

MINUTES of Meeting held on Monday 18th January 2021 via Microsoft Teams Online Meeting due to Global Pandemic. No attendance at St Andrews Parish Church, York

PRESENT

Mr S E Jackson (In the Chair)
Mr C E Mills
Mr A P Sykes
Mr J Sanderson
Mr J B Blacker
Mr A Percy
Cllr J Galvin
Cllr D Carr
Cllr A Myatt
Cllr D Mackay

The Clerk – Mr W Symons
Engineering Assistant – Mr N Culpan

MEMBERSHIP

The Clerk informed Members about the sad loss of Mr Geoffrey Smith, a Nominated Member by York City Council. He joined the Board on 14th June 2011 and attended meetings regularly.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr S Barnes and Cllr N Waller.

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

The Clerk informed that the meeting due to be held in November was cancelled because of the virus pandemic. In view of this the Minutes of the meeting held on 14th September had been circulated with the Agenda. It was further noted that the meeting was not quorate as not enough Members were in attendance. As the meeting was not quorate it was progressed making recommendations which required approval.

Members who were in attendance at the meeting held on the 14th September 2020 UNANIMOUSLY AGREED and RESOLVED that the Minutes circulated were a true and accurate record. They therefore can be taken as read and approved and that they be forthwith signed by the Chairman as a correct record. This including AGREEING and APPROVING the recommendations made when not quorate. The Boards Standing Orders were noted to be suspended for part of the meeting to make decisions on the purchase of machinery which Members noted.

MATTERS ARISING

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

VICE CHAIRMAN POSITION

The Chairman noted the vacancy which remained for the Boards Vice Chairman and asked if anyone would wish to be nominated for the position but no one was nominated. To move the matter forward he asked if anyone was interested if they could contact him or if he also could contact Members to see if an appointment can be made.

Members were in agreement to this approach.

RATES

The Clerk reported the total rates collected up to the 20th January 2021 are as follows:

Special Levy	£316,162.41 (100%)
Direct Levy	<u>£ 62,765.32 (97%)</u>
	<u>£378,927.76</u>

The Clerk further reported that there were a few outstanding rate accounts mostly of a low value. A few accounts were in credit where overpayments have been made.

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.

LAND TRANSFER TO SPECIAL LEVY & WRITE OFF

The Clerk referred to the sheet and maps circulated with the Agenda of the land to be transferred to Special Levy and amounts to be written off.

Special Levy

The Clerk had circulated maps and a summary table with the Agenda for the Board's consideration of two parcels of land. This related to one site called the Sycamores in South Wharfe Drainage District for the transfer to Selby District Council Special Levy from agricultural usage.

The Clerk explained the process and answered the questions raised by Board Members.

Amounts to be Written Off

An overall sum in drainage rates remaining on land transferred to Special Levy which cannot be collected amounts to £31.74 which is requested for consideration of writing off.

The transfer to Special Levy and sums to be written off was considered by Members. The Clerk explained the implications on the Special Levy for Selby District Council.

Mr C E Mills proposed the transfer to Special Levy to Selby District Council as per the maps provided along with the write off of £31.74 in drainage rates in relation to land transfers.

Cllr J Galvin seconding the proposal of Mr CE Mills which was **UNANIMOUSLY APPROVED**.

PLANT RENEWAL

The Clerk had circulated a plant renewal sheet with the Agenda to all Members on the future replacement costs of the Board's existing plant and equipment. This is intended to inform Members about plant renewals so funding can be provided in plant reserves. This reflecting the Boards current approach to maintenance works provision and utilisation of contractors.

2020/21 Purchases, Part Exchanges and Sales

The Clerk reported that as agreed the Board had purchased a flail head and Habbig tree shears at a cost of £24,080.

2021/22 Purchases, Part Exchanges and Sales

This includes purchasing a Gator ATV to replace the existing and also an Ifor Williams trailer. A sum total overall cost of £14,000 being estimated following the exchange or sale of the equipment being replaced.

The Clerk highlighting the future years plant replacement and the requirement of roughly £22,000 annual addition to plant reserves to fund future purchases to sustain the level of reliable equipment provided.

Members discussed the proposals for plant renewal and replacement.

Mr C E Mills proposed acceptance of the plant renewal programme which was seconded by Cllr D Mackay and **UNANIMOUSLY AGREED** to this approach and the funding required.

BUDGET 2021/22
LAYING OF THE
RATE AND
SPECIAL LEVY

The Clerk had circulated a budget sheet and notes with the Agenda for the forthcoming financial year. The budget forecasting the out turns for financial year 2020/21 and advising on a potential budget for financial year 2021/22. The option given was based on a rate of 4.17p in the £ with an increase of 1.46% above last years and provided details as to the budget's composition.

The Clerk noted that RPI at the current time is about 1% to 2% with the uncertainty of Brexit and Coronavirus could go up to 3%. This being indicative of rising costs.

Flailing Lengths Invoiced by Contractors

The Clerk had circulated a summary table of watercourse lengths cut and invoiced by the Boards contractors on the basis of the historical five Districts with the work now being almost all contracted out. A table was also provided on a similar basis for the year prior. However, in the prior year the lengths of work carried out by the Boards workforce and equipment was not recorded. The estimates for work proposed for the next financial year 2021/22 being based on carrying out a larger amount.

The Clerk explaining that the overall length of watercourses recorded in the table did not require flailing in their entirety as the lengths include culverts, woodlands and areas inaccessible along with many lengths that may not require flailing either annually or at all. He further asked Members if any concerns existed with any flailing work not carried out.

Mr A P Sykes noted that his watercourses have not been cut on both sides and he did not believe the work was to the same standard when carried out in house.

The Engineering Assistant reported that he was aware that Westfield Drain was not completed with the last breed to the fence but also had not been invoiced as completed. This work however was unlikely not to be carried out until next year with the work only running to November.

The Clerk confirming that the figures reflect what has been invoiced by contractors to date.

Cllr A Myatt suggested perhaps the Board should establish actually what length of watercourse may need to be cut or can be cut which is currently not in the table.

The Clerk informing the reason for presenting the table in this way was related to what had actually been invoiced for lengths cut. This was tabled against the historical recorded lengths of the Boards watercourses to establish what budget to set. Potentially the current lengths being cut may be all that is necessary or possible or not all work has been invoiced as Members did not appear to be aware of flailing work not carried out but required.

Financial Position at the End of 2020/21 Financial Year

The Clerk went through the budget sheet line by line. This estimated a net surplus of approximately £49,595 for the end of 2020/2021 financial year. The Board further purchasing and seeking to install a replacement flap for the Fleet Beck in Tockwith which was not included in the budget last year. This being larger than originally estimated because of a number of factors such as increased Upland Water contributions from the Environment Agency.

Budget for 2021/22 Financial Year

If the Board increases its drainage rate to 4.17p for 2021/2022 financial year, the Boards reserves are estimated to be £751,373 at the financial year end. This equating to a decrease in reserves of £18,059 on the basis the Board implements the plant renewal as agreed earlier.

The Clerk noting that if the year 2021/22 is favourable and the estimated expenditure is less the estimated deficit may become smaller or even turn to a surplus. Then any surplus achieved could be contributed to the Boards Plant Reserves. The Board however always has an element of uncertainty in the costs of contracted out maintenance work which has not yet been tendered.

Board Members discussed the matters and estimates in detail along with the position on the Boards reserves and the provision being made for plant replacement.

Members considered and APPROVED the Budget subject to setting the rate.

Setting of the Drainage Rate for 2021/22

Mr A Percy was in support of a small increase in the Boards drainage rates and proposed a rate of 4.17p in the £ an increase of 1.46% for rates and levies.

