

MINUTES of Meeting held on Tuesday 23<sup>rd</sup> January 2024 at the Village Club, Escrick, York

PRESENT

Cllr J Cattanach (In the Chair)  
Mr J Hopwood  
Mr D Dear  
Mr K W Terry  
Mr J Daniel  
Mr I Ellwood  
Mr R Bramley  
Mr S Christian  
Mr M Headley  
Cllr K Arthur  
Mrs K McSherry  
Cllr J Brooks  
Cllr M Baker  
Dr H Ferguson  
Mr A Vevers

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

Member of the Public – Ms J Rowntree (Natural England)

The Clerk welcomed Ms J Rowntree from Natural England to her first meeting of the Board.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr K Atkinson, Mr R A Bramley, Mr M Grainger, Cllr S Duckett, Cllr C Vassie and Cllr M Rowley BEM. Mr S Wragg who noted he was unable to attend because he was on flooding duties but had input to the recommendations of the Finance Sub-Committee which he supported.

DECLARATION OF INTEREST

The Chairman informed he was a council nominated member of Selby IDB and Kyle and Ouse IDB and uses Brodericks (the company providing the Board's internal auditor), with his work as Chairman of Selby District Vision.

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

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

## MEMBERSHIP

The Clerk informed Members that Mr R E Britton had contacted him prior to the Board's Finance Sub-Committee Meeting informing that he was seeking to retire from the Board.

The Sub-Committee Members at this meeting discussed this matter and concluded how grateful they were for the time and commitment Mr R E Britton had given to the Board. This being as the previous Chairman and supporting and attending the various sub-committees over many years along with attending the formal Board meetings.

The Chairman noting that he wished to write formally to Mr R E Britton following the main meeting of the Board to thank him for the service and support he has given.

### Finance Sub-Committee Membership

The Chairman informed that the Finance Sub-Committee would require a new Member and he believed that a North Yorkshire Council nominated representative would be appropriate in relation to the amount of 'Special Levy' paid if a nominated Member was willing.

## MINUTES OF MEETING

It was proposed by the Chairman, seconded by the Vice Chairman and RESOLVED that the Minutes of the meeting held on 17<sup>th</sup> October 2023, a copy of which had been sent to all Members, be taken as read and approved and that they are forthwith signed by the Chairman as a correct record.

## MATTERS ARISING

Mr A Vevers asked about the pollution incident which had occurred at Riccall Dam Pumping Station noted in the Minutes.

The Engineering Assistant informed the Board had reported the incident to the Environment Agency. The incident clearly occurred but the impact diminished over time. He was aware they had been monitoring the situation upstream but has had no report or information on any actions taken by the Environment Agency.

The Clerk reported that no further matters were arising from the Minutes of the last meeting which were not covered on the Agenda.

## MINUTES OF FINANCE SUB-COMMITTEE MEETING

The Chairman referred to the Minutes and recommendations of the Sub-Committee Meeting held on the 9<sup>th</sup> January 2024, a copy of which had been sent to all Members.

## RECOMMENDATIONS

The Clerk presented the Minutes page by page and the recommendations highlighted. He further asked Members to raise a hand if they have any queries or questions on the item being discussed.

### Election Requirement Recommendation

The Clerk advised the Board that 2024 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
23 Sept	-	Nomination Forms Returned
23 October	-	Election Day
01 Nov	-	New Board Commences

The Sub-Committee UNANIMOUSLY AGREED to RECOMMEND the proposed timetable for the Election for approval by the Board along with 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 2024.
- (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.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the recommendation of the Sub-Committee.

### Transfer to Special Levy Recommendation and Write-Off

The Clerk informed the Sub-Committee that he annually updated the land for consideration for transfer to 'Special Levy' and the resultant write-off of agricultural rates which cannot be raised.

## Special Levy

The Clerk referred the Sub-Committee to the list and maps of the locations circulated with the agenda. This along with the write-off of drainage rates which cannot be recovered and land transfers to Special Levy from the Board's agricultural rating. The details of which had been provided with the Sub-Committee Meeting Minutes:

1. The land on account 90-0692-9 shown in the circulated list to North Yorkshire Council as the land is now several houses with the write-off of £14.51;
2. The land on account 90-0692-9 shown in the circulated list to North Yorkshire Council land at Glebe Cottage is now a garden with the write-off of £1.49;
3. The land on account 90-0692-9 shown in the circulated list to North Yorkshire Council as the land is a Yorkshire Water Pumping Station;
4. The land on account 90-0497-9 shown in the circulated list to North Yorkshire Council as it was a former care home which has been redeveloped with the write-off of £4.43;
5. The land on account 90-0589-8 shown in the circulated list to City of York Council as the land at Germany Beck which is in its last phase of development with the write-off of £77.17;
6. The land on account 90-0556-4 shown in the circulated list to City of York Council as the land is a garden with the write-off of £0.34;

The Clerk informed the transfers will take place from 1<sup>st</sup> April 2024 to reflect the land no longer being used for agricultural usage.

