



**Swinefleet Village Hall  
Church Lane  
Swinefleet  
Goole  
DN14 8DQ**

## **Meeting Papers**

**2:00pm, Tuesday, 25 January 2022**



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## Meeting Papers

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Finance Officer - David Blake BSc (Hons) Accounting

Finance Officer - Mark Joynes BSc (Hons) Mathematics

Rating Officer - Janette Parker

## Purpose

These meeting papers have been prepared solely as a record for the Internal Drainage Board. JBA Consulting accepts no responsibility or liability for any use that is made of this document other than by the Drainage Board for the purposes for which it was originally commissioned and prepared.

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## 1. Governance

### 1.1 Election of Chairman

### 1.2 Apologies for Absence

### 1.3 Declaration of Interest

Board Members are advised to declare a pecuniary or non-pecuniary interest on any item in the Agenda.

### 1.4 Minutes of the Meeting held 15 June 2021

#### Present

Mr Michael Dougherty (Chairman)	MD
Mr John Barker (Vice Chairman)	JB
Mr Douglas McTaggart	DMT
Mr Martin Belton	MB
Mr John Oldridge	JO

#### In attendance on behalf of JBA Consulting, Clerk, Engineer and Environmental Adviser:

Mr Craig Benson	CB
Mr Paul Jones	PJ
Mr Mark Joynes	MJ

#### Apologies for Absence

**2021.21** An apology was received from Cllr Liz Sargeantson.

#### Declaration of Interest

**2021.22** There were none.

#### Minutes of the Meeting held 9 Feb 2021

**2021.23** Minutes of the last meeting were circulated with the meeting papers. The minutes were taken as read. **MB proposed and DMT seconded the Minutes be approved for signature by the Chairman**, all in agreement.

#### Matters Arising

**2021.24** There were none.

#### Matters Arising Not Discussed Elsewhere

**2021.25** There were none.

#### CEO's Report

The Clerk's report was read and approved.



### Matters Arising

**2021.26 Standing Orders:** CB informed the Board that DEFRA have slightly changed the wording of the draft Standing Orders to allow virtual meetings indefinitely for Drainage Boards. CB asked the Board to approve the draft standing orders included in the appendices of the meeting papers. DMT proposed they be approved, and JO seconded.

**2021.27 Red Diesel:** CB informed the Board the government will not be extending the exemptions allowed to the agricultural sector to Internal Drainage Boards. As part of the flood defence sector, IDBs will not qualify. Drainage Boards and their contractors must use white diesel from 1 April 2022. ADA has issued a questionnaire asking IDBs to quantify their usage, which had been completed on behalf of the Shire Group. He also informed members ADA had requested the 4-year exemption permitted to the agricultural sector be extended to IDBs and were lobbying for change. MB asked about Natural England. JB asked if red diesel could be used to prevent flooding. CB said no, that is why ADA were lobbying. The consensus among the members was the situation was ludicrous and that they had not previously heard of the coming restrictions.

CB discussed the impact of this decision. Options included the possibility of maintenance works being carried out directly by landowners, that would reduce the Board's annual budget. MB said this was part of a wider transition to white diesel. CB said it might be possible for an exemption to be awarded before November 2021. PJ observed the Board could always serve notice on landowners, and the situation is tied to the Finance Bill, which is not yet enacted but the deadline is April 2022. JB asked when the decision was made. CB said in April / May time, with certain exemptions such as construction. DMT said the fuel duty could be claimed back if white diesel is used. PJ said exemption would only last 4 years, so arrangements would have to be made at some point.

CB suggested an additional meeting may be necessary around November 2021 and asked what the implications would be if a contractor were caught with red diesel when operating on behalf of the Board. MB asked who would police the use of red diesel. PJ said works often take place in remote areas. PJ also made the case that drainage board activities were tied to agriculture and the best case would be an exemption for the Board.

### Finance Report

The Financial report, copies of which had been circulated with the meeting papers, was considered and adopted by Members.

### Matters Arising

**2021.28 Rating:** The finance officer informed the Board all drainage rates and special levies for the year ended 31 March 2021 had been received. He also reported that 86.1% of the rates for the present year had been collected, along with the first instalment of the special levy.

**2021.29 Internal Audit:** The finance office also gave a brief summary of the internal audit report, copies of which had been distributed to members before the meeting. No major issues were reported.

**2021.30 External Audit:** Members noted that external audit for the year ended 31 March 2021 would shortly be underway and would take place within the required timescales.

**2021.31 External Audit – Annual Governance Statement:** Members were asked to consider and approve the Annual Governance Statement contained within Section 1 of the Annual Governance & Accountability Return. MB proposed, JB seconded and members approved the statement.

**2021.32 Budget Comparison:** Members noted the information.



**2021.33 Accounts for the Year Ending 31 March 2021:** Members reviewed the Accounts that were circulated with the meeting papers and they agreed to approve the accounts as presented, noting the increased expenditure on general maintenance, additional pumping in the district and pumping station refurbishment costs. There was little variance from budget, and the only significant change from the previous year was the additional expenditure relating to Cross Drain Pumping Station. MD asked about costs associated with electricity procurement. The finance officer said this was due to the high volume of pumping that had taken place over recent years, and that membership of the Woldmarsh group allowed for significant savings.

Members also noted the lower than usual reserves at the year-end, owing to the above-mentioned works. The finance officer informed members that the Internal Auditor had described the reserves as 'adequate', and he expected the Board's reserves to recover in line with the five-year budget comparison included in the papers. MD expressed concern about the low reserves at the year end and asked how future works may be financed. The finance officer confirmed that borrowing through Public Works Loan Board may be an option, as the Board have no assets to sell or rent and little money to invest.

JB asked about the wayleaves payable to Reedness & Swinefleet Drainage Board and to Dempster IDB. CB said the former was based on the capacity into Warping Drain, and that the fee had stood at £600.00 for around twenty years, and the Dempster wayleave is based on annual values, and increases as their penny rate increases. JB asked what was discharged and it was established that there were at least two outlets in the Dempster Board's district.

JB proposed the Board approve the accounts, DMT seconded and the accounts were approved.

**2021.34 External Audit – Accounting Statements:** Members were asked to consider and approve the Accounting Statements contained within Section 2 of the Annual Governance & Accountability Return, which were a summary of the accounting statements previously approved. JB proposed, DMT seconded, and members approved the statement.

**2021.35 Five Year Budget Estimate:** The Board reviewed the five-year budget estimates and the levels of income & expenditure over that period.

**2021.36 Financial Position:** CB discussed the Board's financial position at the year end. He also discussed the Environmental Bill and its progress through parliament. In particular, the possible recalculation of Annual Values used to levy the rates of domestic and non-domestic properties and the impact this could have on the Board's finances.

**2021.37 Pump Replacement:** CB affirmed that should a further pump failure occur in the year, borrowing from PWLB would be the most likely solution to fund a replacement pump. He added that it was possible to raise further drainage rates in the same year via the LDA 1991. JB added that another funding option was to significantly increase the rate in future years. CB said the refurbishment works that have already been completed on the pump would extend the life of the pump and MD described the condition of the pumps as 'good as new'. PJ discussed the possibility of purchasing further pumps from Selby Area IDB as a number of sites were being refurbished and any pumps suitable would be identified.

**2021.38 Schedule of Payments:** The Board approved for signature by the Chairman a schedule of payments made since the last meeting totalling £10,062.09, of which £2,118.64 were paid by direct debit or approved by the Officers only. DMT proposed the Board approve the schedule and JO seconded.

## Engineer's Report

The Engineer's report was read and approved.



### Matters Arising

**2021.39 Cross Drain Pumping Station:** PJ said officers had compiled responses accompanying the meeting papers on modelling options and queries on the District which was hoped provided a useful for all Members.

**2021.40 Natural England Level Survey:** PJ said he would distribute the information as soon as he heard anything MD said officers were due on site tomorrow. MB asked if the monitors could be relied upon, given the recent dry weather. JB said the equipment had been in place for 12-18. PJ said he hoped they could find some relationship. In the short-term they would seek to reduce the times the monitors operate. PJ reported that until they have the results of the hydrological assessment, NE will try to keep the levels low on the moors.

**2021.41 Associated British Ports:** PJ said he had raised the issue of seeping and leakages. MD said the big door had two boards open and can only be inspected in a boat. However, he also said ABP had not been as the reeds were too high. PJ said he had made repeated attempts to contact the officers but had received no response. He said it was important to build on relationships and to get a reliable point of contact.

**2021.42 Hydraulic Modelling:** PJ informed the Board the cost for the model would be £3,675. One option would be to test the raising of the land and also to consider a pump on Shipcote Drain. The suggested ceiling budget would be £4,500. JB asked PJ to clarify what was meant by the raising of the land. PJ explained it meant raising land at the lowest points, unless it caused injury elsewhere. DMT asked if the land would be raised, or just the banks. PJ said the land as it the Board may be impacted by under-drainage, but only of course within the model. DMT asked if the Board would receive a model for all cases in return for the sum. DMT said if the Board don't spend, they could be in the same situation with no plan for the way forward. The base model already exists. The next challenge to be overcome is funding. CB pointed out that should the Board spend £3.5k – £4.5k, the reserves after 5 years would still be around £24,000. However, there would still be implementation costs. CB also said the balance at the end of 2021/22 would be around £16,000 should an otherwise normal year be experienced. DMT said he was in favour of the model, MB proposed and JB seconded.

### Environmental Report

The Environmental Report circulated with the Meeting Papers was read and approved.

### Health & Safety Report

The report which was circulated to members was read and noted by members.

### Any Other Business

**2021.43 Chairmanship:** MD informed the Board he planned to step down as chairman, although it was his intention to remain as a member. He said after 21 years it was unfair that he remained as chair, with his land at the highest part of the catchment. JB pointed out that it was hardly possible to alter the lie of the land. CB thanked the Chairman for his role on the Board. MD thanked the Board and officers for their words of support. JB asked if MB would be prepared to take on the chairmanship. MB said he would be happy to take on the role and asked if MD would 'show him the ropes' over the coming months. It was agreed MD would remain as Chairman until the next meeting when a new Chair would be appointed.

### Date of next meeting

**2021.44** The meeting was closed at approximately 3:30pm. The next main meeting will take place on Tuesday, 11 January 2022, 2:00pm, with the venue to be determined. An additional extraordinary meeting may also be arranged in the interim.



## **1.5 Matters Arising not discussed elsewhere**



## 2. CEO's Report

### Recommendations

- Members note the information in the report
- Approve the updated Byelaws

### 2.1 Policy

The Board are requested to approve the updated version of their Byelaws. There have been some legislative amendments since 2004 when they were last changed. The draft Byelaws can be found at Appendix A.

### 2.2 Legislation

#### 2.2.1 Finance Bill

Red Diesel – Discussions have been on going with ADA, IDBs and the Treasury. This has now resulted in a change in the interpretation of the exemption clauses. More information has been supplied to ADA to support the IDBs case that they should have the same or similar exemption as the agricultural industry.

Attached at Appendix B is the latest correspondence that has been received from ADA.

#### 2.2.2 Environment Agency – Draft Flood Risk Management Plans

The Environment Agency have published their draft Flood Risk Management Plans for public consultation, which is open for three months.

