



Department
for Environment
Food & Rural Affairs

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By e-mail:

Our ref: RFI 9626

Date: 31 January 2018

Paul Crooks
request-430712-0e0c5ef4@whatdotheyknow.com

Dear Mr Crooks,

REQUEST FOR INFORMATION: SELBY AREA INTERNAL DRAINAGE BOARD

Thank you for your letter, which we received on 31 December 2017, about Selby internal drainage board (IDB). I am sorry that you are having difficulty getting the information you require.

We have handled the part of your request that asks for recorded information under the Freedom of Information Act 2000 (FOIA). In addition, I set out below some further information from the Defra policy team, which you may find helpful.

I understand from your email of 31 December that you sent an FOI request on 8 October, and are requesting an internal review as to why this has not yet been answered. As explained in my letter dated 27 November 2017, I am afraid that Defra did not receive the 8 October request. It is therefore not possible for us to carry out internal review of how it was handled. However if you are able to resend the request to the information rights email address (InformationRequests@defra.gsi.gov.uk) the department will of course consider it in the usual way.

In your correspondence, you have raised a number of points about pay issues in relation to Selby IDB. As you will be aware from my previous letters, Defra has considered this question under FOIA and do not hold any information that relates to this issue.

Regarding whether Defra Ministers could follow up this issue on your behalf, I have spoken to the Defra policy team about whether this would be appropriate. Their advice is that IDBs are independent public bodies. Defra takes a close interest in whether IDBs are fulfilling their statutory functions in relation to land drainage and flood risk management. However the department has no direct oversight role, and is not involved in supervising the day-to-day operation of IDBs. It would therefore not be appropriate for Ministers or officials to pursue this question on your behalf in the way that you are suggesting.

However, there are routes available if you want to complain about how you have been treated by an IDB. In the first instance, if you have not done so already, you may wish to take it up directly with the IDB: I understand that the Clerk of the Board can be reached at info@selbyareaaidb.org.uk. You may also wish to consider contacting the Local Government Ombudsman who deals with general complaints about local public bodies including IDBs. For further information please see: <http://www.lgo.org.uk/make-a-complaint/fact-sheets/environment-and-waste/flooding-and-land-drainage-issues>.

Alternatively, you may wish to consider contacting the Citizens Advice Bureau for advice on other routes that may be open to you.

I appreciate your frustration in not being able to get answers to your questions and I am sorry that I am unable to be of further assistance. I hope the information I have provided about alternative routes available to you is useful.

Yours sincerely,

Guy Mawhinney

Information Rights Team

InformationRequests@defra.gsi.gov.uk

Annex

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Nick Teall, Head of Information Rights, Area 4A, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF