

# **ADA WORKSTREAM**

## **MAKING BEST USE OF PARTNER RESOURCES TO DELIVER MAINTENANCE WORKS AND MANAGE FLOOD INCIDENTS USING PUBLIC SECTOR COOPERATION AGREEMENTS (PSCAs)**

### **1. SUMMARY**

This report summarises findings of a working group to investigate how to further develop and improve the use of partnership working on maintenance works and incident response using PSCAs ( PSCAs may also be used for appropriate capital works in some circumstances).

Representatives on the working group are listed at the end of the report.

Key areas identified for improvement were as follows:-

- Forward Planning of work
- Understanding and agreeing Standards of Maintenance
- Reciprocal working
- Incident Management and Recovery works
- Sharing Plant
- National template PSCA Documents
- Data Capture

Recommended actions were identified for each of the above improvement areas. These are shown in Appendix 4.

### **2. INTRODUCTION**

The Public Sector Cooperation Agreement (PSCA) provides arrangements for the Environment Agency (EA), an Internal Drainage Board (IDB), Lead Local Flood Authority (LLFA), County Council (CC), District Council (DC), Navigation Authority (NA) or other Risk Management Authority (RMA) to deliver flood risk maintenance and similar activities by a partnership approach. The agreement places both parties on a sound legal basis to deliver work as agreed – either party may undertake work for the other.

The first PSCAs were signed in 2013 and there has been good progress to increase the number of agreements. Similarly, the extent of work undertaken under PSCAs has also increased.

As identified at the ADA Technical and Environment (T&E) and Policy and Finance (P&F) meetings in January 2016, there is considerable scope to further extend the use of PSCAs where these can achieve efficiency savings which can be recycled into additional works. There is also potential to extend the use of our shared resources to manage a flood incident and undertake subsequent recovery works. All RMAs should be encouraged to use PSCAs where they will achieve these benefits.

At the ADA conference in November 2016, there was a very positive steer towards more partnership working under PSCAs. Therese Coffey (Parliamentary Under Secretary of State for the Environment & Rural Life Opportunities), Emma Howard Boyd (Chair, Environment Agency) and Minette Batters (Deputy President, National Farmers Union) all spoke very highly of the benefits already being achieved by PSCA partnerships, encouraging new partners to become involved and existing partners to explore all potential benefits in PSCA use.

### **3. OBJECTIVES OF WORKSTREAM**

To identify how we:-

- engage with all RMAs in the use of PSCAs
- make best use of our shared partner resources to deliver maintenance and similar activities
- make best use of our shared partner resources to manage a flood incident and recovery works
- ensure delivery of our programmes efficiently in order to recycle savings to more work on the ground and have a means to capture these efficiencies and demonstrate clear value for money

### **4. CURRENT POSITION**

At December 2016, EA have 66 PSCAs in place. These comprise 59 with IDBs, 2 with County Councils, 3 with District Councils, 1 with a City Council and 1 with a Navigation Authority. 14 other PSCAs are in varying stages of development. Partners to these PSCAs and their locations across the country are shown in Appendix 1. Some IDBs are also in the process of developing PSCAs with their LLFAs.

The wide range of works completed to date under PSCAs has included weed control, grass cutting, dredging/de-silting, tree/bushing works, vermin control, obstruction removal, bank repairs and incident response during December 2013, January 2014 and December 2015 events.

The total value of work in 2013/14 was approximately £65k when there were few PSCAs in place and has increased annually. Further works are ongoing this financial year and the total value is expected to rise significantly in future years as more PSCAs are developed and opportunities for efficiency gains are fully explored. The total value to date for all years is approximately £3 million for a broad range of maintenance (revenue) works and a further £3 million for a small number of capital works.

The majority of works have been funded by the Environment Agency and undertaken by IDBs or LAs. Whilst there have been some cases where EA has undertaken work for an IDB, there is scope for more work to be carried out by EA on behalf of IDBs or other RMAs.

To date, the capture of detailed efficiency savings is limited to a number of specific work examples, such as those in Appendix 2. There is also anecdotal evidence for other examples, suggesting typical efficiencies of 5-10% with higher savings for some PSCA works. Working with partners, EA are planning to capture efficiency data in spring 2017. It is also intended that information is gathered in a consistent format as a matter of routine in future. Captured data can then be expressed in an open and transparent manner.