FRMPs are strategic plans that set out how to manage flood risk in nationally identified flood risk areas (FRAs) for the period 2021-2027, and are statutory plans required by the Flood Risk Regulations 2009.

<https://consult.environment-agency.gov.uk/fcrm/draft-second-cycle-flood-risk-management-plans/>

### 2.3 Environment Agency

#### 2.3.1 Humber 2100+ - Humber FRMS

The latest newsletter from the Strategy Group is attached at Appendix C.

## 3. Financial Report

### Recommendations

- To note the information contained in this report
- To approve the Risk Register
- To approve the Estimates for the Year Ending 31 March 2023
- Approve the schedule of payments made since the last meeting

### 3.1 Rating Report

Details of the Rates and Special Levies issued, and payments received up to and including 7 January 2022: -

	£	£
Balance Brought forward as at: 1 April 2021		<u>NIL</u>
<b>2021/2022 Drainage Rates and Special Levies</b>		
Drainage Rates		25,015.30
<b>Special Levies</b>		
East Riding of Yorkshire Council	6,502.00	6,502.00
<b>Total Drainage Rates Due</b>		<b><u>31,517.30</u></b>
<b>Less Paid: -</b>		
Drainage Rates		24,738.79
<b>Special Levies</b>		
East Riding of Yorkshire Council	6,502.00	6,502.00
<b>Total Drainage Rates Paid</b>		<b><u>31,240.79</u></b>
<b>Balance Outstanding as at: 7 January 2022</b>		<b><u>276.51</u></b>

### 3.2 Audit

#### 3.2.1 Internal Audit

The meeting of the Audit Review Panel was held on 22 November 2021 and the minutes of the meeting can be viewed at Appendix D.

#### 3.2.2 External Audit

The External Audit for 2020/21 is complete with no issues raised. The Annual Governance & Accountability Return for that year can be viewed at:

<https://www.shiregroup-idbs.gov.uk/idbs/goole-fields/financial/financial-documents/annual-return/>

#### 3.2.3 Risk Register

The risk register is attached at Appendix E and requires the Board's approval.

### 3.3 Estimate, Rates & Special Levies for the Year Ending 31 March 2023

<b>GOOLE FIELDS DISTRICT DRAINAGE BOARD</b>						
<b>ESTIMATES FOR THE YEAR ENDING 31ST MARCH 2023</b>						
<b>2021/22</b>				<b>2022/23</b>		
<b>Approved Estimate</b>		<b>Estimated Out-Turn</b>		<b>Estimate</b>		
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	
<b>INCOME</b>						
<b>Drainage Rates on Agricultural Land:-</b>						
25,015		25,015		23p in £ on AV of £111,179	25,571	
<b>Special Levy</b>						
East Riding of Yorkshire Council						
6,502		6,502		23p in £ on AV of £28,896	6,646	
<b>Other Income:-</b>						
<u>2</u>	31,519	<u>2</u>	31,519	Bank Interest, etc	<u>2</u>	32,219
<b>EXPENDITURE</b>						
2,527		2,453		Environment Agency - Flood Defence Levy	2,527	
<b>Revenue:-</b>						
<b>Administration:-</b>						
4,887		4,824		Clerk and Engineer's Fees	5,009	
3,475		3,734		Other Administration Expenses	3,579	
<b>Maintenance:-</b>						
7,931		7,931		Contract Maintenance etc	8,169	
0		5,400		Catchment Model		
7,200		5,750		Pumping Station Maintenance	7,695	
<u>3,600</u>	<u>29,620</u>	<u>1,593</u>	<u>31,685</u>	Other Expenditure	<u>1,606</u>	<u>28,585</u>
	1,899		(166)	Surplus - (Deficit)		3,634
	<u>21,133</u>		<u>16,484</u>	Balance Brought Forward		<u>16,318</u>
	<b><u>23,032</u></b>		<b><u>16,318</u></b>	<b>Balance Carried Forward</b>		<b><u>19,952</u></b>
<b>Previous Years Rates in the £</b>						
1996/97 : 8p - 1997/98 : 8p - 1998/99 : 8p - 1999/00 : 8p - 2000/01 : 8p - 2001/02 : 12p - 2002/03 : 12p - 2003/04:12p - 2004/05:12p						
2005/06:12p - 2006/07:15p - 2007/08:17p - 2008/09:18p - 2009/10 : 18p - 2010/11 :18p - 2011/12 :18p						
2012/13 : 18p - 2013/14 : 18p - 2014/15 : 18p - 2015/16 : 18p - 2016/17 : 18p - 2017/18: 19p - 2018/19: 19p						
2019/20 : 19p- 2020/21 : 21.5p- 2021/22 : 21.5p- 2022/23 : 22p						
<b>Penny Rate: £1,401</b>						

### 3.4 Five Year Budget Comparison

Goole Fields District DB	0	0	1	2	3	4	5
Revenue Account	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Approved Budget	Estimated Out Turn					
	£	£	£	£	£	£	£
<b>Income</b>							
Drainage Rates	25,015	25,015	25,571	25,849	26,127	26,405	26,683
Special Levies - EYRC	6,502	6,502	6,646	6,718	6,791	6,863	6,935
Other Income							
Bank Interest, consents etc	2	2	2	2	2	2	2
<b>Total Income</b>	<b>31,519</b>	<b>31,519</b>	<b>32,219</b>	<b>32,569</b>	<b>32,920</b>	<b>33,270</b>	<b>33,620</b>
<b>Expenditure</b>							
Flood Defence Levy	2,527	2,453	2,527	2,603	2,603	2,681	2,681
Clerk & Engineers Fees	4,887	4,824	5,009	5,134	5,263	5,394	4,750
Other Administration	3,475	3,734	3,579	3,687	3,797	3,911	4,028
Maintenance of Drains	7,931	7,931	8,169	8,414	8,666	8,926	9,194
Maintenance of Pumping Station	6,500	5,750	6,695	6,896	7,103	7,316	7,535
Annual Service & Inspection	700	-	1,000	1,030	1,061	1,093	1,126
Catchment Model	-	5,400					
<b>Other Expenditure</b>							
Biodiversity Action Plan etc	445	445	458	472	486	501	516
Dempster IDB wayleave	430	443	443	456	470	484	499
Humber Management Scheme	108	105	105	108	111	115	118
Reedness & Swinefleet DB wayleave	618	600	600	618	637	656	675
Consents	-	-	-	-	-	-	-
<b>Total Expenditure</b>	<b>27,621</b>	<b>31,685</b>	<b>28,585</b>	<b>29,418</b>	<b>30,197</b>	<b>31,077</b>	<b>31,122</b>
Surplus/(Deficit)	3,898	(166)	3,634	3,151	2,722	2,193	2,498
Balance Brought Forward	21,133	16,484	16,318	19,951	23,102	25,825	28,018
<b>Balance Carried Forward</b>	<b>25,031</b>	<b>16,318</b>	<b>19,951</b>	<b>23,102</b>	<b>25,825</b>	<b>28,018</b>	<b>30,516</b>
<b>Penny Rate in £</b>	22.50p	22.50p	23.00p	23.25p	23.50p	23.75p	24.00p
<b>Penny Rate £1,409</b>	90.62%	51.50%	69.80%	78.53%	85.52%	90.16%	98.05%
	4.65%	0.00%	2.22%	1.09%	1.08%	1.06%	1.05%

### 3.5 Schedule of all Payments

All Payments made since those in the schedule presented to the board at the previous meeting:

DATE	REF	PAYEE	DESCRIPTION	TOTAL	
				PAYMENT	
				£	
<b>2021</b>					
May	20th	4	Woldmarsh Buying Group	Membership Fees	121.80 *
	28th	-	NatWest	Bank Fees	5.25 *
Jun	21st	5	Woldmarsh Buying Group	Supply to Cross Drain PS 1-Oct-20 to 25-Mar-21	4,442.51 *
	30th	-	NatWest	Bank Fees	4.55 *
Jul	2nd	3	Brodericks GBC	Internal Audit Fee 2020/21	714.00
		6	Environment Agency	Flood Defence Levy	2,453.00
		7	JBA Consulting	1/4 Salary & Expenses	1,668.14
	30th	-	NatWest	Bank Fees	3.50 *
Aug	12th	8	Humber Nature Partnership	Annual Contribution	126.00 *
	19th	9	JBA Consulting	Fee Account - Additional Modelling	241.20
		10	Swinefleet Village Hall	Meeting Expenses	48.00
	20th	17	Woldmarsh Buying Group	Supply to Cross Drain PS, etc.	933.45 *
	31st	-	NatWest	Bank Fees	2.10 *
Sep	14th	11	JBA Consulting	Fee Account - Additional Modelling	361.20
		12	Towergate Insurance	Insurances	357.50 *
	30th	-	NatWest	Bank Fees	1.40 *
Oct	14th		JBA Consulting	Fee Accounts: -	
		14		1/4 Salary & Expenses	1,527.76
		15		Additional Modelling	1,287.60
		13	PKF Littlejohn	External Audit Fee 2020/21	240.00
		16	Towergate Insurance	Insurances	1,346.15
	20th	18	Woldmarsh Buying Group	Supply to Cross Drain PS	53.20 *
	29th	-	NatWest	Bank Fees	3.15 *
Nov	18th	19	JBA Consulting	Fee Account - Additional Modelling	2,379.60
	22nd	20	Woldmarsh Buying Group	Membership Fees	121.80 *
	30th	-	NatWest	Bank Fees	1.75 *
Dec	3rd	22	Information Commissioner	Data Protection Registration	35.00 *
	15th	21	JBA Consulting	Fee Account - Additional Modelling	1,047.60
	31st	-	NatWest	Bank Fees	3.15 *
			<b>Total Amount of all payments</b>		<b>19,530.36</b>
			<b>*Total Amount of direct debits and cheques sent out signed by the Clerks</b>		<b>6,216.11</b>



## 4. Engineer's Report

### Recommendations

- Members note the information contained in this report

### 4.1 Asset Management

#### 4.1.1 Drainage District Modelling

The modelling has now been completed with all the following scenarios / options included.