Mr C E Mills noted that he does not believe that costs are always increasing but will second the proposal of Mr A Percy, which was UNANIMOUSLY AGREED.

The proposal of 4.17p in the £ with an increase of 1.46% for the rates and levies was CARRIED and that the proportion of their expenditure to be raised by drainage rates in respect of agricultural land and buildings and by Special Levies on local billing Authorities are 16.85% and 83.15% respectively.

THAT the Drainage Board do hereby make a Drainage Rate for the purposes chargeable thereon assessed on the Annual Value of agricultural land and buildings subject to the provisions of the Land Drainage Act 1991 as hereunder set out that is to say:

AN OCCUPIERS' RATE assessed at 4.17p in the £ for the period ending on the 31st day of March 2022.

THAT the Drainage Board do hereby make Special Levies assessed as hereunder, that is to say:

A Special Levy chargeable to **HARROGATE BOROUGH COUNCIL** in the sum of £38,395.66, for the period ending on the 31st day of March 2022.

A Special Levy chargeable to **LEEDS CITY COUNCIL** the rate in the sum of £7,849.83 for the period ending on the 31st day of March 2022.

A Special Levy chargeable to **CITY OF YORK COUNCIL** in the sum of £242,185.23, for the period ending on the 31 day of March 2022.

A Special levy to chargeable to **SELBY DISTRICT COUNCIL** in the sum of £32,612.40, for the period ending on the 31 day of March 2022.

AND that the Special Levies shall be payable in two equal instalments on the 1st May 2021 and the 1 November 2021.

THAT the purposes for which the said Rate

AND Special Levies are made and the amount in the £. for each of the purposes are as hereunder set out.

AND that the said Rate shall be payable on Demand

AND that the seal of the Board be affixed on the said Rate and Special Levies accordingly.

AND that the Clerk be and is hereby authorised to take all necessary steps to demand and collect the said Rate.

PURPOSES under the Land Drainage Act 1991 for which the Rate mentioned is made

AMOUNT of the Rate in the £. for the Occupiers' Rate

- | | |
|---|-------|
| a) Expenses of Administration)
under this Act.) | |
| b) Works of maintenance under)
the said Act.) | 4.17p |
| c) Improvement of existing)
works under the said Act.) | |
| d) New works under the said)
Act.) | |
| e) Precept of the Environment)
Agency under the said Act.) | 4.17p |

EXTERNAL AUDIT RETURN

The Clerk referred to a copy of the External Auditors certificate and opinion for the accounts for financial year 2019/20. A copy of the External Auditors Report/Certificate has been circulated to the Sub-Committee Members prior to the meeting. The report stating “*on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. Other matters not affecting our opinion which we draw to your attention – None.*”

The Board have advertised the outcome on the local Parish Council noticeboards in the prescribed way and on the Boards website.

CONSORTIUM ARRANGEMENTS

The Clerk confirmed the next meeting of the Consortium Management Committee will be held on Tuesday 9th February 2021 as a virtual Meeting on Microsoft ‘Teams.’ This is prior to the next meeting of the Board which gives an opportunity to address any matters which could be raised at the meeting prior to the start of the next financial year.

Boards Nominated Members

The Clerk asked the Board who it wished to nominate as its two Members to attend the meeting. Previously this has been the Chairman and Vice Chairman or potentially another Board Member, so the Board is represented by two.

Members UNANIMOUSLY AGREEING to sustain the above arrangements to retain its two nominated Members for the Consortium Management Committee. The Members being given Authority to act on behalf of the Board at the Consortium Management Committee Meeting.

POLICY STATEMENT REVIEW

The Clerk informed the Board that its Policy Statement on Water Level and Flood Risk Management was due for a review. A copy of which had been provided with the Agenda. The Board having adopted it as a policy on 13th June 2018. The document being based on a National template which has been agreed by Defra and the report being populated with the Boards specific data. A requirement is that the document is reviewed every three years.

