

MINUTES of Meeting held on Monday 12th September 2022
at Pike Hill Golf Club, Tadcaster Road, Askham Bryan, York.

PRESENT

Mr S E Jackson (In the Chair)
Mr A P Sykes
Mr C E Mills
Mr R F Hildreth
Mr S Barnes
Mr J Sanderson
Mr A Percy
Mr C Clayton
Mr P Bramley
Mrs S Wiseman
Cllr J Galvin
Mr S Wragg
Cllr A Warneken

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Cllr D Carr.

MEMBERSHIP

The Chairman welcomed Cllr A Warneken to his first meeting of the Board. He informed he is an elected Member of the new North Yorkshire Regional Council. The new arrangements coming into place for the next financial year.

Queen Elizabeth II

The Chairman informed the Board he had decided not to cancel the meeting following the loss of the Queen to the nation last week. He however asked out of respect for Members to stand in silence for one minute.

Members stood in silence reflecting on the sad loss.

Meeting Chairman of Recent Meetings

The Chairman thanked Mr C E Mills and Mr A P Sykes for Chairing recent meetings when he has been unable to attend Board Meetings.

DECLARATION OF
INTEREST

There were no declarations of interest related to the items listed on the Agenda.

The Clerk further informed Members that the Register of Members Interests was available for inspection and update as required.

MINUTES OF LAST MEETING

It was proposed by Mr A Percy, seconded by Mr C E Mills and RESOLVED that Minutes of the Meeting held on 20th June 2022, a copy of which had been sent to all Members, be taken as read and approved and that they be forthwith signed by the Chairman as a correct record.

MATTERS ARISING

Meeting Survey Results

The Clerk informed that a survey had been sent to all Members following the last meeting. This seeking Members views on the best day and time to hold Board Meetings. He had copies of all the responses at the meeting and read out all the relevant comments which Members considered. In relation to the favoured days Monday received 14 votes and Wednesday received 10 votes. The Board has previously moved the meeting day to Wednesday when an old venue was not available and the meetings turned out not to be quorate. In summary from the survey, it remained that Monday night at 6.30pm was the most popular. The time of 6.30pm to 8.30pm receiving 16 votes.

Members agreed to sustain Monday meetings at 6.30pm.

There were no further matters arising from the Minutes which were not covered under the agenda items.

Board Membership Numbers

The Clerk raised continuing concerns about having adequate Membership attendance for Board Meetings to be quorate. The Board having a Membership of 29 which related to sustaining district representation of the five Boards who amalgamated into Ainsty (2008) IDB. This being significantly larger than the Defra guidance on Board Membership of 21 in total. Eleven of which should be Council Nominated Members.

Current Board Membership and Option of Reduced Membership

Current Membership = Total 29 – Elected 14 – Nominated 15
Proposed Membership = Total 19 – Elected 9 – Nominated 10

The Clerk provided the above table at the meeting for future consideration for the reduction in Membership.

Calculations for Council Nominated Members

RV = land and property rateable value in table below

	Numbers	RV	RV	Member	Members
COY	11	£5,807,799	75.5%	7.47%	8
Selby	2	£ 777,452	10.1%	1.00%	1
Harrogate	2	£ 920,759	12.0%	1.18%	1
Leeds	0	£ 188,245	2.4%	0	0
Total	15	£7,694,259	100.0%	10	10
Elected	14			9	9
Quorate	10			7	7

Notes to Calculate 10 Nominated Members

1 Member = RV/Number of Members

1 Member = £7,694,259/10 = 10.104 % of RV

Council Nominated Members

The Clerk informed that Selby and Harrogate representation from 2023/24 financial year will be Nominated under the arrangements proposed in the formation of the new North Yorkshire County Council. At this stage it is uncertain if this new Council will nominate only elected Councillors to IDBs but they would be able to make four nominations to the Board.

Mr S Wragg noted that it was unlikely the City of York Council can Nominate eleven Members and by historical reference Nominations have been sustained at three or four Members. He however is not concerned as he attends all the IDBs meetings as the Councils technical representation.

Cllr J Galvin being in agreement with Mr S Wragg and noted the previous Membership of Mr G Smith who had historically been Acaster Parish Council's Clerk. This highlighting another potential option for more nominated Members perhaps from parish councils.