Similarly there are examples of good practice in use of PSCAs, but not all are recorded or shared. Sharing good examples can help promote PSCAs to new partners or help improve efficient working arrangements between existing PSCA partners. Examples of good practice between EA / North Level IDB, EA / Witham IDBs and EA/Trent Valley IDB are shown in Appendix 3.

Any local issues arising from PSCAs, such as arrangements for sharing plant, also need to be addressed and their resolution shared nationally to benefit others.

## **5. AREAS FOR IMPROVEMENT AND RECOMMENDED ACTIONS**

An Action Plan has been prepared for each of the identified PSCA areas where there is scope for improvement. Key findings of the issues and recommended actions are shown in Appendix 4.

It is emphasised that considerable benefits have already been achieved by PSCA working to date and that this should not be underestimated. The Action Plan is intended to provide a way forward to further develop and enhance partnership working opportunities to benefit respective RMA partners and the communities we all serve.

There currently appears to be a degree of inconsistency across some local teams in the manner PSCAs are embraced, both within EA and IDBs. This is understood to be due to variations in workloads and resources and should improve with time. Local Authorities are starting to take an increasing interest in PSCA working opportunities.

Whilst the focus has been to develop PSCA benefits between EA and partners, there may be scope for similar benefits between IDBs and non-EA partners. Similar principles will apply.

Common to all recommended actions is the willingness to develop strong working relationships between key officers of the respective partners. It is this culture of being open and honest with each other and taking a positive attitude together which will bring greatest rewards.

