.</li> </ul>
<b>Who should be consulted and involved in the Review?</b>	<p><u>External Representatives/Organisations</u></p> <ul style="list-style-type: none"> <li>• Internal Drainage Boards</li> <li>• Environment Agency</li> <li>• Association of Drainage Authorities</li> <li>• Town and Parish Councils</li> </ul> <p><u>Representatives of the Council</u></p> <ul style="list-style-type: none"> <li>• Portfolio holders</li> <li>• Ward Councillors (including representatives on the IDBs)</li> <li>• Council Services <ul style="list-style-type: none"> <li>– Environment and Neighbourhood Services Directorate</li> <li>– Planning and Economic Regeneration Directorate</li> <li>– Corporate Resources Directorate</li> </ul> </li> </ul>
<b>Overview and Scrutiny Sub-Committee to monitor review recommendations</b>	<p>Environment and Regeneration Overview and Scrutiny Sub-Committee</p>



**East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format.**

**If English is not your first language and you would like a translation of this document into any other language, please telephone (01482) 393939.**



# DOG FOULING and you



**Laxton Parish  
Council**

[laxtonpc@btinternet.com](mailto:laxtonpc@btinternet.com)  
[www.laxtonpc.org.uk](http://www.laxtonpc.org.uk)

## Is dog fouling an offence?

**YES!**

It is an offence not to clean up after your dog on footpaths, bridlepaths, parks, grass verges and public areas in the Parish.

## What land is covered?

Generally, land in the open air to which the public has access:

- by right
- with the owner's permission
- by payment
- verges on roads with a speed limit of 40mph or less
- public rights of way, i.e. footpaths and bridlepaths

**As a responsible dog owner you should pick up after your dog has fouled at all times. 9 out of 10 owners do.**

The UK's population of eight million dogs produces about 1,000 tonnes of faeces every day!

## Why should I clean up?

Dog mess is the most unacceptable and offensive type of litter on our streets. Our community survey told us that dog fouling was the issue that residents were most concerned about.

Dog fouling is not only deeply unpleasant, it is dangerous. Whilst rare, contact with dog excrement can cause toxocariasis – a nasty infection that can lead to dizziness, nausea, asthma and even blindness and seizures.

Our Parish Gardener and volunteers are getting covered in dog mess as they mow grass and try to keep the village tidy.

## How can I dispose of my dog's waste?

The Parish Council has provided 6 litter bins that can be used to dispose of dog waste.

You can also use your dustbin at home.

Do not use the nearest tree, hedge or spare land to dispose of your dog poo bag. It is breaking the law. There is no one to clear up after you.

## Will I ever be caught and fined?

# YES!

East Riding of Yorkshire Council Dog Control Officers carry out daily enforcement patrols, targeting dog fouling hotspot areas. The public are becoming less willing to accept irresponsible dog owners. They are, more than ever, willing to tell the council who is not picking up the mess and where, making it much easier for us to catch offenders.

When caught you will either get an 'on the spot' fine of £75 or a summons to appear in court. Prosecution could mean a £1,000 fine!

## It is no defence to say:

- "I was looking the other way and didn't see it."
- "I didn't have a poop-scoop."
- "The dog got out of the house so how can I be expected to know what it has done."
- "It isn't my dog, I'm walking it for a friend."
- "There's no bin."

## REMEMBER!

It is the responsibility of the person in charge of a dog to make sure a fouling offence does not occur.

Allowing a dog to mess in a public area is an antisocial act that produces an unpleasant environment and can pose health risks for others, especially children.

If you want to report a full litter bin or report littering, please call East Riding of Yorkshire Council on 01482 393939.

## Help us clean up your local area

If you see a dog fouling and the owner does not clean up after it, the Dog Wardens may be able to prosecute if you can collect as much of the following information as possible:

- date
- time
- location
- description of owner and dog
- dog owner's name or address if known

## What about horses?

Dog fouling rules do not apply to horses, but horse muck left on footpaths and on drives is just an antisocial and unacceptable.

Please help us encourage horse owners to help keep the local area tidy.

If you have any queries or can help us to identify any offenders, please contact the:

## Dog Warden Service

# 01482 396301

You can report an offence on line at [www.eastriding.gov.uk](http://www.eastriding.gov.uk) or email

[dog.warden@eastriding.gov.uk](mailto:dog.warden@eastriding.gov.uk)



**Laxton Parish Council**

**Accounts for Payment**

**October 2017**

<b>Payee</b>	<b>Details</b>	<b>Total</b>	<b>VAT</b>
Alan Bravey	Salary – October	86.45	0
Post Office	PAYE – October	58.00	0
SLCC	Membership Fees	67.00	
<b>Total</b>		<b>211.45</b>	