

1. Governance

1.1 Declaration of Interest

Board Members are advised to declare a pecuniary or non-pecuniary interest on any item in the Agenda.

1.2 Apologies for Absence

1.3 Chair's Announcements

1.4 Minutes of the meeting held on 24 November 2021

Members Present:

Elissa Swinglehurst	Chair
Charles Pudge	Vice Chair
Malcolm Davies	MD
Noorissa Davies	ND
John Hardwick	JH
Kenneth Mitcheson	KM
Roger Phillips	RP
David Summers	DS

In attendance on behalf of JBA Consulting

Officer:	Craig Benson	Clerk
	Anne-Clare Landolt	Engineer
	David Blake	Finance Officer
	Janette Parker	Rating Officer

Members of the Public in Attendance

Jenni Gowan
Lyn Langford

Declaration of Interest

2021.67 None.

Apologies for Absence

2021.68 Apologies were received from Richard Corbett, John Cawley, Sebastian Bowen, Dick Makin, Toni Fagan, Paul Andrews, Zita Chilman and Peter Jinman. Late notifications of apologies were received from John Stone.

Chairs Announcements

2021.69 A minute silence was observed by Members in memory of Les Harrison who had served the Board as Engineer for many years.

Minutes of the Meeting held on 12 May 2021.

2021.70 Minutes of the meeting were considered. Chair proposed to sign as true and correct record, all members in agreement.



Matters arising not discussed elsewhere on Agenda

2021.71 None.

Complaints/FOI/EIR requests

2021.72 None received.

CLERK REPORT

2021.73 Policy – Byelaws - Clerk advised that a minor amendment had been made to the Byelaws in respect of environmental legislation which required Board approval. **Approval proposed by Vice Chair and seconded by MD.**

2021.74 Legislation – Red Diesel – Clerk advised that at the recent ADA branch meeting Innes Thompson had confirmed that it was unlikely the industry would be given an exemption but ADA would continue to lobby for. Chair informed members that she had written to her MP on the matter.

2021.75 Environment Agency – Draft Flood Risk Management Plans – Clerk encouraged members to look at the public consultation and comment and confirmed that he would be submitting a response on behalf of the Board. Chair requested sight of the response before this was sent.

2021.76 Association of Drainage Authorities – Information noted. Clerk added that ADA would like to re-introduce demonstrations showing plant and machinery and that the first of these would likely be in 2024 and a site had been identified in Boston linked with Dyson farms. He added that members would be kept informed of progress. Chair added that the conference had been interesting and worthwhile and that keeping it online made it more accessible. Clerk confirmed that the ADA Marches Branch had met yesterday and were looking to meet more often.

2021.77 Training – Clerk referred to list of training provided in meeting papers and said would liaise with Chair to arrange what was felt most suitable adding that a half hour would be added at the end of a Board meeting to accommodate the training. Chair stated that Riparian and Environmental Responsibilities would be the most beneficial with DS concurring in respect of Riparian Responsibilities as the NFU had been telling farmers it was a “grey area”.

FINANCIAL REPORT

2021.78 Rating Report – RO advised that 85.1% of drainage rates had been collected to date with a revised outstanding balance of £16,440. She added that there had been 64 ratepayers with arrears at the start of the year with a total of £24,521 outstanding but, as per the debtor schedule issued to members today this debt had now been reduced to £16,152 which was a considerable reduction. RO then confirmed that of the outstanding balance £15,342 would be pursued via Solicitors with letters being issued shortly which should result in a further reduction of the balance. RP advised that there were a few of the debtors within his area and he would approach these to politely remind them before the end of the week. DS queried the cost of legal action stating that Solicitors could be very expensive. RO confirmed the cost would be £15 for each letter then advised the situation would be reviewed in January but before any further action was taken costs would be obtained from the Solicitor and referred to the Chair before proceeding.

2021.79 Refund for Overpayment - RO took members through the report in the papers. **Approval proposed by Vice Chair and seconded by DS.**



- 2021.80** External Audit – FO confirmed that his was now complete and had been signed off with no concerns raised.
- 2021.81** Internal Audit Review Meeting – FO confirmed this had been held on Monday and was very productive with attendees discussing ideas relating to legislation and controls to reduce risk. Clerk added that the Risk Register was reviewed with the Internal Auditor and would be presented to members at the next meeting for approval.
- 2021.82** Budget Comparison for the Year Ending 31 March 2022 – FO took members through the report advising that 96% of income had been collected. Vice Chair advised that he had been unable to find the original agreement with National Rail in the Boards archive. FO advised that there were other avenues the Board could pursue as they had made a payment every year for the last 50 years so was confident that money would be received. FO then confirmed that income was where it was expected to be but that there was likely to be a positive variance of around £8,000 due to a budgeted underspend for drain maintenance. He added that admin costs were slightly under where we would expect to be at this point in the year but this was due to the global pandemic. A reduction in travel costs and the virtual meetings held have led to a cost saving. He advised that this could be a cost saving moving forwards with a mix of virtual, hybrid and in person meetings held. Chair confirmed she was considering all possibilities as virtual meetings certainly had an advantage with economic savings and in respect of time spent. RP added that at least one in person meeting should be held in order to retain good personal relationships. Clerk concurred with comments stating that an in person meeting would be beneficial if linked to a tour of inspection. DS agreed that the Board needed to physically see what it was managing. FO concluded that the budget was in line with where it should be and that positive variances were foreseen.
- 2021.83** Five Year Budget Estimate – FO took members through the report confirming the Board was in a healthy position with reserve levels above 60% and that with the intention to level out the rates then no intended increases were proposed at this time. He added that red diesel costs were not included at this time but that options for the Board to consider would be brought to the next meeting. RP suggested a caveat be placed on the Estimates as assessments on inflation were optimistic and would be lucky to maintain the level of stability. FO stated that a larger buffer could be arranged if required but that it was a live document and information was added as it was received. Vice Chair asked if there was any guidance from the Auditor on what the recommended reserve level should be as there was no need to hold ratepayer money unnecessarily. FO advised both the Auditor and DEFRA stated an ideal reserve level was 30% of expenditure, the Clerk added that all IDBs were different and had different maintenance needs. He continued that a 25-30% level was the minimum level advised by DEFRA. He suggested the reserve balance should be slightly higher so that the Board could potentially operate for a year with no income and that the current 63% was sufficient based on current maintenance expenditure. FO proposed a reserve policy be created and brought to the next meeting. Chair concurred.
- 2021.84** Schedule of Payments – **Approval proposed by DS, seconded by MD.**
- 2021.85** Chair thanked FO and RO for all work done to date on the Board's finances.