- Add the reinstated sluices into the model
- Re-shape the approach drain to the pumping station
- Upgrade the pumping station in the model
- With temporary pump at the old railway
- Widen the shipcote drain partly or fully
- 10-year model run with new pumping station
- 10-year run with new PS and widened approach drain
- 10-year run with new PS, wider drain and reinstated sluices
- 10-year run with new PS and reinstated sluices
- 10-year run with widened shipcote drain
- 10-year run with widened shipcote drain and reinstated sluices
- 10-year model With temporary pump at the old railway
- 10-year run with reinstated sluices and With temporary pump at the old railway

In addition, the following scenarios were tested:

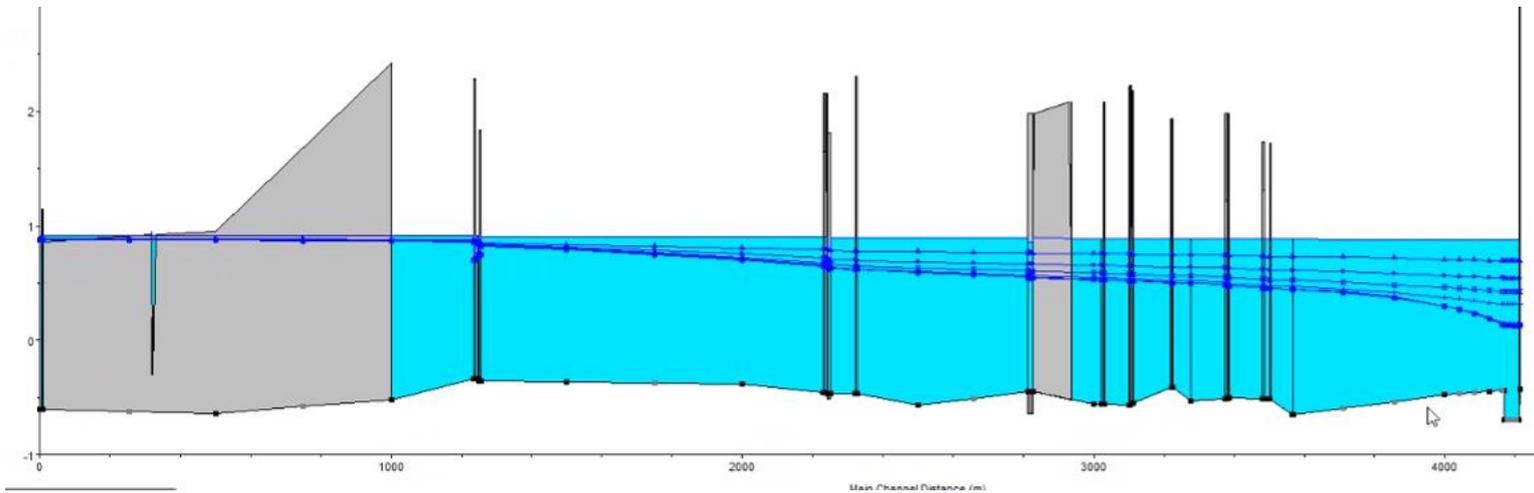
- raising of low lying land
- 300 l/s pumping station at Shipcote outfall

Of all the scenarios tested only 1 scenario resulted in a reduction in flood risk to the catchment; **raising of low lying land.**

As a result, the modelling team were asked to run further tests to determine the pumping capacity required to reduce flood risk for the whole Drainage District compared to the existing 165 litres per second station and the modelled 300 litres per second station.

Shipcote Drain outfall was used as the location within the model as the discharge into Warring Drain is restricted.

Pump Capacity tests were carried out for 300 litres per second, 600 l/s, 900 l/s, 1,000 l/s, 1,200 l/s, 1,500 l/s, 2,000 l/s and 2,500 l/s.



All tests demonstrate negligible flood risk reduction to the lowest parts of the catchment, some 4,200 metres upstream, with the main change / influence being within 1,000-1,500 metres upstream of the hypothetical pump station on Shipcote.

This indicates a need to lower the start level of the pump and a lowering of all the hard bed levels / deepening of Shipcote Drain.

From the lowest land level of 0.4m AOD and a minimum freeboard of 600mm below land levels, to achieve a -0.2m AOD water level within channel adjacent the lowest lying land the pump start level would need to be -1.25m AOD compared to the current pump start level of 0m AOD.

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Given the results of all scenarios including increased capacity at the existing Cross Drain Pumping Station, reinstating sluices and a pump on Shipcote Drain; the most effective result in reducing flood risk to the lowest lying parts of the catchment appears to be raising the land.

The detailed results and summary are expected by early January and will be circulated to Board Members.

#### 4.1.2 Shipcote Outfall

Associated British Ports ("ABP") confirmed that their Projects Team are working on a repair for the outer door and that they undertake inspections on a monthly basis based upon tide times.

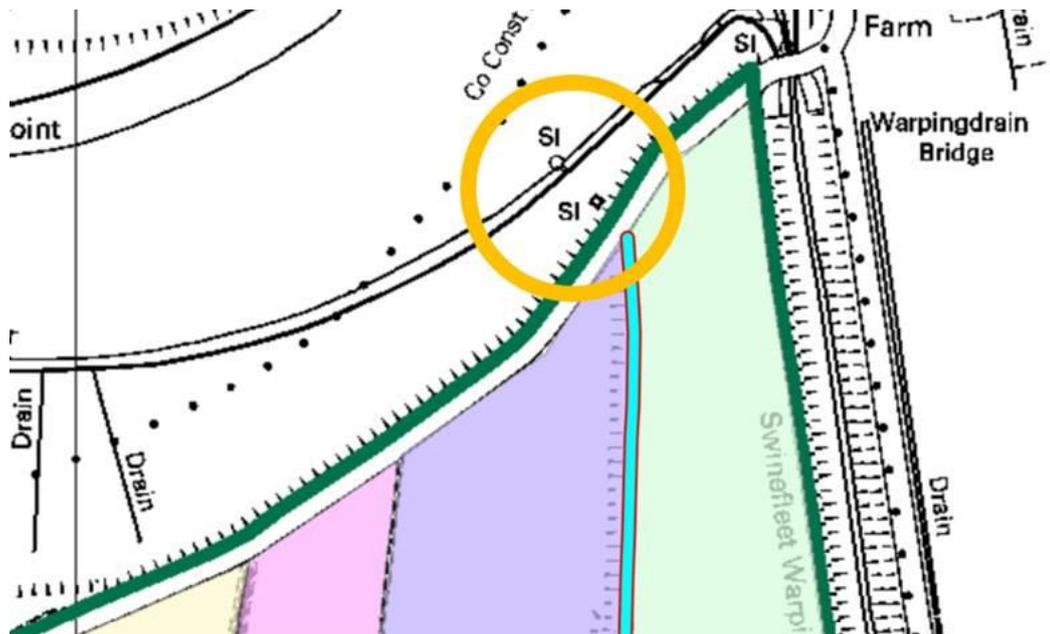
ABP understand that the outer door was within their responsibility but there appears to be uncertainty as to responsibility for the main structure and inner flapvalve.



ABP does have locks on the fencing to the structure but is not aware who erected the fencing.

A review was undertaken on the sluice location and potential ownership or responsibility due to the following:

- The structure lies outside the Drainage District
- The structure lies within a Main River embankment
- The outer doors are being maintained by ABP



Land Registry revealed that there are no registered owners of the land and it is understood that Crown Estates only owns land up to mean high water line.

The Environment Agency were contacted to check whether this was classified as a Main River asset. They confirmed that their AIMS systems did have the outfall within their system (Shipcote Drain Outfall 212122) but their records indicated this was an IDB asset.

As the structure lies outside the Drainage District the Board has power of access and no legal right of entry without the owner (or responsible persons) permission. Therefore the structure cannot be classified as an IDB asset.

The contacts for this structure / area have been identified as follows for any further follow up / discussion over the future maintenance and responsibility of the asset:

- Associated British Ports via Simon Clarke and Carol Robson, and
- Environment Agency via Jon Freed and Andy Booker

### 4.1.3 Ordinary Watercourse Maintenance

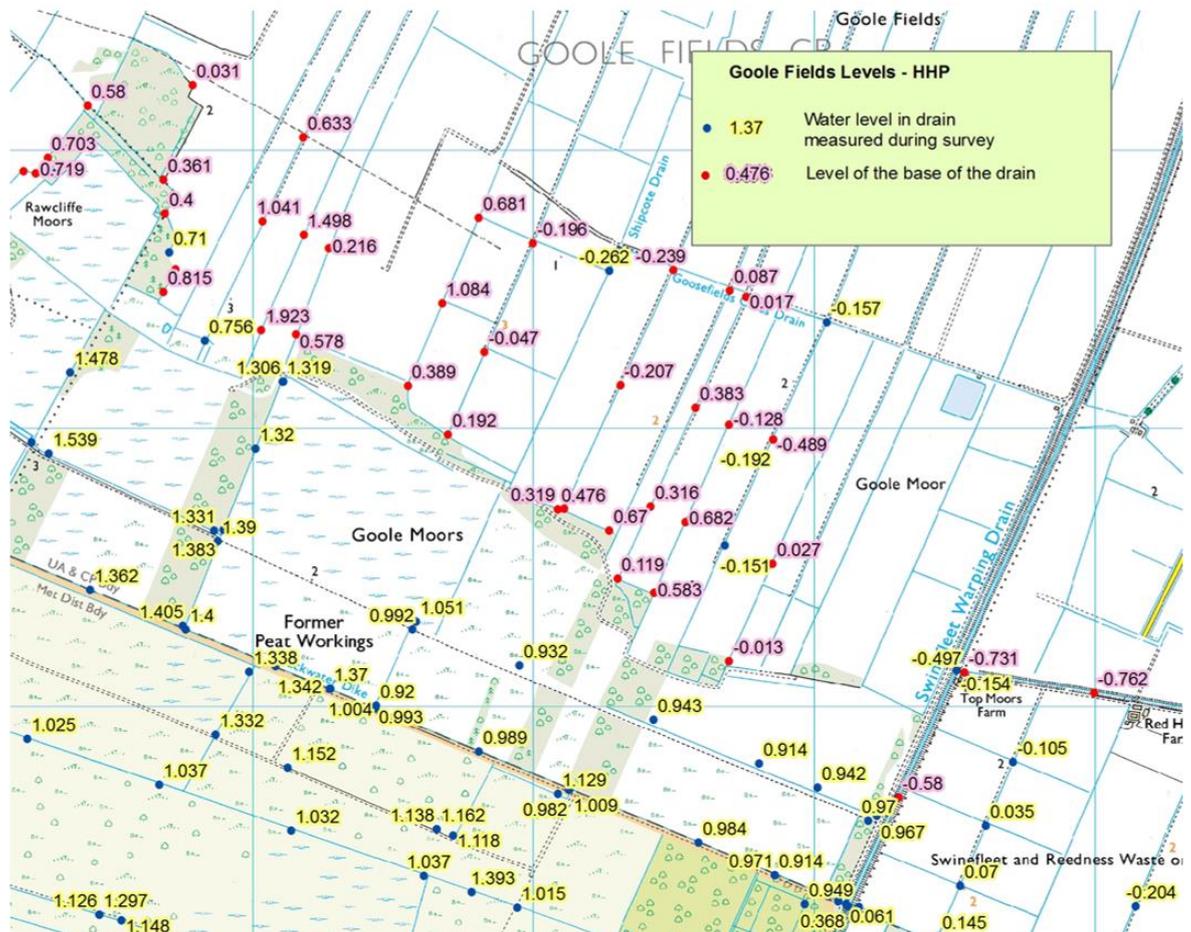
Board Officers received a report of damage to 2 headwalls of culverts and 1,000mm diameter pipe on Shipcote Drain following IDB ordinary watercourse maintenance. The report was received on 14<sup>th</sup> October and arrangements were put in place the next day for a site inspection through the Chairman and Contractor to consider remedial works.



The location of arisings was also queried, and it was confirmed that the DDB does retain the right to deposit arisings from the watercourse under the Land Drainage Act 1991 (as amended), however, timings and location of the deposits is also critical in continuing to work with owner occupiers. Deposits were relocated within the margin and agreed with the owner occupier.