Mrs S Wiseman agreed it was very difficult to find appropriate people with an interest in IDBs to become a Nominated Member. The IDB should perhaps see if parish council members would wish to be represented on the Board. The Council would then need to be approached to see if they would be prepared to nominate them.

Mr C Clayton asked why the Board cannot reduce its Membership number for a meeting to be quorate to below a third so less than ten. He further noted that Members of the public can attend Board meetings without being a formal Member.

The Clerk informed that Defra guidance in the preparation of the Boards Standing Orders required a third of Members needed to be in attendance for a meeting to be quorate.

Cllr A Warneken believed IDBs should promote themselves better and this may bring forward more candidates.

Members discussed the above and recognised the numbers of Board Members required to be Nominated was potentially unrealistic particularly from the City of York Council. They noted the Clerks option which would see a reduction from fifteen to ten moving the City of York Membership from eleven to eight was a potential option. The alternative being reducing the Nominated Membership of York to seven and overall Nominated Members to nine.

Elected Membership

The Clerk informed the Boards Elected Member representation was good, the Board currently having twelve. In this if a reduction in Membership to either nineteen or seventeen would result in the Elected Membership reducing to either nine or eight. He however informed he would prefer the option of nineteen so the reduction in Elected Membership is restricted to three.

Reduction in Membership

The Clerk informed that the process of reducing the Board Membership is progressed by the Environment Agency Solicitor. This takes some time to conclude (possibly six months to a year) as agreement is needed with Defra. The Clerk noted this item had not been included on the Agenda but a formal decision can be made at this meeting as the Chairman was in agreement. It also might be possible to agree with ADA the new quorate Membership number for future meetings if the Board agrees to formally progress a Membership number reduction.

Boards Consideration

Mr A Percy believed the reason for the discussion was to change the Membership to reduce the number for a meeting to be quorate. In view of this he proposed that the Board reduces its Membership to nineteen with ten nominated and nine elected.

Mr C Mills seconding the proposal which was **UNANIMOUSLY AGREED** by the Board.

HEALTH AND SAFETY

The Clerk confirmed that no reportable incidents had occurred since the date of the last Meeting which required reporting to the Health and Safety Executive (RIDDOR).

RATES

The Clerk reported that the total rates collected up to the 12th September 2022 are as follows:

(a) Special Levy	-	£165,041.82	(50.0%)
(b) Direct Levy	-	£ 64,644.12	(94.0%)
		<u>£229,685.94</u>	

The Clerk showing the Chairman a list of accounts with sums outstanding.

The Clerk confirmed that any outstanding rates will be pursued for payment and any remaining sums or credits at year-end will be included in next year's rate demands.

MAINTENANCE WORKS

The Engineering Assistant had circulated a report to Members with the Agenda along with a web link to electronic maps identifying the maintenance work carried out by the Board. He informed that the Board had taken out a licence in new mapping software. This creates a web address which links to an online map on a view only basis highlighting the work progressed to date. The work for last year being highlighted which can be saved for reference in the future.

Mr R F Hildreth informed he was unable to load the link on his iPhone device to be able to view the maps.

The Engineering Assistant offered to look into this with him and the software providers but was slightly surprised as the maps appear to work on his iPhone device.

Maintenance Report

The Engineering Assistant referred to the report circulated with the Agenda which he ran through highlighting the items raised.

Carr Drain Culvert – CCTV Survey

The Engineering Assistant reported that the section of the drain in culvert had been recently surveyed as agreed at the last meeting. A report was currently being produced; the outcome being discussed at the meeting.

Contracted Flail Mowing and Damage to Land Drain Outlets

Mr A P Sykes was concerned about damage being caused to drain outlets when flailing occurs. He asked if potentially contractors could be informed of these locations by mapping such as the reports on mapping being given for maintenance activities

The Engineering Assistant informed currently this approach is unlikely to be practical. He however believed it would be better if these outlets can be built in the bank or through bank revetment and then not be at risk. It being noted some outlets become more exposed over time with bank settlement and erosion.

Members discussed the problems of these outlets and considered marking with a post and sign at the correct location so the outlet location can be established before flailing.