## **6. WORKING GROUP MEMBERS**

The working group for this PSCA ADA work stream was as follows

Trevor Purlant – ADA T&E Chair

Ian Benn – Shire Group of IDBs

Paul Sharman – North Level IDB

Martin Shilling – Witham 1<sup>st</sup>, 3<sup>rd</sup> and Upper Witham IDBs

David Sisson – Water Management Consortium

Bill Symons – York Consortium of Drainage Boards

John Cooke – Towergate Insurance

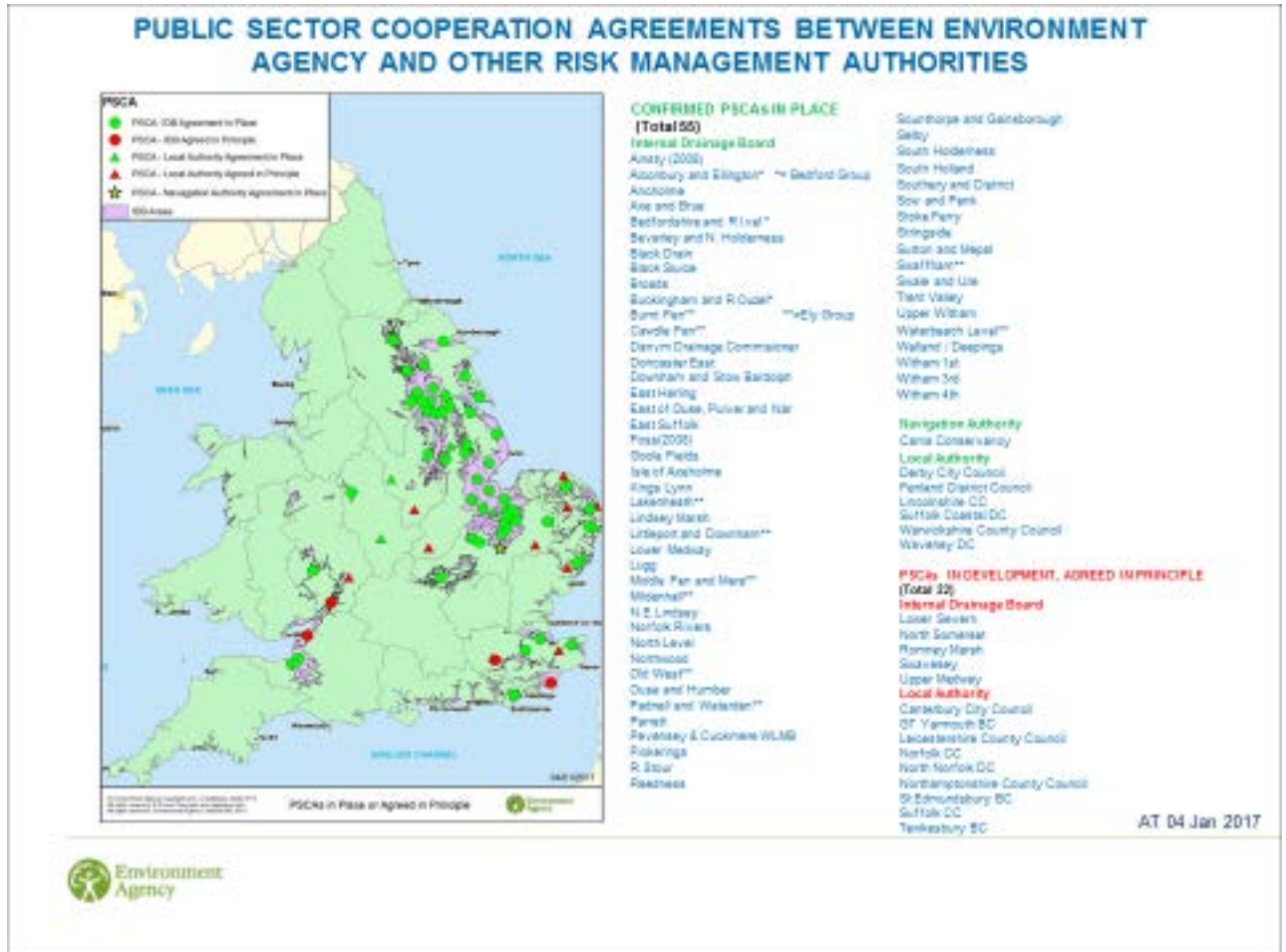
Ian Russell – Environment Agency

## **APPENDICES**

1. Current PSCAs between EA and other Risk Management Authorities
2. Examples of PSCA Use
3. Examples of PSCA Good Practice
4. PSCA Action Plan
5. EA System Rationalisation (Shire Group IDBs) -IDB Considerations for PSCAs, De-maining and Asset Transfer – (separate document)

**JANUARY 2017**

# APPENDIX 1 - CURRENT PSCAs BETWEEN EA AND OTHER RISK MANAGEMENT AUTHORITIES



## EXAMPLES OF PSCA USE (Works and value)

## APPENDIX 2

**North Level IDB** (2013/14 - £30k, 2014/15 - £200k, 2015/16 - £400k, Environment Agency funded, similar works 2016/17 ongoing)

- R. Nene (fluvial and tidal stretches), Whittlesey Washes.
- Grass cutting, weed control, dredging, bank/defence repairs and vermin control.
- Efficiency gained by IDB undertaking vegetation works whilst their machines in local area, avoiding cost of transporting Environment Agency or Contractor plant by low loader. For dredging, IDB used EA dragline, alternative resource would have been Contractor. IDB have good relations with landowners and agreed working windows to good effect. These works formed part of the overall partnership approach to management of Nene Washes.
- 20% efficiency estimated for dredging element of 2015/16 works

**Witham 1, Witham 3 and Upper Witham IDBs** (2013/14, 2014/15, 2015/16, 2016/17 Environment Agency funded, approx £15k per annum each IDB)

- Anwick, Farroway, Sandhill, Duckpool, Tilehouse, Cardinal, Skinnard, Boultham, Shire, Foston catchwaters, dykes, drains.
- Weed control, channel clearance, bank repairs, assistance during flood incidents
- Two cuts weed control and channel works by IDBs on adjacent Environment Agency systems whilst working on own systems, avoiding transport of plant and securing reduced costs.

**Trent Valley IDB** (2013/14 and 2014/15, 2015/16, 2016/17 Environment Agency funded, approx £50k per annum)

- The Fleet, Low Field Drain, Cocker Beck.
- Grass cutting, weed control, bushing, channel re-profiling, H&S improvements
- Works undertaken by IDB whilst working locally on their own systems, optimising working time agreements with landowners and making best use of available plant / resource. Prior to PSCA, tendered price by contractor for similar works was approximately 10% higher.
- During flood incidents, IDB clears screens, removes obstructions and bolsters standby roster numbers

**Lindsey Marsh Drainage Board** (2014/15, 2015/16, 2016/17 Environment Agency £15k, IDB £15k per annum (no exchange of funds))

- IDB undertakes work on Woldgrift Drain Main River for EA, EA undertakes work on IDB Ordinary Watercourses Orby system.
- Weed control, bank maintenance undertaken by one party working for the other as reciprocal arrangement whilst already in the vicinity. Duplication of transporting plant avoided leading to reduced costs.