#### 4.1.4 Natural England

Natural England has provided the following level survey results from this year and anticipate their next stage of interpretive investigation to be complete by Autumn 2022 through the installed monitoring equipment.



The proposed investigative and monitoring works, includes:

- **Dipwell and stilling well transects:** A series of dipwell and stilling well transects be installed across the northern part of the SSSI and into the Agricultural fields and ditches. These to include monitoring of the Natural England boundary and surrounding ditches and land and N-S transects to the Blackwater Dike and beyond.
- **Meteorological data:** A raingauge will be installed within Thorne Moors.
- **SSSI pumping and ditch flow rates:** The facility to measure discharge rates within and from the SSSI will be established where surface water and groundwater catchments can be established with certainty.
- **Topographic and peat thickness survey:** A topographic survey will be carried out when all of the proposed hydrometric installations have been completed.
- **Quality-check piezometric level data from EA Thorne Moors OBHs:** It is proposed to install water level loggers within the Environment Agency's piezometer on Thorne Moors, in order to monitor groundwater levels in the underlying Sherwood Sandstone.
- **Data interpretation and modelling:** The results from the investigations and monitoring will be analysed and interpreted in order to gain a better understanding of the hydrological and hydrogeological functioning of the system. If appropriate and useful, a computer-based model of the system will be constructed, in order to explore the implications of historical and possible future management actions.



## **4.2 Planning, pre-application advice and consents**

### **4.2.1 Planning Applications**

Officers have reviewed planning applications received to 10 January 2022. Of these, 1 has required comment on behalf of the Board.

### **4.2.2 Land Drainage Act 1991 Section 23 and 66 (Byelaw) Consents**

Nothing to report.

## **5. Environmental Adviser's Report**

### **Recommendations**

- Members note the information in the report.

### **5.1 Legislation**

#### **5.1.1 Environment Bill**

The Environment Bill concluded Lords Committee stage on Wednesday 14 July. The Bill will commence Lords Report Stage after Summer Recess in September. Lords Report Stage commenced 6 September, it has received its third reading and consideration has been given to proposed amendments.

### **5.2 Biodiversity Action Plan 2015-2020**

The Board is still working on its 5-year BAP 2015-20 which has worked well for a Board of this size. Surveys will recommence late winter/early spring.

## **6. Health and Safety Report**

### **6.1 Accident, incidents and near misses**

#### **6.1.1 Accident, incidents and near misses**

There have been no incidents, accidents or near misses reported since the last meeting.

#### **6.1.2 COVID-19**

The situation is being monitored carefully to enable the Board operations to be carried out safely and in accordance with Government guidelines.

## **7. Any Other Business by Leave of the Chairman**

## **8. Date of Next Meeting**

Suggested date: 14 June 2022.



## **9. APPENDIX A – Draft IDB Byelaws**

The draft byelaws can be found over the following pages.

**LAND DRAINAGE BYELAWS  
GOOLE FIELDS DISTRICT DRAINAGE BOARD**

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Common Seal  
Penalty Note

Amended January 2022

## **GOOLE FIELDS DISTRICT DRAINAGE BOARD BYELAWS**

The Goole Fields District Drainage Board (“the Board”) under and by virtue of the powers and authority vested in them by section 66 of the Land Drainage Act 1991, do hereby make the following Byelaws which are considered necessary for [one or more of] the following purposes:-

- a) securing the efficient working of the drainage system in their District,
- b) regulating the effects on the environment in the Board’s district of a drainage system, or
- c) securing the effectiveness of flood risk management work within the meaning of section 14A of the Act,

together, “the Purposes”;-

### **1. Commencement of Byelaws**

These Byelaws shall come into operation at the expiration of one month beginning with the day on which they are confirmed by the Secretary of State.

### **2. Application of Byelaws**

- (a) These Byelaws shall have effect within the District;
- (b) the watercourses referred to in these Byelaws are watercourses and drainage works which are for the time being vested in or under the control of the Board.

### **3. Control of Introduction of Water and Increase in Flow or Volume of Water**

No person shall for any purpose, including as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended (“the 1990 Act”)) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District [Area] so as to directly or indirectly increase the flow or volume of water in any watercourse in the District [Area] (without the previous consent of the Board).”

### **4. Control of Sluices etc**

Any person having control of any sluice, water control structure or appliance for introducing water into any watercourse in the District or for controlling or regulating or affecting the flow of water in, into or out of any watercourse shall use and maintain such sluice, water control structure or appliance in accordance with such reasonable directions as may from time to time be given by the Board with a view to securing or furthering one or more of the Purposes.

### **5. Fishing Nets and Angling**

No person shall angle or set any nets or engines for the catching or keeping of fish in any watercourse in such a manner as to cause damage to or endanger the stability of the bank of the watercourse or to affect or impede the flow of water.

In this Byelaw “nets” includes -

- (a) a stake net, bag net or keep net;
- (b) any net secured by anchors and any net, or other implement for taking fish, fixed to the soil or made stationary in any other way;
- (c) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

6. **Diversion or Stopping up of Watercourses**

No person shall, without the previous consent of the Board, take any action, or knowingly permit or aid or abet any person to take any action to stop up any watercourse or divert or impede or alter the level of or direction of the flow of water in, into or out of any watercourse.

7. **Detrimental Substances not to be Put into Watercourses**

No person shall, so as directly or indirectly to obstruct, impede or interfere with the flow of water in, into or out of any watercourse or so as to damage the bank -

- (a) discharge or put or cause or permit to be discharged or put or negligently or wilfully cause or permit to fall into any watercourse any object or matter of any kind whatsoever whether solid or liquid;
- (b) allow any such object or matter as is referred to in sub-paragraph (a) of this Byelaw to remain in proximity to any watercourse in such manner as to render the same liable to drift or fall or be carried into any watercourse.

Provided that nothing in this Byelaw shall be deemed to render unlawful the growing or harvesting of crops in accordance with normal agricultural practice.

8. **Lighting of Fires**

No person shall light or cause or permit to be lighted or commit any action liable to cause to be lighted any fire on any land adjoining the watercourse where such action is liable to set on fire the peat land forming the banks of the watercourse or any vegetation including trees, growing on land forming the banks of the watercourse.

9. **Notice to Cut Vegetation**

Any person having control of any watercourse shall, upon the receipt of a notice served on him by the Board requiring him so to do, cut down and keep cut down all vegetation, including trees, growing in or on the bank of a watercourse, within such reasonable time as may be specified in the notice, and shall remove such vegetation including trees, from the watercourse immediately after the cutting thereof.

Provided that, where a hedge is growing on the bank of a watercourse, nothing in this Byelaw shall require more than the pruning of the hedge so as to prevent it from growing over or into the watercourse, and the removal of the resultant cuttings.

10. **No Obstructions within 9 Metres of the Edge of the Watercourse**

No person without the previous consent of the Board shall erect any building or structure (including a fence), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the landward toe of the bank where there is an embankment or wall or within 9 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 9 metres of the enclosing structure.

11. **Repairs to Buildings**

The owner of any building or structure in or over a watercourse or on the banks thereof shall, upon receipt of a notice from the Board that because of its state of disrepair -

- (a) the building or structure is causing or is in imminent danger of causing an obstruction to the flow of the watercourse, or
- (b) the building or structure is causing or is in imminent danger of causing damage to the bank of the watercourse,

carry out such reasonable and practicable works as are specified in the notice for the purpose of remedying or preventing the obstruction or damage as the case may be within such reasonable time as is specified in the notice.

12. **Control of Vermin**

The occupier of any bank of a watercourse or any part thereof shall, upon being required by the Board by notice, within such reasonable time as may therein be specified, take such steps as are specified in the notice, being such steps as the Board consider necessary and practicable for preventing the bank from becoming infested by rabbits, rats, coypu, foxes and moles or any other wild mammal not being an animal listed in Schedule 5 or Schedule 6 to the Wildlife and Countryside Act 1981, but excluding the water vole from such control.

13. **Damage by Animals to Banks**

All persons using or causing or permitting to be used any bank of any watercourse for the purpose of grazing or keeping any animal thereon shall take such steps including fencing as are necessary and reasonably practicable and shall comply with such reasonable directions as may from time to time be given by the Board to prevent the bank or the channel of the watercourse from being damaged by such use.

Provided that nothing in this Byelaw shall be deemed to affect or prevent the use of, for the purpose of enabling animals to drink at it, any place made or to be made or constructed as approved by the Board.

14. **Vehicles not to be Driven on Banks**

No person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank.

15. **Banks not to be Used for Storage**

No person shall use or cause or permit to be used any bank of any watercourse for the purpose of depositing or stacking or storing or keeping any rubbish or goods or any material or things thereon in such a manner as by reason of the weight, volume or nature of such rubbish, goods, material or things causes or is likely to cause damage to or endanger the stability of the bank or channel of the watercourse or interfere with the operations or access of the Board or the right of the Board to deposit spoil on the bank of the watercourse.

16. **Not to Dredge or Raise Gravel, Sand etc**

No person shall without the previous consent of the Board dredge or raise or take or cause or permit to be dredged or raised or taken any gravel, sand, ballast, clay or other material from the bed or bank of any watercourse.

17. **Fences, Excavations, Pipes etc**

No person shall without the previous consent of the Board -

- (a) place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse;
- (b) cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;
- (c) make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;
- (d) erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;
- (e) place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.

18. **Tidal Outfalls**

No person shall place or cause to be placed or abandon or cause to be abandoned upon the foreshore any trees, roots of trees, branches, timber, tins, bottles, boxes, tyres, bricks, stones, soil, wire, rubbish or other object or matter whatsoever which (whether immediately or as a result of subsequent tidal action) may impede or be likely to impede the flow of water through the sluices or outfall pipes through the tidal banks or through the watercourses on such foreshore or impede or be likely to impede the operation of such sluices or outfall pipes or may cause or be likely to cause damage thereto.

19. **Interference with Sluices**

No person shall without lawful authority interfere with any sluice, or other water control structure or appliance for controlling or regulating the flow of water in, into or out of a watercourse.

20. **Mooring of Vessels**

No person shall moor or place any vessel in any watercourse or to or upon the bank of any watercourse in such manner or by such method as to cause or be likely to cause injury to such bank or in such manner as materially to obstruct or impede the free flow of water in, into or out of any watercourse.

21. **Unattended Vessels**

No person shall leave any vessel unattended without taking due care to prevent such vessel from materially obstructing or impeding the free flow of water in, into or out of any watercourse or any sluice in any bank.

22. **Removal of Sunken Vessels**

No person who is the owner of a vessel sunk, stranded, damaged or adrift in a watercourse or, in the case of a sunken vessel which is abandoned, who was the owner immediately before the abandonment shall, after ten days from the day on which the Board serves on him notice in writing that the vessel is causing obstruction, permit the vessel to remain in the watercourse in such a manner as to impede or harmfully divert the flow of water in, into or out of the watercourse.

23. **Navigation of Vessels**

No person shall navigate any vessels in such a manner or at such a speed as to injure the bank of any watercourse and where the Board have by notice erected at any place limited the speed of vessels passing such place no person shall navigate a vessel at a speed over the bed of the watercourse greater than the speed so limited.

