

Somerset Rivers Authority Joint Scrutiny Panel Paper

Title: SRA Precepting body – Update on progress of Rivers Authorities and Land Drainage Bill

RECOMMENDATION

The SRA Joint Scrutiny Panel is asked to:

1. Consider and comment on the latest position in relation to progress of the Rivers Authorities and Land Drainage Bill

Purpose of the item:

- To update Joint Scrutiny Panel members on progress towards securing the passing of legislation enabling the SRA to become a precepting authority.

Background and context

A meeting was held on 20th December 2017 between Dr Therese Coffey MP, Environment Minister, Rebecca Pow, MP and a representation from the SRA Board. At the meeting reassurances were given that progress was being made with signing off the contents of a draft Bill across government and an MP had been identified to present a Private Members Bill. No firm timescale were given at this meeting. The decision was taken to move the Bill as a Private Members Bill as there was unlikely to be any Government time to progress the Bill.

Current Status

Things moved quickly at the end of February 2018 when word was received that Department for Environment, Food and Rural Affairs (Defra) had secured all necessary sign-off across government and that David Warburton MP would be presenting the Rivers Authorities and Land Drainage Bill to Parliament on the 6th March (first reading). The Bill was scheduled to receive its Second Reading on 16th of March. The Bill was unsuccessful at 2nd Reading stage.

Since the 16th of March 2018 David Warburton has put the Bill forward for 4 further attempts at receiving its 2nd Reading on the 27th April, 11th of May, 15th of June and 6th of July. Unfortunately, the Bill did not pass at any of these attempts.

On each occasion the Bill was not debated as it was one of many bills due for consideration each day.

When a Bill is not debated it is possible for it to be 'noded through' at the end of the debating session; often Bills will be objected to on principle if no debate has been held. This

appears to be what has happened on each occasion with the Rivers Authorities and Land Drainage Bill.

David Warburton had resubmitted the Bill again for its 2nd Reading on the 26th of October but withdrew it as it was unlikely to succeed and also to allow some time for further discussion with Defra officials and Ministers to try to identify alternative ways of progressing the Bill or the provisions within the Bill.

On January 15th 2019 Department for Environment, Food and Rural Affairs published a consultation considering policy areas which may need modernising. For Floods and Water policy these fall into two categories, long-term planning and the regulatory framework. The consultation explicitly references the Somerset Rivers Authority as an example of new ways of funding local food risk management activities.

The consultation document also states that ***'The government proposes to secure the future of the Somerset Rivers Authority with the necessary legislation.'*** This is clearly very good news that the Government seems to be willing to take forward legislation but at this stage there is no further detail. Any action will be subject to positive responses to the consultation.

It will be important to ensure as many positive responses to the consultation as possible.

The Bill is currently scheduled to go forward for another attempt at securing its 2nd Reading as a Private Members Bill on the 8th of February.

Recommendation:

The SRA Joint Scrutiny Board is asked to:

1. Consider and comment on the latest position in relation to progress of the Rivers Authorities and Land Drainage Bill

Date: January 22nd, 2019

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