**Warwickshire County Council** (2015/16, 2016/17 EA £2.6 million FDGiA funding for emergency works. Joint EA /WCC led capital scheme. Other partners contributing)

- Bell Brook Culvert, Snitterfield
- Works to bypass collapsed culvert ( decommissioned)
- Most efficient means of delivery by WCC own appointed framework contractor ( agreed with EA legal and procurement)

## **1. EA / North Level IDB – Maintenance of Moretons Leam**

### **An example of partnership funding and working**

The legal agreement regarding the management and maintenance of Moretons Leam, Whittlesey, currently “Main River”, is between the Environment Agency and the North Level District Internal Drainage Board.

It commenced 1 April 2013 and runs for a 10 year period. It is part of a long term strategy towards potential de-maining and transfer of the watercourse asset. The maintenance must be carried out in conjunction with the Management Statement for Maintenance Operations plan 2013-2023 as previously agreed between all parties (RSPB, NE, EA, North Level IDB), with an annual review meeting. Work is carried out under the EA /IDB PSCA by IDB.

With regards to funding, in year 1 the Environment Agency contributed £12.5k or 50% of IDB spend, whichever is lower. Year 2 was £6.25k or 25% of IDB spend, year 3 £3.75k or 15% of IDB spend and finally year 4 onwards all costs to be met by IDB. North Level IDB are undergoing a boundary review to help accommodate the shortfall in funding.

## **2. EA /Witham 1, Witham 3 and Upper Witham IDBs – Annual Maintenance of identified “Main River” watercourses.**

By close liaison on work programmes, EA and IDBs have agreed that IDBs are best placed to undertake various maintenance works on a number of identified EA systems where these will achieve efficiencies. These systems are in close proximity to IDB watercourses and works are of mutual benefit to both EA and IDB.

The IDBs have successfully completed the works by including these same watercourses within their own work programmes for the past 3 years. The plan is that they will continue this work in future.

The forward planning of work in this manner allows the IDB to prepare and manage their resources effectively and efficiently. Further examples for working will be considered subject to satisfying the requirements identified in the PSCA User Guide.

## **3. EA / Trent Valley IDB – Flood Incident management**

During 2015/16 winter floods, IDB “backfilled” for EA local field teams, undertaking maintenance and obstruction clearance on their behalf. This allowed EA Trent team to provide the necessary additional EA resource for management of floods in Cumbria.

This lateral approach to overall management of resources was only made possible by the good working relationships between partners.

## ADA WORK STREAM - PSCAs ACTION PLAN

AREA FOR IMPROVEMENT	ISSUE	RECOMMENDED WAY FORWARD	LEAD	TIMESCALE
1. FORWARD PLANNING	a. Level of communication between partners, to discuss opportunities for PSCA work, varies across the different areas and should be improved	a. A culture change by EA, IDBs and LAs is needed in some areas to fully embrace and secure PSCA benefits. All parties may instigate discussions. Key to success is an open and honest approach and development of good working relationships and regular contact. EA, IDBs, LAs to promote close partnership working internally within their respective organisations Good Practice examples to be shared across areas.	EA, IDBs, LAs	Throughout year
	b. Timing of communications also varies across areas	b. <b>September / October</b> - both parties share should share best available information on future plans, (at time of EA indicative budgets). Consider next year and future 5 years. Consider opportunities for benefits of PSCA working – efficiency where fully funded and scope for additional work by joint funding Linkages of PSCA working to potential de-maining and asset transfer may also be discussed.	EA, IDBs, LAs	Sep/Oct
		<b>February/March</b> - PSCA work confirmed for next year (EA budgets confirmed) and beyond if able to do so.	EA, IDBs, LAs	Feb/Mar
		Schedule 3 confirming individual or collective works agreed by both parties' as soon as able, when budgets confirmed	EA, IDBs, LAs	Mar /Apr