Provided that the Board shall not exercise their powers under this Byelaw so as to limit the speed of -

- (a) vessels in any tidal waters except after consultation with the Department for Transport, or
- (b) vessels navigating waterways of the Canal and River Trust for which speed limits are prescribed by the Byelaws of such Trust.

24. **Damage to Property of the Board**

No person shall interfere with or damage any bank, bridge, building, structure, appliance or other property of or under the control of the Board.

25. **Defacement of Notice Boards**

No person shall deface or remove any notice board, notice or placard put up by the Board.

26. **Obstruction of the Board and Officers**

No person shall obstruct or interfere with any member, officer, agent or servant of the Board exercising any of his functions under the Act or these Byelaws.

27. **Savings for Other Bodies**

Nothing in these Byelaws shall -

- (a) conflict with or interfere with the operation of any Byelaw made by the Environment Agency or of any navigation, harbour, conservancy or local authority but no person shall be liable to more than one penalty or in the case of a continuing offence more than one daily penalty in respect of the same offence;
- (b) restrict, prevent, interfere with or prejudice the exercise of any statutory rights or powers which are now or hereafter may be vested in or exercised by -
  - (i) any public utility undertaking carried on by a local authority under any Act or under any Order having the force of an Act;
  - (ii) the undertakings of the Environment Agency and of any water undertaker or sewerage undertaker;
  - (iii) any public gas transporter within the meaning of part I of the Gas Act 1986;
  - (iv) any navigation, harbour or conservancy authority;
  - (v) any person who acts as the operator of a relevant railway asset, with respect to the construction, use or maintenance and repair of any such asset, or the free, uninterrupted and safe use of any such asset and the traffic (including passengers) thereof;
  - (vi) any local authority;
  - (vii) any highway authority for the purposes of the Highways Act 1980 (as amended by any subsequent enactment) in relation to any highway whether or not maintainable at public expense;
  - (viii) any undertaking engaged in the operation of a telecommunications system;
  - (ix) a relevant airport operator within the meaning of Part V of the Airports Act 1986;

- (x) the Civil Aviation Authority and any subsidiary thereof;
- (xi) the Canal and River Trust;
- (xii) the Coal Authority;
- (c) restrict, prevent, interfere with or prejudice any right of a highway authority to introduce into any watercourse surface water from a highway, for which it is the highway authority;
- (d) restrict, prevent, interfere with or prejudice any right of a licence holder within the meaning of Part I of the Electricity Act 1989 to do anything authorised by that licence or anything reasonably necessary for that purpose;
- (e) affect any liability arising otherwise than under or by reason of these Byelaws.

28. **Saving for Crown Lands**

- (a) Nothing in these Byelaws shall operate to prevent the removal of any substance on, in or under (or the erection of any structure, building or machinery or any cable, wire or pipe on, over or under) lands belonging to Her Majesty in right of the Crown by any person thereunto authorised by the Crown Estate Commissioners.
- (b) Nothing contained in any of the foregoing byelaws should be deemed to be or shall operate as a grant by or on behalf of the Crown as owner of the foreshore below high water mark of any estate or interest in or right over such foreshore, or any part thereof, nor shall anything contained in or done under any of the provisions of the foregoing byelaws in any respect prejudice or injuriously affect the rights and interests of the Crown in such foreshore, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable by any person in over and in respect of the seashore.

29. **Arbitration**

- (a) Where by or under any of these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board, he may within 21 days after the service of such notice on him give to the Board a counter-notice in writing objecting to either the reasonableness of or the necessity for such requirement or directions, and in default of agreement between such person and the Board the dispute shall, when the person upon whom such notice was served is a drainage or local authority be referred to the Secretary of State whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party. Where such a counter-notice has been given to the Board the operation of the notice shall be suspended until either agreement has been reached or the dispute has been determined by arbitration in accordance with the provisions of this Byelaw;
- (b) where by or under these Byelaws any person is required by a notice in writing given by the Board to do any work to the satisfaction of the Board or to comply with any directions of the Board and any dispute subsequently arises as to whether such work has been executed or such directions have been complied with, such dispute if it arises between a drainage authority or local authority and the Board shall be referred to the

Secretary of State whose decision shall be final, and in any other case shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party;

- (c) where by or under Byelaws 3, 6, 10, 16 or 17 any person is required to refrain from doing any act without the consent of the Board such consent shall not be unreasonably withheld and may be either unconditional or subject to such reasonable conditions as the Board may consider appropriate and where any dispute arises as to whether in such a case the consent of the Board is being unreasonably withheld, or as to whether any conditions subject to which consent is granted are unreasonable, such dispute shall if it arises between a drainage authority or local authority and the Board be referred to the Secretary of State whose decision shall be final, and in any other case such dispute shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party.

30. **Notices**

Notices and any other documents required or authorised to be served or given under or by virtue of these Byelaws shall be served or given in the manner prescribed by section 71 of the Act.

31. **Limitation**

- (a) Nothing in these Byelaws shall authorise the Board to require any person to do any act, the doing of which is not necessary for securing or furthering one or more of the Purposes or to refrain from doing any act, the doing of which does not affect the environment or adversely affect either the efficient working of the drainage system of the District or the effectiveness of flood risk management within the District.
- (b) If any conflict arises between these Byelaws and
- (i) sections 61A to E of the Land Drainage Act 1991 (which relates to the Board's duties with respect to the environment), or
- (ii) the Conservation of Habitats and Species Regulations 2017, as amended<sup>1</sup>
- the said Act and the said Regulations shall prevail.

32. **Revocation**

The Byelaws made by the Board on the 19th day of April 2004 are hereby revoked.

33. **Interpretation**

In these Byelaws, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

"the Act" means the Land Drainage Act 1991;

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<sup>1</sup> SI 2017/1012

"Animal" includes any horse, cattle, sheep, deer, goat, swine, goose or poultry;

"Bank" includes any bank, cross bank, wall or embankment adjoining or confining or constructed for the purpose of or in connection with any watercourse and includes all land between the bank and the low water mark or level of the water in the watercourse as the case may be and where there is no such bank, cross bank, wall or embankment includes the top edge of the batter enclosing the watercourse;

"Board" means the Goole Fields District Drainage Board;

"Consent of the Board" means the consent of the Board in writing signed by the Clerk for the time being of the Board or other duly authorised officer;

"District" means the area under the jurisdiction of the Board;

"Occupier" means in the case of land not occupied by any tenant or other person the person entitled to the occupation thereof;

"Owner" includes the person defined as such in the Public Health Act 1936;

"Relevant Railway Asset" means

(a) a network, operated by an "approved operator" within the meaning of section 25 of the Planning Act 2008,

(b) a station which is operated in connection with the provision of railway services on such a network,

or

(c) a light maintenance depot

Expressions used in this definition and in the Railways Act 1993 have the same meaning in this definition as they have in that Act, ("railway" not having its wider meaning) and a network such as is described in (a) above shall not cease to be such a network where it is modified by virtue of having any network added to it or removed from it.

"The Secretary of State" means the Secretary of State for Environment, Food and Rural Affairs;

"Vegetation" means trees, willows, shrubs, weeds, grasses, reeds, rushes or other vegetable growths;

"Vessel" includes any ship, hovercraft (as defined by the Hovercraft Act 1968), lighter, keel, barge, tug, launch, houseboat, pleasure or other boat, aircraft, randan, wherry, skiff, dinghy, shallop, punt, yacht, canoe, raft, float of timber or any other craft whatsoever, and howsoever worked, navigated or propelled;

"Water control structures" means a structure or appliance for introducing water into any watercourse and for controlling or regulating or affecting flow, and includes any sluice, slacker, floodgate, lock, weir, pump or pumping machinery;

and other expressions shall have the same meanings as in the Act.

**THE COMMON SEAL OF THE**

**GOOLE FIELDS DISTRICT DRAINAGE BOARD was hereunto affixed on the 25 January  
2022**

**in the presence of:**

**Chairman**

**Clerk**

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## **PENALTY NOTE**

By section 66(6) of the Land Drainage Act 1991 every person who acts in contravention of or fails to comply with any of the foregoing Byelaws is liable on summary conviction in respect of each offence to a fine not exceeding the amount prescribed from time to time for level 5 on the standard scale referred to in section 122 of the Sentencing Act 2020 and a further fine not exceeding Forty pounds for every day on which the contravention or failure is continued after conviction. By section 66(7) of the Act if any person acts in contravention of or fails to comply with any of these Byelaws the Board may without prejudice to any proceedings under section 66(6) of the Act take such action as may be necessary to remedy the effect of the contravention or failure and may recover the expenses reasonably incurred by it in doing so from the person in default.

(N.B. This note may accompany the Byelaws, but is not part of them)



## **10. APPENDIX B – Correspondence from ADA on Red Diesel**

Please see the correspondence over the following pages.

By email to all IDB Clerks/CEOs

Thursday 06 January 2022

Dear Clerks & CEOs,

## Red diesel: January 2022 Update

### Background

Following the government's announcement in March 2020 that it will remove the entitlement to use rebated fuel (red diesel) from most sectors from April 2022, ADA has remained concerned about the significantly increased fuel costs for IDBs as a result of moving their lowland watercourse maintenance operations to white diesel. ADA was also concerned about IDBs' continued access to suitably skilled local contractors who predominantly serve the agricultural market for which their plant machinery will still be entitled to run on rebated fuel.

Throughout 2021 ADA has been corresponding with HM Treasury and Defra on this matter and the timeline attached summarises the key dates so far. ADA has continued to argue that IDBs and their contractors should continue to have an entitlement to use rebated fuel after 1 April 2022, and that land drainage watercourse maintenance and flood defence maintenance operations as 'allowed uses' to enable the contractors and direct workforce of IDBs and other risk management authorities to continue to operate using rebated fuel after 1 April 2022.

### HM Treasury clarification

On 17 December ADA received a response from an HM Treasury official providing clarification regarding the circumstances in which IDBs and their contractors may continue to use rebated fuel after 1 April 2022. It is provided as written below in full.

*I thought it would be helpful to clarify the circumstances where it will remain possible to use red diesel for water level management activities, as set out in guidance here*

*(<https://www.gov.uk/government/publications/changes-to-rebated-fuels-entitlement-from-1-april-2022/check-when-rebated-fuel-can-be-used>):*

- Anyone will be able to use rebated fuel in vehicles and machines used for purposes relating to agriculture, horticulture, fish farming or forestry. This includes agricultural vehicles, special vehicles, unlicensed vehicles and certain machines and appliances. For these purposes, you can use rebated fuel to travel to and from the place where the vehicle is used, except on roads in unlicensed vehicles. If a vehicle or machine allowed to use rebated fuel is transported by another vehicle, you can only use rebated fuel in the vehicle carrying or towing it if it also qualifies in its own right.*

***This means that both IDBs using their direct workforce and contractors will be able to use red diesel in their vehicles/machinery to complete water level and flood risk management work on land used for agriculture (working under the expectation that such activity on this land will at least in part be for the benefit of agricultural activity).*** As set out in your letter, nearly 70% of land at the highest risk of flooding is in agricultural use, so for a large proportion of your work, IDBs and agricultural contractors will be able to continue using red diesel. It will, however, not be possible to use rebated fuel for water level and flood risk management work on any other land (other than golf courses), unless it is for purposes relating to agriculture.