The Sub-Committee Members having reviewed the information provided by the Clerk had RECOMMENDED to the Main Board that the land should be transferred to Special Levy with the sum proposed to be written off.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the recommendation of the Sub-Committee, that the land should be transferred to Special Levy (North Yorkshire Council and City of York Council) as above, this along with writing off the sum of £97.94.

### Staff Handbook – Staff Incapacity Two Clauses Clarification

The Clerk informed that the Board's workforce had seen significant numbers of working days lost through incapacity and sickness. The Board's Contracts of Employment putting in place contractual terms for sickness and absence payments in a scheme. The Board's workforce 'Staff Handbook' providing details and clarification.

The Clerk seeking to include two clarification clauses which do not change any contractual terms in the 'Staff Handbook' which are as follows:

*1.8.6 In relation to Employees who have not been admitted to the scheme the employer will pay any statutory sick pay due in accordance with applicable legislation.*

*1.8.7 In relation to Employees who have been admitted to the scheme but exceed the requirements to receive the pro rata or full-time equivalent salary during any period of absence due to incapacity. The employer will pay any statutory sick pay due in accordance with applicable legislation.*

The Sub-Committee Members UNANIMOUSLY RECOMMENDED to the Main Board that the Board accepts the additional clauses as clarification in the Staff Handbook.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the recommendation of the Sub-Committee.

## **Consortium Management Meeting**

The Clerk confirmed the next meeting of the Consortium Management Committee will be held on 6<sup>th</sup> February 2024 to be held at **Escrick & Deighton Club, 63 Main Street, Escrick, York, YO19 6LQ**. This is prior to the next meeting of the Board on 25<sup>th</sup> June 2024.

## **Nominating the Board's Members on the CMC Committee**

The Clerk asked the Sub-Committee who the Board wished to be its two nominated Members for the meeting. These have previously included Cllr J Cattanach (Chairman) and Mr R E Britton, so an alternative will be required for Mr R E Britton.

The Sub-Committee's RECOMMENDATION if accepted by the Board is to nominate the Chairman (Cllr J Cattanach) and to seek a further nomination at the Main Board Meeting. The two nominated Members will attend the annual CMC Meeting and be given authority to act on behalf of the Board.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the recommendation of the Sub-Committee.

The Chairman nominated Cllr J Brooks as the Board's second Member representative at the meeting.

Board Members UNANIMOUSLY AGREEING and ACCEPTING nominating both the Chairman (Cllr J Cattanach) and Cllr J Brooks, giving them authority to act on behalf of the Board on the items on the meeting agenda.

## **Plant Replacement Programme**

The Sub-Committee Members considered the Plant Replacement Programme and UNANIMOUSLY AGREED to RECOMMEND the acceptance of the Plant Replacement Programme and approval to progress as proposed. The earmarked sum in the Board's balances for plant reserves to be increased to cover the expenditure in financial year 2024/25.

Members UNANIMOUSLY AGREED to the Sub-Committee's recommendation for the Plant Replacement Programme.

## **Budget, Laying of the Rates and Special Levy**

The Sub-Committee Members considered the Board's balances held along with the budget proposals and the rate of a sum of 5.15p for 2024/25 with an increase of 6.85% over the rates of 2023/24.

The Sub-Committee Members UNANIMOUSLY AGREED to RECOMMEND approval to the Board.

The Sub-Committee Members having reviewed the information provided by the Clerk which included consideration of the Board's plant renewal requirements and the budget and estimate for the Board's income and expenditure for financial year 2024/25 RECOMMENDED to the Main Board that the Board increases its drainage rate to 5.15p in the £, an increase of 6.85%. This being based on the documentation circulated with the Minutes of the Sub-Committee Meeting.

The Chairman noted that in the last eight years the Board had not increased its drainage rates and the recommendation to increase last year was linked to increasing costs, particularly for electricity and materials used.

Members were UNANIMOUSLY IN AGREEMENT to the budget in line with the recommendation of the Sub-Committee.

The Chairman proposed the RECOMMENDATION of the Sub-Committee in relation to increasing the Boards drainage rate to 5.15p in the £ be approved.

The Vice-Chairman seconding the proposal of the Chairman which was UNANIMOUSLY AGREED and APPROVED by the Board which set a drainage rate for the sum of 5.15p in the £.

The Board UNANIMOUSLY RESOLVED that the proportion of their expenditure be raised by drainage rates in respect of agricultural land and buildings 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 5.15p in the £ for the period ending on the 31st day of March 2025.

