



Nunburnholme with Kilnwick Percy Parish Council
Terms of Reference (TOR) for a Working Group
Waterways Management - Nunburnholme

Reference¹:

- A. Review of Internal Drainage Boards – [Report](#) of the Review Panel dated September 2017.
- B. Environment Agency [Guidance](#) - Riparian ownership and Responsibilities dated 15 February 2018.
- C. Land Drainage [Act](#) 1991, and the Flood & Water Management [Act](#) 2010.

- 1. Background.** It would seem flooding within Nunburnholme Village boundaries has largely been managed through informal arrangements and ad hoc application of various responsibilities by riparian landowners, estate landowners and the responsible authority (East Riding of Yorkshire Council & Nunburnholme with Kilnwick Parish Council), while expert technical advice on how to mitigate flood risk have reportedly been contradictory. It is unsurprising that there appears to be a lack of clarity.
- 2. Role/Tasks.** In order to make responsibilities clear, and to bring structure to this issue, the Parish Council has formed a Working Group to investigate the background, establish boundaries of ownership, responsibilities & risk, establish an expert view on the best way to manage flood risk and then to recommend a future management structure and plan to lead on implementing that advice.
- 3. Objective.** To establish an agreed sustainable plan, informed by expert advice, for the routine management of Nunburnholme Beck and its associated waterways to reduce flood risk as much as reasonable and practicable within the intent of References B and C.
- 4. Governance/Compliance.** The Working Group are to apply statutory standards² in all they undertake and all external outputs are to be cleared through Nunburnholme with Kilnwick Percy Parish Council. Any media enquiries should be advised to Secretary Nunburnholme with Kilnwick Percy Parish Council for discussion by the Council. Travel & subsistence is to be authorised for duties directly associated with executing duties within these TOR.
- 5. Structure/Membership.** The Working Group will consist of 3 x Members³, a Kilnwick Percy Councillor and 2 x Nunburnholme Councillors who will report directly to The Parish Council. They are authorised to hold discussions separately with any relevant stakeholder within the scope of these TOR.
- 6. Process.** The Working Group should:
 - a. Establish communications with residents (initial meeting held in December 2017).
 - b. Establish statutory position with relevant authorities (initial meeting with ERCY is on 7 June 2018).
 - c. Establish the position with estate landowners and other large stakeholders e.g. farmers.
 - d. Establish the position of residential riparian owners.
 - e. Draft a Plan to manage future routine management.
 - f. Present the plan for consultation at a public meeting.
 - g. Incorporate any considerations arising.
 - h. Present ERYC with a final draft for coordination.
 - i. Publicise and implement a final plan.
- 7. Timetable.** The Working Group should aim to have a final plan in place by end April 2019.

¹ Hyperlinks to relevant policy are embedded in the [blue](#) words at References A-C.

² Local Authorities (Model Code of Conduct) Order 2007 No.1159 and Code of Conduct and Standing Orders of the Council.

³ As at May 2018: Mr Phillips from Kilnwick Percy and Mr Hardcastle & Mr McCallum from Nunburnholme.