ADA welcomes this clarification from HM Treasury, which aligns with the interpretation that some IDB staff had previously expressed regarding IDBs using rebated fuel for watercourse maintenance activities on agricultural land.

### **Pumping stations**

Whilst ADA's understanding was that from 1 April 2022 diesel pumps would have to be powered using white diesel, the most recent clarification from HM Treasury may serve to change that position, where the pumping is of benefit to agricultural land. Certainty remains that rebated fuel may continue to be used after 1 April 2022 to generate electricity that is then used to power the pumps. This exception is because the Finance Bill 2021 states that using rebated fuel for heating and electricity generation in non-commercial premises would be a 'qualifying purpose'.

ADA will continue to persuade government that an accelerated programme of asset replacement would help all risk management authorities upgrade their pumps to the latest carbon reduced and fish friendly electric versions.

### **Next steps for ADA**

ADA still wishes to better understand the circumstances where IDBs may or may not be permitted to use rebated fuels when undertaking work/pumping on non-agricultural land where those IDB operations benefit surrounding agricultural land.

The current wording of Excise Notice 75: Fuels for use in vehicles (<https://www.gov.uk/guidance/fuels-for-use-in-vehicles-excise-notice-75>) states that:

#### ***Ditch clearing and drainage***

*You can use rebated fuel for ditch clearing and drainage only if it is done **solely** for the benefit of land used for agriculture, horticulture or forestry.*

However, HMRC has stated that Excise Notice 75 will be updated in advance of 1 April 2022.

Therefore, ADA proposes to seek:

- further clarification from the government regarding future wording within Excise Notice 75 and government guidance on the changes to rebated fuels entitlement from 1 April 2022, in line with HM Treasury's most recent clarification to us.
- legal advice regarding the circumstances in which rebated fuel may continue to be used on non-agricultural land where those operations benefit surrounding agricultural land.
- legal advice regarding the use of rebated fuel in pumping stations that benefit agricultural land.

These proposals will be discussed at the ADA Policy & Finance Committee meeting on 19 January 2022.

Yours faithfully



Ian Moodie MSci, Technical Manager, ADA

## Timeline of changes to rebated fuels entitlement

11 March 2020 | Budget 2020, the government announced that it will remove the entitlement to use red diesel from most sectors from April 2022.

9 July 2020 | HM Treasury launched public consultation seeks views on reforms to the tax treatment of red diesel and other rebated fuels. ADA was unaware of this consultation at the time and did not respond.

11 January 2021 | ADA submitted an urgent report on the use of red diesel by internal drainage boards to HM Treasury and Defra.

11 March 2021 | Finance Bill 2021 published with provisions for changes to rebated fuels entitlement.

12 March 2021 | ADA shared a pro forma letter for IDBs to send to MPs regarding red diesel entitlement.

23 March 2021 | ADA submitted an updated version of the urgent report to HM Treasury and Defra.

10 June 2021 | Finance Act 2021 received royal assent.

21 June 2021 | ADA met with HM Treasury civil servant leading on these fuel duty changes to discuss the sector's concerns. The outcome of this meeting was a specific request from HM Treasury for ADA to provide further quantitative information about IDBs' use of agricultural contractors.

9 July 2021 | ADA wrote to IDBs providing an update on meeting with HM Treasury and making a request for data regarding IDBs' use of agricultural contractors undertaken by ADA. 61 IDBs responded to this data request over the summer of 2021.

6 October 2021 | ADA wrote to HM Treasury describing IDB operational maintenance in greater detail and presenting results of the IDB contractors survey undertaken. The letter concluded with two alternative policy requests seeking:

- a. to define land drainage watercourse maintenance and flood defence maintenance operations as 'allowed uses', and/or
- b. for land drainage watercourse maintenance to be defined as an 'accepted purpose' in relation to agriculture, such as within *Excise Notice 75: Fuels for use in vehicles*.

15 October 2021 | ADA receives interim guidance on changes to rebated fuels entitlement from 1 April 2022 from HMRC.

11 November 2021 | Interim guidance on changes to rebated fuels entitlement from 1 April 2022 published on gov.uk website (<https://www.gov.uk/government/publications/changes-to-rebated-fuels-entitlement-from-1-april-2022>).

30 November 2021 | HM Treasury responded to ADA's letter thanking ADA for the data provided. It did not address the questions and policy requests made in ADA's letter. HM Treasury directed ADA to discuss the implications that we set out with Defra colleagues. It should be noted that ADA was originally encouraged to discuss the matter directly with HM Treasury by Defra officials.

17 December 2021 | HM Treasury writes again to ADA clarifying that *'IDBs using their direct workforce and contractors will be able to use red diesel in their vehicles/machinery to complete water level and flood risk*

*management work on land used for agriculture (working under the expectation that such activity on this land will at least in part be for the benefit of agricultural activity).'*

7 January 2022 | ADA writes to IDBs regarding the clarification provided by HM Treasury, and outlining next steps ADA proposes to take.



## **11. APPENDIX C – Humber Flood Risk Management Strategy – Humber 2100+**

The latest newsletter from the Strategy Group can be found over the following pages.



December 2021

This newsletter is given to the Parishes and Wards in the strategy area, our Partnership and other interested parties. It provides an update on work we are doing to develop a new strategy for managing tidal flood risk on and around the Humber, and also lets you know about some key flood schemes/projects going on around the estuary. If you wish to receive this newsletter please contact us at [HStrategy@environment-agency.gov.uk](mailto:HStrategy@environment-agency.gov.uk)

## Humber 2100+ Strategy

Climate change is the biggest threat we face on the Humber. If unmanaged, sea level rise and extreme weather could have catastrophic consequences for local communities, the environment, the economy and key infrastructure. The **Humber 2100+ Partnership** is made up of 12 local authorities and the Environment Agency supported by the IDBs and Natural England. The aims of the strategy are to redefine the strategic approach to managing tidal risk on the Humber, setting the way forward for the next 100 years taking into account predicted sea level rise and climate change. This also includes rivers where tidal flow is the main source of flood risk. For more information please visit our [StoryMap](#) on the Humber 2100+ strategy <https://arcg.is/u1rPi>



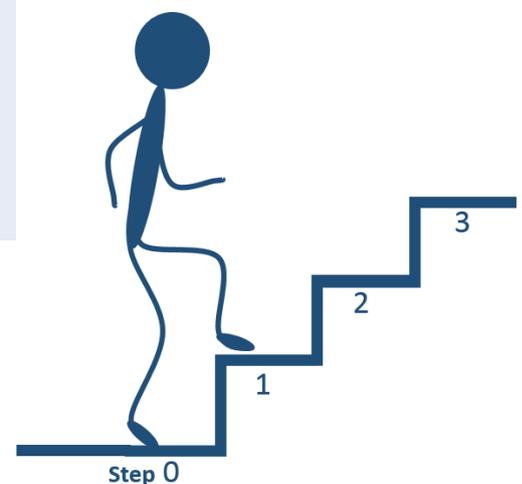
## Strategy Update

### Key Messages

In response to feedback from the Partnership a stepped approach has been adopted to further strategy development. In the next step, which we intend to begin in the New Year, the Partnership will refocus/revisit our evidence around the nature of tidal risk and the consequences of that risk, to ensure we have a common foundation from which to move forward. Once we have that we will progress to defining potential ways to manage that risk.

To navigate the way forward, the next steps for the project have been refreshed, with specific focus on the following areas:

- Working as a partnership to ensure there is a common understanding and acceptance of the scale and impacts of flood risk, both now and in the future, and the implications of how that risk is managed.



- The way that tidal flood risk is currently managed cannot continue indefinitely without having consequences further inland and the scale of risk indicates that we will need to do things differently in the future. The Humber 2100+ partnership will work together to build a consensus on this, working towards an agreement on the way tidal flooding will need to be managed strategically to meet future flood risk challenges.

Some aspects of our technical work are progressing at a different time than originally planned in the development of the Humber strategy. At the appropriate point, the partnership will be seeking to work with those that live, work and have an interest in the Humber, to shape the future approach.

*“We are, after all, the greatest problem solvers to have ever existed on Earth. If working apart, we are a force powerful enough to destabilize our planet. Surely working together, we are powerful enough to save it.”*

*Sir David Attenborough – Opening ceremony of the UN climate change Conference COP26, Glasgow, Scotland, 01-Nov-2021*

## Scheme Updates

### Outstrays to Skeffling Managed Realignment

#### Background

The **Outstrays to Skeffling Managed Realignment Scheme (OtSMRS)** is a joint venture by the Environment Agency and Associated British Ports (ABP) to realign existing flood embankments and create approximately 175 hectares of new mudflat and saltmarsh habitats on the north bank of the Humber estuary, near Skeffling. The scheme will also include the creation of 75 hectares of wet grassland habitat. It will provide the required compensatory habitat to replace habitat losses at designated sites from sea level rise, and for direct losses resulting from development. It will also enable the Environment Agency to continue to undertake important flood risk management work.

Contractors are concluding their work on site, in preparation for the main phase of construction starting next spring. Ground investigations and archaeological surveys are almost finished on the eastern side, in the expanse of land between Welwick and Skeffling. Any remaining crops on the rest of the site will be harvested and the fields cleared in preparation for next year’s work.

Work in the wet grassland area, next to Winestead Drain, has been progressing well. The site was cleared of vegetation and work has started to create the special habitat areas and future access routes. Material taken from these areas is also being stockpiled and stored over winter for construction of the new flood banks next year.

From June to August, York Archaeological Trust carried out archaeological surveys for the scheme. At the far eastern end of the site, pottery fragments suggest that the ditches and other features found there are of medieval origins. Excavations in the centre of the site also unearthed fragments of Roman pottery, pieces of building material and lots of oyster shells.



*Excavations being carried out near Welwick*

## Humber Hull Frontages (HHF) Flood Defence Improvements

Background

The **Humber Hull Frontage (HHF) Flood Defence Improvements** reduces tidal flood risk to 113,000 properties. The scheme has upgraded 7km of flood defences along the edge of the Humber Estuary and provides a 1:200 Standard of Protection to anticipated 2040 sea levels.

A large section of the footpath was re-opened at Victoria Dock Village East at the beginning of July 2021. The footpath is part of the Trans Pennine Trail and was re-opened following reinstatement work to this area on the Humber: Hull Frontage (HHF) scheme. The new flood defence wall has been finished with brick cladding. New flood gates and glass areas have been incorporated into the new flood defence at some locations to maintain views and access.

Landscaping work is continuing across the scheme to enable the remaining public spaces to be re-opened. Work is ongoing behind the new flood defence in Nelson Street. A new promenade has been built on the landward side of the flood defence wall and the area is being resurfaced with new paving stones. Access ramps, steps and seating areas have also been created. The area will be planted with trees and shrubbery as part of the landscaping.



*Humber Hull Frontages at Victoria Dock*

## Hessle Foreshore Tidal Defences

Background

The **Hessle Foreshore Tidal Defence project (HFTD)** will construct a combination of defences to reduce the risk of tidal flooding to the Hessle area. It will reduce tidal flood risk to over 4000 residential and commercial properties when complete. It is funded by a combination of FCERM Grant in Aid, Local Growth Funding and European Regional Development Funding.

