

MINUTES of Meeting held on Monday 13th September 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 A P Sykes
Mr C E Mills
Mr R F Hildreth
Mr C Clayton
Cllr J Galvin
Cllr D Carr
Mr S Wragg
Cllr D Mackay

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Mr J B Blacker, Mr A Percy, Mr P Bramley, Mr J Sanderson and Cllr A Myatt.

The Chairman informed he was in attendance with the Clerk in the Boards Office.

Meeting Not Quorate

The Clerk informed that as only nine Members were in attendance the meeting was not quorate which requires ten Members.

Members agreed to proceed with the meeting making recommendations to be considered at the next meeting of the Board. If any formal decisions required approval consideration of suspending the ‘Standing Orders’ can be made.

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 C Clayton, seconded by Mr A P Sykes and RESOLVED to RECOMMEND that Minutes of the Meeting held on 14th June 2021, 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

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

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 5th September 2021 are as follows:

(a) Special Levy	-	£160,425.25	(50.0%)
(b) Direct Levy	-	£ 62,826.67	(94.0%)
		<u>£223,251.92</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 displayed graphical maps of the works carried out in the meeting. It being intended to record the work in each year so an overlay can be made to show the frequency of work carried out.

Mr C Clayton asking if all the Boards ditches are cleaned out at least on a three year frequency.

The Engineering Assistant informing that if it is required however some can be done on longer frequencies such as every five years but the decision is based on 'need.'

Mr R F Hildreth was in support of collecting the data in this way as it would identify the reaches which possibly may be missed, then reasons can be established such as restricted access or no requirement for work.

The Engineering Assistant had circulated a report with the Agenda which he ran through highlighting the items raised. He further detailed the specific work in relation to the Boards districts.

Mr Swiers Land

Mr A P Sykes asked about the ditches on Mr Swiers land near the tip. He noted that a tree was in the ditch which needs attention.

The Engineering Assistant informed these ditches were particularly deep and a tractor mounted flail does not reach the bottom. In view of this a machine is taken in from time to time with a longer reach to tidy the bottom.

Nun Appleton Flood Banks

Mr C E Mills raised his concern about the Environment Agency and how the repairs have not yet been carried out to these 'Main River' flood banks. The failure of which could put property at risk along with flooding a pumping station.

Cllr D Mackay suggested perhaps the Board should raise this matter with the local MP to see if he could help progressing the matter as an alternative option.

The Engineering Assistant is aware that the Environment Agency is informed and looked at the conditions but did not appear to be progressing the work yet. He however will keep the pressure on to highlight the concerns to see the matter addressed.

The Clerk informed that he is in a position to raise the matter at a Local Regional Flood and Coastal Partnership Meeting (North Yorkshire and York) if Members wished.

(SEE APPENDIX TO MINUTES)

The Clerk had circulated an early draft of the report produced by consultants. However, in the reports content one option needs editing as the Board does not have any land ownership.

Mr S Wragg noted that the Board was not quorate at this meeting and the report not fully finished. In the circumstances he did not believe it would be a good use of the meeting time to discuss it further. He also undertook to look at the report in greater detail providing feedback and discuss the matter with the Clerk.

Cllr D Carr was in support of Mr S Wragg and believed that the Boards plans to move forward should be progressed when more Members are present at the meeting.

Members being in agreement.

Mr C E Mills believes that a physical meeting is required to be able to consider the matter properly offering a venue for the meeting.

RUNSWICK
AVENUE STUDY

UPLAND WATER CONTRIBUTION

The Clerk advised that claims had been made to the Environment Agency for the 2020/21 Upland Water ditch maintenance works. This was made on the basis of the sum of £79,730.76 on expenditure of £197,014.09 for expenditure up to the end of financial year 2020/21. The Clerk being informed that the overall IDB claims (£847,313) significantly exceeds the budget available in the Yorkshire Region (£558,000). In view of this further consideration and a more detailed report on the matter is required for the Regional Flood and Coastal Committees (RFCC) consideration of the percentage to be paid. A decision on this will not be made therefore until after the October RFCC Meeting.

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.

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 and the impact of the virus pandemic were considered and discussed.

The Clerk informed the Board that the audit required the Board to formally consider and approve its Risk Assessment for 2021/2022.

Mr R F Hildreth proposed that the Board adopts and approves this policy for financial year 2021/22.

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

Mr C Clayton apologised he had to leave the meeting at this stage because of other commitments.

BYELAWS

The Clerk informed the Board that the 'Model Documents' tabled by Defra for the Boards Byelaws have been updated. The Clerk has circulated a copy of the 'Model Documents' for Members to consider.

The Clerk informed he had helped both ADA and Defra in implementing these changes which make the Byelaws more robust and consistent for the Boards requirements. The main changes being highlighted at the meeting. In adopting the new Byelaws, the Board would be sharing the advertising and informing costs with other Boards of the Consortium in implementing the new Byelaws.