Members were satisfied with the document having reviewed it.

The Clerk informing that the template for the Policy has not changed.

Members UNANIMOUSLY AGREED that the current adopted policy does not need changing and recommended keeping it as is and adopting it again. The Board then can review the policy again in three to five years' time and update it if necessary.

MAINTENANCE WORKS

The Engineering Assistant had circulated a report with the Agenda and also displayed maps at the meeting of the work carried out.

River Wharfe Flood Bank

Mr C E Mills raised about the condition of the flood bank in the Nun Appleton Estate and his concerns about its poor condition with vermin holes and a lack of maintenance. It being noted the deteriorating weather conditions over the next couple of days.

The Engineering Assistant reported that he had been liaising with a Mr S Watson of the Environment Agency regarding works. He also has a meeting tomorrow and it may be the Board may be able to do some Public Sector Cooperation Agreement Work (PSCA) for the Agency to help improve the bank. The concerns largely concerning the dry side of the bank.

Mr S Wragg noted the Agency had moved to opening an Incident Room because of the weather conditions.

Carr Drain

The Engineering Assistant had provided a report on this. The Carr Drain running to the rear of both Runswick Avenue and Danebury Drive near Acomb, York. The report having been circulated with the Agenda. He further shared a video at the meeting of the channel and the bank obstructions for Members consideration. The location being very difficult to access as infill development (possibly permitted development) has prohibited access. The video showing access and river bank structure problems at the location. The area having a silt trap and a screen which the Board maintains along with maintaining the watercourse, some of these structures being in a dangerous condition making it unsafe to work. The watercourse having a hard bed and limited silt deposits. The details being provided in the Assistant Engineer's Report with options to progress.

Mr C E Mills believes the Board should be seeking the cost to culvert the watercourse.

Mr A P Sykes noted that the Board historically had done some work of this nature previously at another location (The Horseshoe). He also asked in this location would it be possible to gain access by local negotiation but supports progressing culvert and option costings with consultants.

Cllr D Mackay has concerns that one unstable wall could go at any time but agreed potentially a deal could be done to be able to obtain access to progress work.

Mr S Wragg informed he was generally not in support of culverting watercourses at this location, this was one of the few remaining sections. However, in culverting he was concerned about the longer term implications of riparian ownership and culvert maintenance. He was further uncertain if Flood Defence Grant In Aid funding (FDGIA) would be available as the Environment Agency usually are not in favour of culverting watercourses. He however recognised development wise this location was so developed that culverting may be the only long term solution.

Mr B Blacker believed that the Board should work with individual landowners to try to make matters better.

The Engineering Assistant believing that limited benefits could only be achieved with this approach with individuals.

Cllr J Galvin thinks that with the condition of the open reach it needs culverting and this needs to be got on with as soon as possible.

Mr C E Mills believes we need more information before the Board decides on a particular approach.

Cllr J Galvin moved that the Clerk should progress this matter with a brief and engaging a consultant to have a look at the options available and costs.

The Clerk noted at this stage it was uncertain how much the study will cost.

Cllr D Mackay seconding the proposal Cllr J Galvin, which was **UNANIMOUSLY AGREED** by the Board.

Mr A Percy asked if the Board should write to property owners making them aware of the situation in a formal letter.

Cllr J Galvin was concerned that then local action might be taken in an uncoordinated way which might make the situation worse.

Mr S Wragg suggested that a staged approach was required when the Board was further advanced as to how the matter is going to be advanced moving to a solution.

Mr C E Mills believes the Board should follow the advice from Mr S Wragg.

The Clerk will therefore progress moving on with a consultancy study.

HEALTH & SAFETY

The Clerk advised that there have been no reportable incidents to the Health and Safety Executive since the last meeting (RIDDOR).

BOARD ELECTION

The Clerk advised the Board that 2021 is an election year for the agricultural Members.