Mr A Percy believed the Board should focus on a standard sign and post length to identify the location of drain ends for identification in the future which can easily be seen.

Members and the Engineering Assistant being in agreement to this approach. The Engineering Assistant being asked to produce a sign and a required post size or colour to specify what is required. This then being used to be identified by the Boards contractors and workforce to try to prevent future drain end damage.

Health and Safety Awareness – Health and Safety Review with Safety Advisor

The Clerk informed of a meeting held on 23rd May with the Board's Health and Safety Advisor, Mr R Shepherd, along with the Engineering Assistant. At this meeting the Board's Health and Safety Policy was reviewed. It was also agreed the Engineering Assistant should seek health and safety issues or prosecutions in work situations similar to the Boards activities. The intention is these events can be included for discussion in his report by Members in relation to risk avoidance in the Boards work.

The Engineering Assistant had included in his report a recent incident that had resulted in an accident relating to machinery working in the vicinity of pedestrians. The content of the report and the associated risks with the Boards work was considered. This including conducting appropriate risk assessments and controlling working areas. This along with appropriate PPE being used such as high vis jackets and using the cameras on the Boards newer machines.

Electricity

The Clerk noted that the Boards current electricity contract is ending on 2nd December 2022. Any new contract is likely to see an increase in cost both in unit rates and standing charges. The Board in its costing estimates for electricity usage uses average five-year consumption. In adopting this approach clearly electricity costs will be above average if we have a particularly wet year.

Increases in Cost

The Clerk informed that unit rates now are between about 50p to 90p plus a standing charge increase. Moor Lane, the Boards largest pumping station, is likely to increase by a factor of three. The Board has been in contact with Wolds Purchasing to consider electricity costs but they are unable to quote currently as they are in the process of agreeing a new supply contact. We are also aware the Government are proposing business energy cost relief which has been announced but the details of how this will be applied has not been made available yet.

Mr C E Mills asked if the Board has considered generating electricity with solar panels.

The Clerk informing that the power generated would help but the demand at Moor Lane is significant and the cost to install would need to be justified but a potential option for the future.

(SEE APPENDIX TO MINUTES)

UPLAND WATER CONTRIBUTION

The Clerk advised that claims had been made to the Environment Agency for the 2021/22 Upland Water ditch maintenance works. This was made on the basis of the eligible sum of £67,946.90 on expenditure of £159,492.65 on highland water carriers up to the end of financial year 2021/22. The Clerk being informed that as the overall IDB claims significantly exceeds the budget available in the Yorkshire Region. In view of this the Clerk believes an initial award of 74.92% has been agreed thus a payment of £50,905.14. The Environment Agency will then consider this matter later in the year to see if it can achieve any efficiencies in its revenue programme and consider if an increased percentage can be paid.

The Board having no certainty in the percentage which will be paid by the Environment Agency in the year after the activity has been carried out. The Board however supports and appreciates the Regional Flood and Coastal Committee (RFCC) at keeping the percentage contribution at a high level in recent years.

**BUSINESS RISK
ASSESSMENT
POLICY**

The Clerk informed the Board that the Association of Drainage Authorities have issued a model policy document for the Board's Risk Assessment. The format is in the form of a 3x3 matrix which evaluates the likelihood of an event happening against the consequence of the event occurring. A draft updated Risk Assessment for the Board on this basis has been prepared which Members considered at the Meeting.

It was noted that the Risk Assessment can be updated as new risks are established and mitigated. The Risk Assessment has been updated with the comments following the report of the Board's Internal Auditors report/letter.

Brexit, Materials, Energy Supply and Climate Change

The Clerk highlighted how the risk of Brexit with markets and supply appear to have settled down. This along with the COVID pandemic restrictions diminishing. In the time following the pandemic shortages of raw material such as steel, cement and wood are not as prevalent as initially predicted. Costs however appear to have increased and timber used in watercourse bank works are in short supply at a reasonable cost. The ongoing energy crisis is clearly worsening economically. This having an impact on fuel and electricity costs. Electricity supply and costs clearly being a developing risk which requires watching and review. Climate change however remains an ongoing and developing issue.