ENGINEERS REPORT

- 2021.86** Eng. advised the report was for information adding that in respect of maintenance all flailing was now completed.
- 2021.87** Tender for Service Maintenance Contract – Eng. advised that the evaluation meeting was to be held on Monday 29th November and sought agreement from the Board for authority to be given to the panel to decide on a successful contractor. **Approval proposed by RP and seconded by JH.** DS stated that from the material on the tender one party said would



look at maps when the tender was awarded which was not sensible and should be looked at before. Eng. confirmed that maps had been supplied as part of the tender process.

2021.88 Lugg Rhea – Eng. provided update confirming that a meeting was being held on Friday 26th November with HWT and contractors to walk the area and decide on appropriate works. JH stated that historically the HWT had always denied access to the Board so queried what had changed. Eng. advised that a change of personnel had occurred and there was a consensus that drainage would be a good idea. She added that consent would be required from Natural England as it was a SSSI site. JH stated that Hampton Bishop Council would welcome any works due to the flooding experienced in the area and stated that it was good that we were now in discussions with them.

2021.89 Planning Applications – Eng. advised members that a proposed Solar Farm was being considered which would affect the watercourses but that comments still had to be made. Chair queried if issue with Herefordshire Council and Board not receiving consultations had been resolved. Eng. confirmed that she had contacted them and had started to receive again so hopefully the issue was now sorted.

2021.90 Chair referred to report of access issues where the contractor had been denied access in particular with respect to wildflowers and the environmental farming scheme and said that a conversation was needed with the EA and DEFRA re derogation so that works could continue without penalty for the landowner. Eng. advised she would have a discussion with the landowner first to assess the situation.

2021.91 RP stated that Eardisland needed to be brought to the Eng. attention and that 24 houses had flooded in February 2020. He then asked if Eng. was aware of 'Wild in the Curl' project - [Go Wild In The Curl | The Wye and Usk Foundation \(wyeuskfoundation.org\)](http://www.wyeuskfoundation.org) to improve water quality and biodiversity adding that he would be happy to arrange a walk around with the Eng. Eng. confirmed she had been in correspondence with Eardisland PC and was planning to visit Southalls Brook and meet with the Clerk. Engineer had mainly been reacting to what had been raised recently but would be appreciative of the opportunity moving forwards.

2021.92 Vice Chair commented with regards Wellington Brook that Board member Dick Makin had asked that thanks from the people of Wellington was mentioned with regard the works completed by the Board and its contractor.

2021.93 Chair referred to Item 4.1.5 and series of suggestions proposed by Engineer that sought Board agreement to. **All members in favour.**

2021.94 Chair thanked Engineer for diligent and sensitive way she had been dealing with all the issues raised.

HEALTH, SAFETY AND WELLBEING

2021.95 Information noted.

ENVIRONMENTAL ADVISER'S REPORT

2021.96 Information noted with Clerk adding that the Board's representative, Mr Watson, had suggested that phosphate testing be undertaken. Chair suggested that nitrates were tested for as well and to triangulate with other parties undertaking testing so as not to double up.

2021.97 Clerk advised it was the intention to encourage buffer strips alongside watercourses to enable the Board's contractor to work at any time of year which would reduce costs as not having to move around so much or wait to undertake maintenance based on what crop was in the field. He added that a newsletter would be issued to ratepayers with thoughts to



consider which would be prepared and brought to the next meeting. DS confirmed he was 100% in favour of this suggestion.

2021.98 Environment Bill – Clerk confirmed this had now received Royal Assent with a duty placed on water companies in respect of sewage. DS queried the cost of enforcement but the Clerk advised that the EA was responsible in respect of pollution incidents. Clerk added that the Bill also gave Boards the opportunity to revalue all the land within its district and bring development up to date with the additional option of extending its boundary so as to have more control over what happens with the catchment.

2021.99 Chair requested that issue with Black Poplars be kept on list for action.

2021.100 Chair mentioned invasive species and suggested Contractor or any others out in the district should report or pull out and that homeowners needed to be made aware as it had been noted that some were being grown in gardens. Clerk advised that there was an App available called Plant Tracker which enabled reports on sighting to be uploaded which would then go to a National Database.

Any Other Business

2021.101 None.

Date of Next Meetings

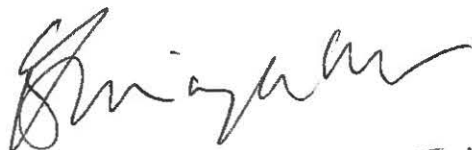
2021.102 As noted in the papers, the next planned for 19th January 2022.

2021.103 Chair thanked all for attending and closed the meeting at 12.27pm.

1.5 Matters arising there from not elsewhere on Agenda

1.6 Complaints/FOI/EIR requests

None received.



15 June 2022