## ADA WORK STREAM - PSCAs ACTION PLAN

	<p>c. Lack of forward planning restricts optimal planning, procurement and use of resources (plant, labour, funding). Knowledge of future work may influence investment in plant etc.</p> <p>d. Without good forward planning , opportunities for efficiency savings and benefits of PSCAs are missed</p>	<p>Timings above should align with IDBs reporting to their Boards (many around January) and are suggested minimum. Close liaison to be maintained throughout year. Any changes/opportunities in programmes to be discussed as soon as possible.</p> <p>c. Resource management to be discussed at above meetings. Longer term commitment to be encouraged where budgets allow.</p> <p>d. All parties need to consider scope for efficiency savings and wider benefits such as joint funding to achieve additional works by partner working on their respective systems and assets.</p>	<p>EA, IDBs, LAs</p> <p>EA, IDBs, LAs</p>	<p>As above</p> <p>As above</p>
2. STANDARDS OF MAINTENANCE	<p>a. Each RMA may work to a different standard of maintenance on their respective assets, compared to their partner's standards for their assets. This may adversely impact on the partner's assets and systems.</p>	<p>a. The standards of maintenance are normally determined by the Authorising Party (e.g. EA) and funded by that party accordingly. Higher standards can be achieved under the PSCA if agreed by the parties, provided the additional funding can be provided from another source, such as the Delivery party or 3<sup>rd</sup> party (e.g. IDB , landowner). Standards and level of work must take into account any environmental objectives or constraints and be agreed by the Authorising party on whose asset the work is to be done.</p>	EA, IDBs, LAs	Sep/Oct and Feb/Mar Mtgs



## ADA WORK STREAM - PSCAs ACTION PLAN

	<p>d. Environmental standards when maintaining watercourses may also vary across RMAs. Is this restricting potential use of PSCA and benefits to be gained?</p>	<p>d. All RMAs are bound to comply with environmental legislation. Details for particular watercourses and assets need to be agreed, led by the Authorising party. This should not constitute a blocker to effective and efficient working</p>	<p>EA, IDBs, LAs</p>	<p>Sep/Oct and Feb/Mar Mtgs</p>
<p>3. RECIPROCAL WORKING</p>	<p>PSCAs provide for reciprocal working on each other's assets and systems where there is mutual benefit and efficiency or other benefits. However, the majority of work to date has been IDB or LA working on behalf of EA. This poses a number of questions regarding lack of reciprocal works by EA for others.</p> <p>a. Is there a positive approach from IDBs and EA for reciprocal working?</p>	<p>a. The culture for reciprocal working needs to be developed and embraced by all partners. PSCAs are not simply a one-way process for IDBs to undertake works for EA. All options should be considered where there are available local skills and resources to deliver works efficiently or to achieve additional works. Under PSCA, the Authorising party for work on main river will be EA and the Delivery party IDB (and its contractors). For works on IDB Ordinary watercourses, the IDB will be Authorising party and EA (and its contractors) the Delivery party. Similar arrangements apply where LAs are a party to the PSCA.</p>	<p>IDBs, EA</p>	<p>Throughout year</p>

## ADA WORK STREAM - PSCAs ACTION PLAN

	<p>b. Do EA have resources to undertake works?</p> <p>c. Can EA MEICA teams support PSCA works?</p> <p>d. What are recharge rates for EA and their contractors?</p>	<p>b. The extent of available EA resources will vary across the areas and needs to be discussed at a local level at regular liaison meetings (refer item 1a). EA may use their contractors where appropriate, similar to IDB use of contractors</p> <p>c. The potential for MEICA work should be considered as for other EA resources</p> <p>d. As part of reciprocal arrangements it is essential that EA identify recharge rates and are able to provide estimates and final accounts for works in similar manner that IDBs identify their rates. EA are currently working to develop national recharge rates. During the interim, rates should be determined locally and should not detract from exploring reciprocal working opportunities.</p>	<p>EA</p> <p>EA</p> <p>EA</p>	<p>Sep/Oct and Feb/Mar Mtgs</p> <p>Sep/Oct and Feb/Mar Mtgs</p> <p>Mar 2017</p>
<p>4. INCIDENT MANAGEMENT AND RECOVERY WORKS</p>	<p>a. Currently there are few examples of good partnership working on flood incidents and subsequent recovery. There is considerable scope to do more in terms of timeliness and efficiency. Governance of flood resilience</p>	<p>a. The culture of helping each other needs to be developed. Partners need to be involved early in any flood event to optimise potential benefits whether on a local or national scale. Local partners should also discuss recovery programmes of work at the earliest opportunity to identify best use of available resources in the short and medium terms</p>	<p>EA, IDBs, LAs, Police</p>	<p>Throughout year</p>