The work has been divided into three operational stages of which stage one, Hessle Clough Sluice Structure, and stage two, A63 Barrier are complete. Stage 3 - Cliff Road works on Stage 3 are nearing completion. Stage 3 involves raising of the road under the Humber Bridge and the construction of a glass and concrete wall along the southern side of Cliff Road. Full completion of the scheme is anticipated shortly.



*Stage 3 Wall progress showing installed glass panels*

## South Ferriby and Winteringham Ings Sea Defence Improvements

### Background

The **South Ferriby** flood alleviation scheme reduces the risk of tidal flooding to 150 homes, businesses and the Cemex cement plant. It is a partnership scheme between the Environment Agency, North Lincolnshire Council and Cemex.



*Aerial photograph of the Defence Improvements*

An official opening event was held on 22<sup>nd</sup> October 2021, an outdoor event hosted by Norman Robinson with a marquee at the South Ferriby Depot where speeches were able to be held. Sir James Bevan, Councillor Rob Waltham, among others attended the event in celebration of the successful completion of the South Ferriby sea defences including 2.7km of defences and a flood gate on the A1077.

A Property Flood Resilience consultation has started in **Winteringham**, for properties at risk of tidal flooding. Initial property surveys have been completed and a report produced with recommendations for appropriate property flood resilience measures. A procurement process is ongoing to obtain the services of an installation contractor.

## Donna Nook

### Background

**Donna Nook** is a managed realignment and has opened up 106ha of land to intertidal habitat. The project reduces the risk of flooding to 1200 properties communities, businesses and 13,000 ha agricultural land in the area and has helped reproduce valuable intertidal habitats to compensate for losses in the Humber Estuary.

The Environment Agency has removed the remaining 9 piles from the breach site which is now complete. Work on the road widening scheme has progressed well over the last few months and is now largely complete.

Discussions are underway with Natural England on how best to return Little Tern Islands site to target condition. The data collected this year provides the first opportunity to directly compare the changes against the 2018 pre-breach data. Recently, soil samples have been collected to analyse saltmarsh carbon. Monitoring is required over an extensive period whilst the site finds its natural equilibrium.



*Piles being removed*

## Research on the Humber

### Water for Farmers and Wildlife



The Royal Society for the Protection of Birds (RSPB) and the Environment Agency are working in partnership to deliver field-scale trials of temporary wetlands on farmland near Yokefleet. The findings of the **Water for Farmers and Wildlife** study will support the development of future flood risk adaptation and land management approaches, helping to improve the resilience of communities and ecosystems to flooding and environmental change.

Temporary wetlands are large areas of arable land that are flooded to a shallow level for one to four years. Water is pumped onto the land and then retained by small soil bunds. It creates wetland habitat beneficial for migratory birds and is shown to have financial benefits for farmers by: improving soil fertility, eradicating pests, reducing farming inputs (e.g. pesticides and fertilisers), improving crop yield, better land management following a flood. This technique has been tested and applied in the United States of America and the Netherlands with success.

Temporary wetlands are currently being trialled on two sites near Yokefleet. Both sites have now been flooded in a controlled way by pumping water from the River Ouse. Bunds have been constructed around the trial sites to ensure water is contained within the designated areas. In addition two sites have been constructed on the River Idle catchment, of which one has been flooded, and a further two are planned for construction. The trials will run until mid-2022 at which point the field will be returned to arable farmland.

For further information about the Water for Farmers and Wildlife study, please get in touch with the RSPB project manager Sarah Pullein ([Sarah.Pullein@rspb.org.uk](mailto:Sarah.Pullein@rspb.org.uk)) or the Environment Agency's Humber Strategy team ([HStrategy@environment-agency.gov.uk](mailto:HStrategy@environment-agency.gov.uk)).

### Working in Partnership



### Environment Agency Flood Action Campaign 22<sup>nd</sup> – 28<sup>th</sup> November

Flooding can come in many forms, such as; tidal, river, surface water, pluvial (groundwater & flash) or grey water flooding. There are 5.2 million homes and businesses at risk of flooding in England alone.

**Do you know if you are at risk?** With instances of extreme weather increasing, and sea levels rising its best to be prepared. Sign up to the Environment Agency's flood warning service to keep you updated on the latest information in your local area [Flood warnings in England - GOV.UK](https://www.gov.uk/flood-warnings) ([check-for-flooding.service.gov.uk](https://check-for-flooding.service.gov.uk)).



customer service line  
03708 506 506

incident hotline  
0800 80 70 60

floodline  
0345 988 1188  
0845 988 1188

[www.gov.uk/environment-agency](https://www.gov.uk/environment-agency)

**Would you know what to do in a flood?** Knowing just **one** action to take can reduce the effects on your home and family, and even save a life.

This week, make it your aim to know what to do in a flood!



**FLOOD  
ALERT**

**PREPARE**

- Pack medicines, insurance documents
- Visit the flood Warning Service



**FLOOD  
WARNING**

**ACT**

- Move family, pets & belongings to safety
- Turn off gas, water & electricity



**SEVERE  
FLOOD  
WARNING**

**SURVIVE**

- Immediate danger? Call 999
- Follow emergency services' advice

## How resilient are you?

### Are you prepared for future floods?

Although defences reduce the likelihood of flooding, the risk can never be removed entirely. Flooding can happen at any time and from a variety of sources. To begin to be more resilient take some simple practical steps to help reduce the impact of flooding to your home or business.

To find out if you are at risk, how to prepare, stay safe and sign up (free) for flood warnings visit [www.gov.uk/flood](http://www.gov.uk/flood) or call Floodline on **0345 988 1188**.



### Contact us



<https://consult.environment-agency.gov.uk/humber/strategyreview>



@Humber\_Strategy



[HStrategy@environment-agency.gov.uk](mailto:HStrategy@environment-agency.gov.uk)



@HumberStrategy



customer service line  
03708 506 506

incident hotline  
0800 80 70 60

floodline  
0345 988 1188  
0845 988 1188

[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)



## 12. APPENDIX D – Minutes of the Audit Review Meeting

Held online, Microsoft Teams,  
Monday, 22 November 2021

### Present:

Mrs Rita Brough (RB)	Goole & Airmyn IDB
Mr Christopher Day (CD)	Ancholme IDB
Cllr Ray Sutherland (RS)	Sow & Penk IDB
Mr Andy Cane (AC)	Brodericks GBC

### In Attendance on behalf of JBA Consulting:

Mr Mark Joynes (MJ)	Financial Officer to the Shire Group of IDBs
Mr David Blake (DB)	Financial Officer to the Shire Group of IDBs

### Introductions and Apologies for Absence

MJ welcomed the members and all attendees briefly introduced themselves. Apologies for absence were received from Mr Michael Dougherty, Mr Ralph Guy and Mrs Elissa Swinglehurst.

### Minutes of the Last Meeting / Matters Arising

The panel approved the minutes as a true and fair record with no matters arising.

### Risk Register

DB discussed risk management policies and how they assist the Boards meeting their aims and objectives. He took the panel through the outline Risk Register and the associated grading system. He explained how the draft registers, fully expanded, would be reviewed by the management team and issued to the Boards for the January/February 2022 meetings.

RS pointed out the text in white could be a little difficult to read. DB said this would be corrected by the time the full Registers were issued.

As an example of risk grading DB explained that with assets such as pumping stations, as the assets age the risk of failure increases and risks can be adjusted accordingly along with any mitigation. As an example of mitigation, DB pointed out Ancholme IDB now have a MEICA engineer in their direct employment.

DB also discussed the ongoing issue all IDBs are facing in relation to red diesel costs and the likelihood of contractors' costs increasing significantly. This may result in some authorities exceeding their budgeted costs, or perhaps reducing their maintenance plans. AC asked if this issue could impact on the reserve levels held by the Boards. DB reiterated it possibly could, unless the Boards were to reduce their maintenance plans or perhaps increase their rates.

### Internal Auditor's Report

The internal auditor reviewed the work undertaken on the 2020/21 accounts. In general, he was satisfied with how things were run and said there were no major concerns. He pointed out that little Internal Audit work could be done on Earby & Salterforth IDB, but a true audit would be done for the year ending 31 March 2022.

He said the Boards' control procedures were very good and little could be done to improve them. Also, he expressed the view that Risk Registers underpin the internal control environment. The panel then discussed the following points:

#### Supplier Bank Details and Associated Fraud Risk

CD said the biggest risk is where a change of supplier bank details occurs and enquired how many requests to change details the clerks received each year. MJ said every request was



logged in a sheet and agreed it was an area very susceptible to fraud. Also, he said that invoices from new suppliers needed to be treated with care. The officers always gather as much information as possible from the supplier and then make their decision accordingly. Also, they would take into account the cash value of any proposed payment. He drew the panel's attention to the process set out in the meeting papers. AC confirmed the Internal Auditors carried out extensive checks on the activity in the year and that this issue has been raised every year. MJ explained they would still pay by cheque if they could not be satisfied any payment details given met the required standards and talked the panel through one such instance of this.

#### Decision Making & Member Attendance

The panel briefly discussed this issue. AC said that this issue is discussed every year. He said attendance tends to fluctuate and enquired if the holding of virtual meetings had made a difference. MJ said it had, and that now Boards had updated their Standing Orders, virtual meetings and hybrid meetings may become more common. He also said he hoped that more virtual meetings would improve member attendance, reduce travel costs and reduce emissions. DB said no major increase in member attendance had been noted yet. RS said it made total sense for Sow & Penk IDB to hold virtual meetings, simply because of the distance between clerks & officers. CD suggested hybrid meetings would be possible. MJ said it depended on the venue, broadband & wifi availability. DB said a hybrid meeting had previously worked but with some issues. CD said he had attended meetings where a Meeting Owl had been used and it worked effectively.

DB said the attendance of elected members was generally very good but less so with nominated members. MJ said it members cannot be forced to attend and that we could only continue to pester the local authorities to encourage attendance. DB agreed. RB said Goole & Airmyn IDB had been accommodating, changing meeting dates to allow ERYC members to attend but they still don't attend. RS said he was in regular consultations with councillors and did what he could to encourage member attendance and would speak to the authorities if they continually failed to attend.

#### Cybercrime

CD discussed the prevalence of cybercrime generally. He asked what controls were in place to ensure the Clerk's office had the most up-to-date antivirus software. MJ said all JBA machines, including those used for remote working, must have up-to-date antivirus software or they will simply not function on the network. He said JBA are very robust in these issues. Also, not all JBA staff members can access all drives; access is granted on a needs basis. CD said this gave him some reassurance.

#### **External Auditor's Report**

The AGAR Section 3s were reviewed by the panel and more specifically the External Auditors' comments. The panel was pleased to note there were no matters arising giving cause for concern. MJ also discussed three reports where 'Other Matters' were raised by the external auditors, described below.

#### Incorrect Figure from Previous Year

The previous years' figures on the Ancholme IDB accounts had an incorrectly transcribed figure. This had been corrected and the necessary signatures obtained.