The Clerk presented an Election timetable, which is as follows:

1 April	-	Register of Electors advertised
1 May	-	Board approval of Register advertised
July/August	-	Nomination Forms issued
28 Sept.	-	Nomination Forms returned
26 October	-	Election Day
01 Nov.	-	New Board commences

The Board AGREED the following:

- (1) Approve the timetable, which authorise the Officers to undertake such in accordance with the Land Drainage Act 1991.
- (2) Approve the proposed Register of Electors prepared on the 1 April 2021.
- (3) Approve the proposed Register as the Register if no objections received by the Board's Officers.
- (4) To call a Special Meeting, if necessary, to deal with any matters relating to the approval of the Register.

It was UNANIMOUSLY AGREED that the proposed timetable be approved by the Board.

BYELAW REVIEW

The Clerk reported that the work stream of the ADA Policy and Finance Committee had progressed work on possible changes to IDB Byelaws to the 'Model Document' which is used for the formulation of IDB Byelaws. If these are agreed a consultation will be required before they are implemented. The draft changes would widen the scope and improve the ability to enforce Byelaw contraventions.

Consent Charging

The Clerk further reported joining a Defra led group considering the chargeable fee for land drainage consenting and has asked if the group would also consider charging for issuing Byelaw Consents.

BIODIVERSITY
ACTION PLANS

The Clerk informed that ADA had now released a template for IDBs to use to produce Biodiversity Action Plans. The new template is very similar to the current format. In view of this the Clerk will be formatting the existing into the new template before populating them with any required additional information. It being noted the Board has previously produced the plan on the basis of all the Boards who are party to the Consortium Agreement and it is intended for a similar approach to be used with the new plan. The plans however will require some consideration of the measures to be put in place and tracking progress.

Members UNANIMOUSLY AGREED to the approach being suggested by the Clerk.

ADA NORTHERN
BRANCH MEETING
AGM

The Clerk informed this meeting was held on 3rd November and at this meeting he had been elected as the ADA Northern Branch Director and thus will be attending ADA National Board Meetings.

Mr A Percy congratulating the Clerk in this new appointment.

YORK FIVE YEAR
IMPLEMENTATION
PLAN

The Clerk reported that the York Five Year Flood Risk Investment Plan continues and he attends the meetings when asked.

FLOODEX 2021

The Clerk informed that ADA were organising another Floodex Conference at Peterborough East of England Showground on 9th & 10th November 2021. Anyone wishing to attend please let the Clerk know.

CORRESPONDENCE

The Clerk reported there was no further correspondence of significance received 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.

(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.

(SEE APPENDIX TO MINUTES)

BANK
STATEMENTS

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

The Clerk produced the Bank Statements for the Boards Current Account showing a credit balance of £592,102.14 with Barclays Bank as at the 18th January 2021.

The Yorkshire Bank (Changing to Virgin Bank) account has an additional credit balance of £152,646.57. The Board placing funds into a twelve month deposit account which is achieving 0.7% gross per annum.

The Nationwide Building Society account has an additional credit balance of £73,813.39. The Board placing funds in a Business 95 day saver account which is achieving 0.4% gross per annum.

The total balance of the Boards funds held in these accounts is £818,562.10.

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 RESOLVED that payment of these accounts be confirmed.

(SEE APPENDIX TO MINUTES)

DATE OF NEXT MEETING

It was AGREED that the next meeting of the Board will be probably virtual on Microsoft 'Teams' on **Monday 15th March 2021** at **6.30pm**.

FUTURE MEETINGS

The Clerk informed that future meetings which either will be virtual or when it is safe returning to normal venue based meetings and likely to be held at St Andrews Parish Church, Church Lane, Bishopthorpe, York will be held on:

Monday 14th June 2021

Monday 13th September 2021

Monday 15th November 2021

ANY OTHER BUSINESS

Closure of Meeting

There was no other business and the meeting was closed.

(APPENDICES TO FOLLOW)