THAT the Drainage Board do hereby make a Special Levy assessed as hereunder, that is to say: A Special Levy chargeable to **NORTH YORKSHIRE COUNCIL** in the sum of £311,363.81 for the period ending on the 31st day of March 2025. The Council replacing Selby District Council from 1<sup>st</sup> April 2023.

AND a Special Levy chargeable to **CITY OF YORK COUNCIL** in the sum of £168,332.08, for the period ending on the 31st day of March 2025.

AND that the Special Levies shall be payable in two equal instalments on the 1<sup>st</sup> May 2024 and 1<sup>st</sup> November 2024.

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.                 | ) | 5.15p |
| 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.    | ) | 5.15p |



## **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 19<sup>th</sup> June 2018. The document being based on a national IDB template which has been agreed by Defra and the report being populated with the Board's specific data. A requirement is that the document is reviewed every three years.

The Sub-Committee were satisfied with the document having reviewed it.

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

The Sub-Committee UNANIMOUSLY AGREED to RECOMMEND to the Board 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.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the Sub-Committee's recommendation on the Board's Policy.

## **Banking**

The Clerk confirmed the Board's current investments and interest rates being achieved. He noted the potential opportunity of increasing rates but the uncertainty of how this will change in the future, also the difficulties of the requirements of mandating for officers, Chairman and Vice Chairman to operate new accounts as required in the Board's Financial Regulations.

The Sub-Committee informing they were satisfied with the approach being taken by the Board to gain interest on the Board's reserves but minimising potential risks of losing the Board's funds.

The Sub-Committee recommending sustaining this approach.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the recommendation of the Sub-Committee.

## **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.

The Chairman noted the refund which was made for funds being transferred to the Board's account in error by a drainage ratepayer. He also informed how good the electronic Chairman's authorisation is.

The Sub-Committee RECOMMENDED that payment of these accounts be confirmed.

Board Members UNANIMOUSLY AGREEING and ACCEPTING the recommendation of the Sub-Committee.

### **Sub-Committee Recommendations Formal Approval**

The Chairman proposed acceptance and approval of all the recommendations contained within the Sub-Committee Minutes of the meeting of 9<sup>th</sup> January 2024.

The Vice Chairman seconding the proposal which was UNANIMOUSLY AGREED by the Board.

### **MATTERS ARISING**

The Clerk reported that no matters were arising from the Minutes of the last meeting which were not covered on the agenda.

### **HEALTH AND SAFETY**

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

### **RATES**

The Clerk reported that the total rates collected up to the 21<sup>st</sup> January 2024 are as follows:

(a) Special Levy -	£445,531.40	(100%)
(b) Direct Levy -	<u>£ 90,826.90</u>	(99%)
	<u>£536,358.30</u>	

The Clerk having a list of accounts with sums outstanding at the meeting.

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.

### **STAFF**

The Clerk informed that the Board again has a vacancy for a recruit in its workforce. The vacancy will shortly be advertised on 'Indeed' and if appropriate candidates can be found, interviews will then be progressed with a view to make an appointment.

## HIGHLAND WATER CONTRIBUTION

The Clerk informed that it was highly unlikely any further contribution from the Environment Agency would be made to the Board's Highland Water Contribution. This is because the Environment Agency is unlikely to have been able to make any efficiency improvements in its revenue programme. This along with the extremely wet weather and ongoing storm conditions increasing operations costs to which these funds contribute.

## ENGINEER'S REPORT

The Engineering Assistant had circulated a report with the agenda of the work carried out for Members consideration. This included an electronic web link to the Board's GIS maps showing the work carried out. He further ran through the items included in the report.

### Coal Authority Assets

Members discussed the Board's position regarding Coal Authority assets and the current funding arrangements which they were satisfied about.

### Tour of Assets

The Engineering Assistant informed that four Members wished to attend this tour of inspection and a date had been agreed upon. He informed if anyone else wished to attend, if they could let him know as soon as possible, he can make arrangements for more attendees.

### River Derwent Channel Flow Conveyance

Mr D Dear informed he was very concerned because of retained flood water on the River Derwent. He believed this was being caused by channel conveyance problems. To follow this up he had taken to a boat and taken photographs of channel debris blocking the river which he had provided to the Board. The photos showing fallen trees and debris accumulating, blocking the conveyance channel.

Mr K W Terry has concerns about very little flow through the barrage.

Mr S Christian informed the Environment Agency advises the barrage is working correctly but Natural England do have concerns about retained water and conveyance.

The Engineering Assistant informed he has seen the Agency managing the barrier but constraints appear to be further upstream. Water appearing to be held at and above Bubwith Bridge.

The Clerk informs that Foss (2008) IDB have an interest in this matter along with Boards not in the York Consortium on the east side of the River Derwent. The matter being collectively progressed with the Environment Agency. This along with the National Farmers Union attending meetings regarding local farmers concerns.