The Board Members reviewed this document and considered the higher risk matters, which were highlighted in the report. In particular climate change, fuel and material shortages.

The Clerk informed the Board that the audit required the Board to formally consider and approve its Risk Assessment for 2022/2023.

Mrs S Wiseman proposed that the Board adopts and approves this policy for financial year 2022/23.

Mr R F Hildreth seconding the proposal which was **UNANIMOUSLY AGREED** by the Board.

**ADA NATIONAL
CONFERENCE**

ADA National Conference

The Clerk informed that the ADA National Conference is being organised on 9th November 2022 at Dyson Farms the Hive, Nocton, in Lincolnshire. Arrangements can be made for Members to attend which can either be in person or by virtual meeting. The Board agreed to pay the Members conference fee if they wish to attend.

ADA AGM

The Clerk informed the ADA National AGM will be a virtual online meeting on 28th September 2022. This will be a free event and the details can be provided to book a place on the virtual meeting. Then joining details and meeting documents will be provided prior to the meeting.

Potential Demonstration in 2023

The Clerk informed that a potential ADA National Land Drainage Machinery and Equipment Demonstration is being considered in 2023 which is likely to be held at Dyson Farms at Carrington near Boston in Lincolnshire on 5th and 6th July 2023. This is going to be called Flood and Water Live 2023.

The Chairman asked if Members had any concerns sending the Boards workforce if the wish to attend which was agreed.

ADA NORTHERN BRANCH CONFERENCE

Northern Branch Annual General Meeting

The Clerk as ADA Northern Branch Director is hopeful that a Northern Branch AGM can be organised on 4th November 2022 (meeting now on 25th November 2022) at Yorkshire and Humber Drainage Board's new office. It is hoped at this meeting a new Chairman will be elected and nominations will be sought prior to the meeting. This along with agreement to a New Branch Constitution which the Clerk is currently preparing as the Branch Secretary.

CORRESPONDENCE

Environment Agency Appointed RFCC Member Vacancies

The Clerk informed that the Yorkshire Regional Flood and Coastal Committee were advertising vacancies on the Committee for Environment Agency nominated representatives. They note that they are particularly seeking people from environmental and rural experience which include farmers and landowners.

The Clerk reported that no further significant correspondence had been received by the Board since the date of the last meeting.

PLANS

The Clerk referred to the list of Planning Applications commented upon since the last meeting of the Board, which had been circulated to all Members with the Agenda.

The Clerk reporting that all this information was now digitised and a copy can be provided.

(SEE APPENDIX TO MINUTES)

CONSENTS

The Clerk referred to the list of Consents granted since the last Meeting of the Board, which had been circulated to all Members with the Agenda.

The Clerk reporting that all this information was now digitised and a copy can be provided.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £716,364.94 with Barclays Bank as at the 2nd September 2022.

The Virgin Bank account has an additional credit balance of £153,715.10. The Boards placing funds into a twelve month deposit account which was achieving 1.90% gross per annum.

The Nationwide Building Society account has an additional credit balance of £74,466.06. The Board placing funds in a 95 day business saver account which is achieving 1.15% gross per annum.

The total balance of the Boards funds held in these accounts is £944,546.10.

The Clerk confirmed that Barclays Bank continue charging for its banking services.

ACCOUNTS FOR CONFIRMATION

The Clerk referred to the list of accounts paid since the date of the last Meeting, which had been circulated to all Members with the Agenda.

It was UNANIMOUSLY PROPOSED to RECOMMEND that payment of these accounts be confirmed.

(SEE APPENDIX TO MINUTES)

DATE OF NEXT MEETING

It was directed that the next Meeting of the Board is due to be held on **Monday 14th November 2022** commencing at **6.30pm**.

FUTURE MEETINGS

Potential Future Meetings:

Monday 16th January 2023

Monday 13th March 2023

Monday 19th June 2023

Monday 11th September 2023

Monday 13th November 2023

ANY OTHER BUSINESS

Mr C E Mills thanked the Boards Foreman regarding recent maintenance work and noted he was pleased how easy it was to work with him.

CLOSE OF
MEETING

The Chairman closed the meeting at 7.40pm as there was no other business.

(APPENDICES TO FOLLOW)