## ADA WORK STREAM - PSCAs ACTION PLAN

	<p>planning and involvement of IDBs varies across the country</p> <p>b. Are we thinking strategically? Think Big ( national) as well as local – Act early</p>	<p>Partners should share information on their available resources (number of operatives, plant, pumps and other equipment).</p> <p>b. Best use of resource may be made by IDB backfilling for EA routine maintenance and local management of systems whilst EA are deployed elsewhere in country on mutual aid. This take advantage of IDBs knowledge of the local patch.( refer EA /Trent Valley IDB Example in Appendix 3)</p>	IDBs, EA	
5. SHARING PLANT	<p>a. There are opportunities to share plant in order to achieve efficiencies.</p> <p>e.g. North Level IDB currently undertake dredging works for EA on Lower Nene using EA dragline .</p> <p>Can this be achieved under PSCA and how should this work?</p>	<p>a. Plant may be shared if appropriate terms are agreed by the parties. Considerations include having fully trained operator for plant, checking insurance and responsibilities for maintenance of plant and replacement parts etc.</p> <p>EA are preparing guidance on use of their plant. In the first instance, EA's Partnership Manager should be contacted before sharing plant.</p> <p>IDBs should similarly consider arrangements before sharing their plant</p>	<p>EA, IDBs, LAs</p> <p>EA</p> <p>IDB</p>	<p>Throughout year</p> <p>Mar 2017</p> <p>Mar 2017</p>
6. NATIONAL TEMPLATE DOCUMENTS	<p>Current PSCA docs were last updated in March 2016, taking account of feedback from IDBs, EA and ADA. Key amendments at that time included changes to insurance clauses and the introduction of Schedule 3 to identify roles and responsibilities for specific works.</p>	<p>a. Current docs are fit for purpose and should continue to be used. A National standard approach should be maintained.</p>	EA, IDBs,	Continue until changes occur

## ADA WORK STREAM - PSCAs ACTION PLAN

	<p>a. Is there a need to update the current “national template PSCA” and associated “User Guide”?</p>	<p>There may remain some scope for minor modifications to insurance clauses. The extent of the issue should be explored further before the need for change is substantiated. ADA may take a view on this.</p> <p>EA are considering changes to the User Guide to clarify the benefits of mutual working, to encourage reciprocal working and help manage the extent of PSCAs across RFCC areas. Any proposals will be discussed with ADA and partners before implementation.</p> <p>The frequency of changes to national standard docs should be kept to a minimum. Where there is a need for change this should encompass all requirements at a single update rather than continuous intermittent changes</p>	<p>LAs ADA</p> <p>EA, ADA</p> <p>EA, IDBs, LAs, ADA</p>	<p>Mar 2017</p> <p>Mar 2017</p> <p>Only when required</p>
	<p>b. Some PSCAs were set up prior to current March 2016 national template. Is there a need to update these PSCAs?</p>	<p>b. All PSCAs can continue to be used as they were originated.</p> <p>Use of Schedule 3 is good practice even if not referred to in original PSCA.</p> <p>Older PSCAs should be varied at a time when there are benefits in doing so. If changes to national template are to be made, timing of variations should be deferred to take these changes into account. At the time of any variations , the period for which the PSCA applies should be extended to achieve optimum benefits ( e.g. extend to 5 years from date of variation)</p>	<p>EA, IDBs, LAs, ADA</p> <p>EA, IDBs, LAs</p>	<p>Until changes made Now, onwards</p> <p>Timing to coincide with benefits</p>

## ADA WORK STREAM - PSCAs ACTION PLAN

7. DATA CAPTURE	<p>a. The use, efficiency savings and other benefits of PSCAs are not well recorded.</p> <p>Improved capture of data will highlight benefits of good partnership working and promote additional PSCAs and their use.</p> <p>Improved data needed for reporting to all partners and central govt. ( IDBs, ADA, EA, LAs, Defra)</p>	<p>a. A system of capturing data routinely and on a regular basis should be developed, making use of available sources such as Schedule 3 info. to reduce additional administration as far as possible</p> <p>Data capture to include indicators for</p> <ul style="list-style-type: none"> <li>• Effectiveness in achieving outcome</li> <li>• Efficiency (VFM)</li> <li>• Additional work that could not be achieved by partner working alone</li> <li>• Quality</li> <li>• Good practice or lessons learned, to be shared locally and nationally as appropriate</li> </ul>	EA, ADA, IDBs LAs	Mar 2017, 6 monthly thereafter