

Annex 1

Health of our Waterways

This annex has been produced to provide information for debate and review by the members of the Economy, Place, Access and Transport Scrutiny Committee, any recommendations for further consideration will be prioritised and taken through the appropriate governance channels.

Committee members have requested that the following areas are considered:

- Report on the cleanliness of York's rivers/becks, sewage management and the management/support of biodiversity around them
- Report on the state of York's drainage infrastructure; covering capacity to meet demand in urban and rural areas, insight into recent and forthcoming investment into repairs/upgrades and the scale of the challenge faced

Cleanliness of Yorks Rivers/Becks

The city of York is in the Vale of York on the confluence of the rivers Ouse and Foss. Centred on this urban core, our administrative area extends to include villages of varying sizes and largely rural land with the River Derwent forming the eastern boundary. Whilst the River Derwent drains an area of more than 2000km² it forms only a very small part of our administrative area and it is not considered in this report, although it is recognised that there are areas of ecological sensitivity on the lower parts of this river catchment and we should support partners in its management wherever possible.

The River Swale, Ure and Nidd, which form the Ouse just upstream of York drain more than 3500km² of the North Yorkshire Council area with significant agricultural, commercial and residential areas impacting on the quality of the River Ouse through York through regulated and unregulated discharges.

A number of significant tributaries drain the urban areas of York directly into the Rivers Ouse and Foss, these include, but are not limited to, Holgate Beck, Blue Beck, Burdyke, Germany Beck, Osbaldwick Beck and Tang Hall Beck. Many of these tributaries flow through agricultural areas in the cities outskirts and more densely populated housing and

amenity sites in the city. A complex network of connections to the watercourses including agricultural drainage, sewerage infrastructure, highways and direct connections from property developments all have the potential to impact on river quality and make assessment, enforcement and remediation difficult for the many actors involved in their management.

The organisations with roles that influence river quality are:

- Ofwat, as a non-ministerial government department set the standards and targets to measure water and sewerage companies' performance.
- Environment Agency are responsible for monitoring river quality and resource management and can take enforcement action to ensure polluters or those abusing water resource needs are punished and any harm is remedied.

Water quality standards are set by the Environment Agency and river quality monitoring is carried out routinely and in response to reports of incidents of environmental harm. Environment Agency officers inspect agricultural and sewerage sites to identify potential pollution impacts and provide or contribute to guidance to identify improved practices to minimise future risks.

- Yorkshire Water's sewerage network discharges treated effluent and combined sewer overflows to our rivers at controlled standards, volumes and frequencies. Future improvements to overflows will be required in response to Government's Storm Overflows Reduction Plan.

Yorkshire Water actively develop and join partnerships across their administrative area to work with partners to improve our rivers.

- Catchment Partnerships and rivers trusts deliver a wide range of projects and programmes to better manage our rivers and provide improved habitats, many galvanise volunteer support but also receive funding and grants from central government to host catchment officers and deliver other key functions.
- City of York Council do not have any direct responsibilities that contribute towards the management of water quality in our rivers. Harm is minimised through effective delivery of our Local Planning Authority role, management of fly tipping on our riverbanks, visits to businesses to inform commercial waste disposal best practice and the delivery of our highway drainage functions.

- Property owners and businesses are responsible for private drainage from their properties and must ensure that they connect to the sewerage system or other agreed point of discharge in an agreed way. Cross connections from homes or businesses into surface water drainage systems can cause polluting inputs into the receiving drainage system. Many drainage systems have historic cross connections that can often be difficult to investigate and resolve.

Ultimately the Environment Agency are responsible for river quality it is their responsibility to hold polluters to account, not the Council.

Like many river catchments across the country a range of evidence exists to illustrate how significant steps have been taken to reverse the impacts of previously polluting heavy industry and claims that our river health is increasing and habitats are being renewed.

However, these claims are challenged and questioned by many bodies and communities and key concerns remain over the impacts of agricultural practices and sewage impacts.

City of York Council are working with the University of York, through our catchment wide strategic flood risk management project Ouswem, on research to investigate the true scale of the impact of agricultural runoff on our rivers, this work will also assess the impacts of combined sewer overflows (CSOs) from sewerage systems.

Yorkshire Water have 66 CSOs in York, their future approach to sewerage management in our city will be governed by two major initiatives:

- Drainage and Wastewater Management Plans (DWMPs)
An industry wide process mandating all companies to investigate the current system performance and identify future needs. Assessment work to date has prioritised and ranked all parts of the system for further assessments or improvements where required.
- Storm Overflow Reduction Plan
Government initiative following the requirements of the Environment Act (2021), all water companies are required to deliver investment to:
 - Ensure there is no adverse ecological impact for all storm overflow sites by 2050 (By 2035 –75% of priority overflows, by 2045 –100% of priority overflows).

York's overflows are unlikely to feature as 'priority' sites under the Government guidelines but Yorkshire Water have confirmed that £180m is being spent in this funding period (to 2025) across Yorkshire and 17 sites in York are being investigated, it is likely a further 13 will be considered in the next funding period in addition to national funding. City of York Council have worked closely with Yorkshire Water and the Yorkshire Leaders Board to ensure they maintain their focus and progress on these issues.

Nationally the water industry are placing a significant emphasis on the component of highway drainage that their overflows carry and that the disconnection of these inputs is vital to manage these issues especially if water bills are not to be significantly increased. There will be pressure on highways authorities in light of this.