## ADA NATIONAL

### ADA Environment Day 2024

The Clerk reported that ADA were organising an Environment Day on Friday 2<sup>nd</sup> February 2024 at Park Farm, Thorney, Cambridgeshire. He noted he was arranging transport and was intending to attend himself along with Mr A Vevers.

### ADA Conference 2024

The Clerk informed that ADA National are organising a Conference on 13<sup>th</sup> November 2024 at the Institute of Civil Engineers at 10 Great George Street, London, SW1. The Clerk informed he would be attending on behalf of the Board.

### ADA AGM 2024

The Clerk informed that the ADA AGM would be a virtual Meeting and held on 3<sup>rd</sup> December 2024.

## ADA NORTHERN BRANCH

### ADA Northern Branch AGM

The Clerk informed the AGM was held on 24<sup>th</sup> November 2023 at the Yorkshire and Humber IDB offices. The Clerk was pleased to inform Members he will continue unchallenged as the ADA Northern Branch Director for a further three-year term.

### ADA Northern Branch Summer Meeting and Trip

The Clerk informed this is likely to be on 7<sup>th</sup> June 2024 at a venue to be decided. This possibly could be a trip to view the Environment Agency's newly built East Hull Pumping Station.

BIODIVERSITY  
ACTION PLAN

The Clerk informed that much of the approach for this Board for biodiversity actions had been discussed in the Engineer's Report. He further noted that the Board's Biodiversity Action Plan is being developed across Boards who are Members of the York Consortium. Both Ainsty (2008) IDB and Foss (2008) IDB were working on sensitive flail bank mowing trials and progress is being made. It remains that the overall template for the Biodiversity Action Plan needs to be progressed and measures developed to capture the approaches being taken.

Mr S Christian asked if the Board had found any resource to help progress this work.

The Engineering Assistant informed he had made some enquiries but had been unsuccessful to find an appropriate resource. The previous suggestions and outcomes to help were discussed.

CORRESPONDENCE

The Clerk had circulated a letter with the Agenda that ADA National had sent to the Secretary of State following the recent heavy storms and resultant flood events.

Members noted the letter's content and issues raised being relevant to the Committee.

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.

The Clerk reporting that all this information was now digitised and a copy can be provided at the meeting on a laptop computer instead of the paper records.

**(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 at the meeting on a laptop computer instead of the paper records.

**(SEE APPENDIX TO MINUTES)**

## BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £469,626.80 with Barclays Bank as at the 22<sup>nd</sup> December 2023.

The Board also having £200,000 in a Barclays Treasury Fixed Term Deposit Account which is achieving 2.44% gross per annum.

The Virgin Bank account has an additional credit balance of £357,105.60. The Board placing funds into a twelve-month deposit account which is achieving 4.30% gross per annum.

The Nationwide Building Society account has an additional credit balance of £93,888.59. The Board placing funds in a 95-day business saver account which is achieving 3.75% gross per annum.

The total balance of the Boards funds held in these accounts is £1,120,620.99.

The Clerk noted that these funds include the Coal Authority balances and deposits for the ongoing and rechargeable works, which are £50,500. He further confirmed that Barclays Bank are charging Foss (2008) IDB for electronic bank transfers to whom the Board contributes towards this service.

## DATE OF NEXT MEETING

It was directed that the next Meeting of the Board is due to be held at the Escrick & Deighton Club, Escrick, York on **Tuesday 25<sup>th</sup> June 2024** commencing at **10am**.

## DATES OF FUTURE MEETINGS

Members agreed to move the October meeting from Tuesday 15<sup>th</sup> October to Tuesday 22<sup>nd</sup> October.

The Clerk thanking the Board for this change as it will allow him to attend the ADA National Meeting as the ADA Northern Branch Director.

The Finance Sub-Committee meeting prior to this meeting is due to be held on 24<sup>th</sup> September.

## ANY OTHER BUSINESS

### Replacement of the Board's Forklift Truck

The Engineering Assistant noted the Board had agreed its Plant Renewal Programme. This included the replacement of the Board's forklift truck with more of an all-terrain model. The existing truck not being regularly used having caused some safety concerns. In view of this to speed up the replacement he asked if Members would be happy to delegate the decision on the machine to purchase and arrangements for sale or part exchange of the existing to the Chairman and Vice Chairman.

The Chairman and the Vice Chairman informing they were happy to make the decision in this way.

Members were UNANIMOUSLY IN AGREEMENT to this approach with the decision taken and advice given and actions taken being reported to the next meeting of the Board in June.

The Chairman closed the meeting at 11.30am as there was no other business.

**(APPENDICÈS TO FOLLOW)**