Members asked and discussed the implications and actions of pursuing infringements.

The Clerk explained how this is progressed.

Cllr D Carr proposed the Board **RECOMMENDS** adopting and implementing the revised Byelaws to the latest 'model document' as circulated at the Meeting.

Cllr D Mackay seconding the proposal of Cllr D Carr which was **UNANIMOUSLY AGREED** by the Board.

CORRESPONDENCE

Red Diesel

The Clerk informed that uncertainty remains if red (untaxed) diesel can continue to be used for IDB maintenance work from 1st April 2022. The alternative being white (taxed) diesel which clearly will increase costs and limit the contractors the Board can use. The Clerk having written to local MPs as requested by ADA National to make them aware of the issue. The Clerk confirmed he had obtained a letter from HM Treasury that ditch clearance for the sole benefit of agricultural land could be conducted using red untaxed diesel. However, some locations without the agricultural benefit are likely to require work to be carried out using white taxed fuel.

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

ADA NATIONAL CONFERENCE

The Clerk informed that an ADA National Conference is being organised on 10th November 2021. This has been decided to be a virtual meeting and details can be obtained closer to the time.

Potential Machinery Demonstration in 2023

The Clerk informed that a potential ADA National Land Drainage Machinery and Equipment Demonstration is being considered in 2023 and investigation for a suitable venue is underway.

ADA NORTHERN
BRANCH
CONFERENCE

The Clerk as ADA Northern Branch Director was organising a Northern Branch Conference and AGM on 5th November 2021 at the Cave Castle Hotel, South Cave.

Members agreeing for the Board to pay Member's conference fees if they wish to attend.

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.

Mr R F Hildreth noted that plans were likely to be submitted for the installation of Photo Voltaic solar panels in the Hessay and Rufforth area on a significant area of land.

The Clerk noted that other Boards in the York Consortium had dealt with this type of application recently.

The Engineering Assistant informed that the installation often requires security fencing and achieving maintenance access can be difficult. This occurring in the vicinity of the watercourses the Board maintains. It is hence important to stress the Boards maintenance margin requirements as early as possible in the planning application process.

The Clerk also informed that if the installation then requires the payment of business rates consideration of land transfer to 'Special Levy' may be required.

(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.

Network Rail Bridge Replacement Over Brumber Carr Drain

The Clerk informed the Board was having some problems with a Network Rail culvert installation being directed by Consultants/Contractors. In this instance the culvert had been installed at a higher invert level than consented. The Board was therefore pressing for the culvert to be taken out and installed at a lower level as per the consent.

Cllr D Mackay informed that this highlighted ongoing railway problems which are likely to increase as the HS2 proposals advance.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £666,345.81 with Barclays Bank as at the 20th August 2021.

The Yorkshire/Virgin Bank account has an additional credit balance of £153,715.10. The Boards placing funds into a twelve month deposit account which is achieving 0.3% gross per annum.

The Nationwide Building Society account has an additional credit balance of £74,035.32. The Board placing funds in a 95 day business saver account which is achieving 0.4% gross per annum.

The total balance of the Boards funds held in these accounts is £894,096.23.

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

The Clerk informed the difficulties in trying to establish a safe venue for the Boards meeting. The previous venue was considered to be too small and confined for acceptable social distancing. A number of other venues have been considered. This being on the basis of being an acceptable size but they have either been not available on the dates required or too expensive.

Mr C E Mills offered his venue for the next meeting details will be provided with the Board pack.

Members accepted Mr C E Mills offer and asked the Clerk to organise the meeting at this venue accepting that virtual attendance would not be provided.

It was directed that the next Meeting of the Board is due to be held as a virtual meeting on **Monday 15th November 2021** commencing at **6.30pm**.

FUTURE MEETINGS

Potential Future Meetings:

Monday 17th January 2022

Monday 14th March 2022

Monday 20th June 2022

Monday 12th September 2022

Monday 14th November 2022

ANY OTHER
BUSINESS

Election

The Clerk informed that the election programme agreed at the Boards Annual General Meeting in January was advancing. The Board had approved the Register of Electors which had been advertised on the Board's website.

The Clerk had issued nomination forms in August to existing Elected Members and any other nomination forms as required. The closing date for submission of nomination forms is 28th September 2021. If an election is then required this will be on 26th October 2021 and the new Board will be in place on 1st November 2021. The meeting on 15th November will require the election of Chairman and Vice Chairman for a three-year tenure.

Member Thanks for Maintenance Work Carried Out

Mr C E Mills thanked the Engineering Assistant and Boards Foreman for the works carried out.

Mr R F Hildreth also thanking the Boards Foreman on the same basis for work carried out recently.

The Clerk thanked Members for their patience and perseverance in joining the meeting.

The Chairman closed the meeting at 7.30pm as there was no other business.

CLOSE OF
MEETING

(APPENDICES TO FOLLOW)