#### Netting-off

MJ informed the panel that the external auditor had commented negatively about how a receipt in regard of an insurance claim had been treated in the Goole Fields DDB accounts. They had in fact objected that the Board had not netted off the figures. MJ said this has caused a certain amount of astonishment at the Clerk's office. AC said 'his mind boggled' they had taken this position, and that if this was the required treatment for insurance claims, should grant-funded and other recoverable costs be treated in the same manner? MJ said the external auditors spent around fifteen years trying to stop authorities netting off income against expenditure, so this was a completely unexpected intervention. He also confirmed the Clerk had contacted the External Auditor to make officers' views plain. However, MJ



stressed this was merely an 'other matters' issue and the external audit was now complete. AC said it would be nice to have a response as it may affect future audits.

Extension to Period of Electors' Rights

MJ explained to the panel that following the virtual meeting of Sow & Penk IDB, the AGAR, which still required a wet signature, had been lost in the post. By the time this was realised it was too late for a replacement to be arranged in time to meet the statutory inspection period. MJ said the officers had applied for an extension. This was quite satisfactory to the external auditors, but a declaration needs to be made on the 2021/22 governance statement accordingly.

**Any Other Business**

No issues raised.

**Date of Next Meeting and Close of Meeting**

The next meeting of the panel will be held on Monday, 21 November 2022 at 10.00am at the offices of JBA Consulting, Epsom House, Chase Park, Redhouse Interchange, Doncaster, DN6 7FE.

MJ thanked the members for attending. CD thanked AC for all the work done on audits and MJ for the work done in preparing and presenting the meeting papers.

The meeting was closed at approximately 10:50am.



## **13. APPENDIX E – Risk Register**

A copy of the draft register can be found over the following pages.

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OBJECTIVE	RISK	Current Controls/Assurances	Risk			Status	Mitigation/Action Plan	Owner/Target Date		
			Impact	Likelihood	Score					
S U S T A I N A B I L I T Y	<b>Objective 1:</b> Provide & Maintain Sustainable Flood Protection through Water Level Management	Lack of direction, Conflicting aims & objectives (Internal & External)	Policy statement on Flood Protection and Water Level Management The board has an extensive list of policies	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22		
		Asset Failure (Aging Infrastructure)- Pump, Watercourses, Culverts & Syphons	Adopted an Asset Management strategic approach, detailed Asset conditioning reporting. <b>Pump Repairs 2020</b>	High	Likely	6	TRANSFER- RISK TOO HIGH, TRANSFER ELSEWHERE IF POSSIBLE (EG. INSURANCE)	Reactive Strategy- This is an Risk area that the board is aware of and accepts due to size of the board and difficulty raising income	Next Review 30/06/22	
			Contingency Planning-District						Annual Inspections	Ongoing
			Planned Preventative Maint with electrical engineer Reserves available for Pump Maintenance							
	Human Resource Risk- Contractors National/International Emergencies Supplier Dependency	Contractors go through tender process if necessary Timely Contractual performance review- Time & Quality All Legislation and requirements made clear to all contractors Disaster Recovery Plans	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Monitor Suppliers/Review Succession Plans Disaster/Emergency Protocols Online Communication	Next Review Dec 2022		
	<b>Objective 2:</b> Promote & Integrate Biodiversity with the boards primary and operational activities	Risk of prosecution for not adhering to Environmental Legislation	Board directly employs a suitably qualified Env. Officer	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22		
			Extensive Environmental Surveys carried out Species reporting on all new watercourses							
			The board has a Biodiversity Action Plan							
		The board does not deliver on the duty to protect and where practicable enhance the environment	Produce Environmental Annual Report and Action Plan for the year ahead.	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22		
		Lack of staff training, not provided with the relevant training and information to ensure necessary steps are taken with regard to Diversity	Contractors are advised in environmental matters Training made available (Badgers License etc) Develop plans to mitigate the risk of destroying habitat	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Refresher presentation to be given to Operatives & Contractors before start of summer works season. Continue to communicate Environmental best working practices	Env Officer- Apr 22	
I N N O V A T I O N	<b>Objective 3:</b> Embrace new technology/methods introduced into the industry	Financial Limitations	Cost Savings- Payback Calculation	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22		
			Research & Development Included in Budget							
			PWLB- Potential to borrow							
		Historical Viewpoint- 'we've always done it this way' can stifle innovation	Long Term Asset Management Strategy Adopted Forward Thinking Board	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22		
		Uncertainty- results limited as technology/methods are in early stages of its lifecycle	The Board would always look to trial new technology Economies of Scale through Shire Group of IDBs reduces risk to GFDD Regulation with in the industry	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22		
	<b>Objective 4:</b> Promote Innovation, ensure the board is continually looking at ways to improve and grow	Members lack understanding of the Board's objectives, latest legislative requirement and latest developments in the industry.	Land Drainage Act provides for election of members every 3rd Year	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Clerk to work with Chair more closely and update on a more frequent basis, any information should be then given to members	Clerk- 2022	
			ADA Good Governance Guide delivered or sent to all members Training Courses for board members							
			Legislative/Industry developments promoted on the website and in meetings							
Board Structure- Limited diversity of members background		Elected/Nominated split dependant on Annual Values Nominated members typically have knowledge of WLM Elected members must be nominated by Landowners in the district	Low	Likely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22			
Short Termism- Reduction of cost philosophy		STP/MTP/LTP Long Term Forecasting, 20 years Budget plans, Long Term Capital plan	Low	Likely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22			
Unsuitable members appointed to the Board	Elected members must be nominated by Landowners in the district Members register of interest	Low	Unlikely	1	ACCEPT- RISK LEVEL ACCEPTABLE	Next Review 30/06/22				

OBJECTIVE	RISK	Current Controls/Assurances	Risk			Status	Mitigation/Action Plan	Owner/Target Date	
			Impact	Likelihood	Score				
STAKEHOLDER VALUE	Objective 5: To be a self sufficient IDB that provides value to 'our' stakeholders at all times	Systems and processes to maximise income opportunities and collection	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Provide all significant ratepayers/creditors with the Long-Term forecast, allowing them to make provisions accordingly.	Senior Finance Officer Mar 22	
		Timely invoicing of Drainage Rates account holders annually, monitoring of collection rates and take follow-up action when non-payment.							
		Submit Highland Water claims to the EA.							
	Objective 5: To be a self sufficient IDB that provides value to 'our' stakeholders at all times	Increased Expenditure, exemption for Red Diesel removed. Fuel costs increase therefore Contractor costs could increase significantly	Reserve Policy in Place for this scenario In dialogue and will work with contractors Budget & Contracts allow for flexibility, Variable Cost	High	Likely	6	TRANSFER- RISK TOO HIGH, TRANSFER ELSEWHERE IF POSSIBLE (EG. INSURANCE)	The board need to plan how they mitigate this likely increase cost for Drain Maintenance. Options will be provided & discussed at the January meeting.	SGAT Jan 22
		Objective 5: To be a self sufficient IDB that provides value to 'our' stakeholders at all times	Overspending, not obtaining value for money	Monthly Budget reviews, Budget to date and out turn analysed by members at meetings	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Cash Flow analysis incorporated into monthly budget review, ensure value for money is sought on every purchase
	Financial Regulations- >£5000 2 quotes > £20,000 Tender Process								
	Approved Suppliers List with specific criteria that is regularly monitored								
	Objective 5: To be a self sufficient IDB that provides value to 'our' stakeholders at all times	Perception that this isn't the case	Internal/External Audits & IDB1 forms	Med	Likely	4	REDUCE- ACTION REQUIRED TO REDUCE RISK	Promote the board, shout about the good work Goole Fields DDB do Tap into to Social Media to do this	2022
			Website promoting board Activities						
			Lead Role in partnership working/PSCA agreements						
Objective 5: To be a self sufficient IDB that provides value to 'our' stakeholders at all times	Flood damage to third party	Insurance Policies to cover main risks including asset failure and indemnity for third party damage	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Insurance policies reviewed annually for the Board and risks required changes to cover reassessed.	SFO- Jan 2022	
		Catchment Mapping completed							
Objective 6: To be a champion of partnership working, work collaboratively where this can deliver shared research objectives more cost-effectively and for the wider good of all connected	Miscommunication causing differing expectations/goals	Close working relationships with all connected stakeholders	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/22	
		Historic Agreements							
		Drive for partnership working							
	Objective 6: To be a champion of partnership working, work collaboratively where this can deliver shared research objectives more cost-effectively and for the wider good of all connected	Lack of formal structure and clear risk-sharing arrangements	Good working relationship with LLFA	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/22
Clear definition of role between IDB & other Stakeholders									
Objective 6: To be a champion of partnership working, work collaboratively where this can deliver shared research objectives more cost-effectively and for the wider good of all connected	Internal & External Conflicts, which could create a lack of trust	Conflict Management Policy	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/22	
		Open & Honest- 100% Transparent- Minutes on website							
COMPLIANCE	Objective 7: Ensure that the board always complies with all recommended accounting practices	Adverse audit reports, legal action and loss of confidence in the IDB.	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	1. Continue to work with Internal Auditor to always minimise risks associated with accounting practices, especially when new risks emerge 2. Review current SGAT processes & procedures and update where appropriate	Finance Team- May 2022 & Ongoing	
		Loss of Cash through error or fraud							Put in place a satisfactory Governance framework, including: - Internal Audit contract & access to the Boards. - External Audit Service - Financial regulations in place for each Board - Business continuity & recovery plan - Insurance Policies proportionate to identified risks - Appropriate ICT systems to support key functions (Ratings, Finance and GIs). - ADA Practitioners' Guide (2006), as revised 2017 - Data processing, handling and retention in compliance with ICO's Guidance & Licence for each Board.
									Adhere to Board Approved Financial Regulations
									Experienced and suitably qualified finance officers
	Objective 7: Ensure that the board always complies with all recommended accounting practices	Loss of Cash through error or fraud	All Purchase Ledger Transactions are reviewed by the board	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	1. Create & Implement process with regard to new suppliers & also existing suppliers who request to change bank details 2. Review current SGAT processes & procedures and update where appropriate	Finance Team- May 2022 & Ongoing
			Adequate Insurance to cover such Losses						
	Objective 7: Ensure that the board always complies with all recommended accounting practices	Loss of Control through inadequate processes.	Audit approved documented processes, that have a clear segregation of duties	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		
			Bank Mandate in place, always two signatories needed						
Objective 7: Ensure that the board always complies with all recommended accounting practices	Liquidity issues, lack of reserves	The Board has adopted a reserves policy	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Review Reserves level (50%) at the monthly budget meetings	Next Review 30/06/22	
		Short, Mid & Long Term Budgetted Boards financial position presented at Board meetings							
Objective 8: Ensure that at all times the board complies with all current EU & UK legislation	Risk to Board Members	Qualified & experienced staff attempt to advise the board	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Monitor any changes to current EU & UK legislation	Next Review 30/06/22	
		Ultimately, all decisions should be discussed and made as a collective							
	Objective 8: Ensure that at all times the board complies with all current EU & UK legislation	Non-compliance with legislation, regulations good practice resulting in prosecution, fines /penalties / sanctions and loss of confidence in the Board(s).	Adequate Insurance underaken	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Monitor any changes to current EU & UK legislation	Next Review 30/06/22
Access specialist advice as required, eg Finance, Legal, H&S, Insurance, etc. Peer Group support, e.g. ADA's Policy & Finance and Technical Committees Inter-agency working amongst FRM authorities									





# Shire

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