York's Green Infrastructure vision is a key aspect of our 10 year strategies. Our emerging Local Plan has policies able to protect, deliver and enhance biodiversity. Wider planning legislation such as biodiversity net gain and local nature recovery strategies provide a framework for our officers to link projects and programmes of work that will support a rich and varied biodiversity in and alongside our rivers.

Our work relies upon the network of 'friends' groups such as the Friends of Clifton Backies, Hob Moor or Clifton Ings amongst others and other voluntary groups such as the River Foss Society who galvanise the knowledge and input of local activists, academics and specialists extending the reach of council services and informing ours and partners programmes of work.

In some cases charitable groups such as The Friends of St Nicholas Fields have grown beyond their original geographic boundaries – early work focussed on the establishment of the St Nicks Local Nature Reserve – and now inform and lead on a range of projects across the city. City of York Council have worked with the group in the development of the Green Corridors York project which has delivered river channel restoration work in Hull Road Park. The group are working with the cities Internal Drainage Boards to inform their maintenance work to enhance and maintain riverside environments.

York's Drainage Infrastructure

A number of different organisations have responsibilities for managing our cities drainage infrastructure, in many instances a number of organisations have a role in drainage solutions and complex investigations are often required to identify all issues.

Our communities can often find the range of actors involved in the delivery of drainage responsibilities difficult to understand, a combined approach and partnership working is essential.

The organisations with responsibility for managing drainage infrastructure are:

- City of York Council
As a Lead Local Flood Authority - Surface runoff, ordinary watercourses, groundwater
As a Highway Authority - adopted highway drainage
As a landowner – drainage infrastructure in housing sites, public realm, and other community areas
- The Environment Agency – Drainage and flooding from Main Rivers
- Internal Drainage Boards – Drainage and flooding of ordinary watercourses within the boards area
- Yorkshire Water – Drainage and flooding from the public sewer network

Home and business owners have responsibilities regarding private drainage assets and riparian responsibilities adjacent to ditches and rivers. However, it can often be difficult for communities to understand who will take the lead in drainage matters based on the fragmented roles detailed above.

The effective drainage of our urban areas through the management of sewerage systems and highways drainage infrastructure is regulated through the planning process and predominantly the actions of Yorkshire Water and City of York Council as the Highway Authority.

All new developments and major re-developments are required to develop an effective drainage strategy through the planning process. The National Planning Policy Framework places a presumption in favour of sustainable drainage systems (SuDS) which mimic natural process to

manage runoff from developments and a hierarchical approach to determine a regulated discharge to a receiving waterbody or drainage system. The City of York Council Lead Local Flood Authority utilises national and local guidance to ensure developers model and design drainage features to ensure no flood risk to the future occupants of the development or neighbouring communities.

Internal Drainage Boards, Environment Agency and Yorkshire Water advise and are consulted and provide further consenting and agreements.

Yorkshire Water provide agreements to developers to connect to their sewerage system or requests that they adopt new sewerage assets within developments when constructed to industry standards.

Significant changes are planned in the way in which SuDS are delivered in new developments. Following flooding in 2007, which affected over 55,000 homes and businesses across the UK and caused £3 billion worth of damage, the Flood and Water Management Act 2010 was introduced to provide legislation for the management of risks associated with flooding and coastal erosion.

Schedule 3 of the act required the establishment of a SuDS Approving Body (SAB) to manage the delivery of SuDS in new developments, the enactment of this schedule was delayed until January 2023 and Government are currently developing the guidance, policy, enabling funding and support for the changes to be made later in 2024.

The implementation of Schedule 3 will lead to a significant change in the way in which surface water approval is managed in new developments. City of York Council, as a Lead Local Flood Authority, will be the SAB for its area and a SAB process parallel to the planning process will need to be set up to appraise, approve and ultimately adopt all new drainage systems serving more than a single property.

The future management of Yorkshire Water sewerage systems in the city will be informed by the emerging DWMPs, drainage networks will be prioritised and re-modelled to form the basis for future improvements ensuring future network capacity able to manage climatic change and increased development.

York's sewerage system is formed by a historic core of combined sewers, newer separate surface and foul drainage networks serve wider

parts of the city and are required across all new developments. Yorkshire Water have worked with the Lead Local Flood Authority to investigate issues and target investment, a Surface Water Management Plan (SWMP) was developed to strategically steer this work. Many issues can arise across the network due to extreme weather conditions, blockages or infrastructure failure, it is essential that residents report these issues directly to Yorkshire Water to ensure a response but to also provide information for the justification for investment to remedy wider or repeat issues.

City of York Council's Highways Drainage gulley maintenance programme has been developed to target available funding to key priorities across the network.

The highway maintenance road hierarchy which assesses road usage, presence of amenities, number of accidents and other key criteria is used to target cleansing funding alongside other key issues such as known flood risk areas or tree lined streets.

Gullies in priority streets are cleansed annually but a multi-year programme of cleansing is in place for non priority assets. Reported issues are cleansed reactively. The Well-Maintained Highway Infrastructure code of practice recommends a data led approach which prioritises the highest risk areas, our SWMP recommended that we gather more information on our highway drainage network and a programme of data capture has been carried out over the last 10 years. The data gathered by front line operatives on handheld tablet devices allows the teams to confirm the layout of our highway drainage assets and a contemporary record of the maintenance of the network, this is essential to target investment.