

Minutes of Meeting

Date: 11 November 2020
Time: 10:30 -12:00
Place: Zoom Virtual

Action

1 Present

Bill+Elizabeth Blackledge (2B)
Jackie North (North Cave PC)
Becky Preston (EA)

Richard Powell (Brantingham PC)
Seraya Sigsworth (Yorkshire Water)
Suzanne Smith (Clerk, Newbald PC)
Claire Wood (Ellerker PC)

2 Apologies

Victoria Aitken (ERYC Ward Cllr)
Amanda Foster (EA)
Mike Kitching (ERYC FloodRisk)

Richard Meredith (ERYC Ward Cllr)
Bob Munby (South Cave PC)
Becky O'Sullivan, (Newbald PC)

3 Frequency of Meetings and Date of next meeting set:

It was agreed that it would be appropriate to increase the interval between meetings to every two months, but retain the flexibility to call additional meetings should the need arise.

4 Next Meeting Date

Wednesday 6 January, 10am

5 Minutes of the Previous Meeting

These were unanimously agreed as a true record.

6 Actions / Matters arising from the last meeting (14 October)

6.1 Review of LGA 1972 terminology to check any conflict within the WWSTF Terms of Reference.

SS reported that a Parish Council can only delegate authority to an officer, such as the Clerk of the Council or any other Officer of the Council, or to a Committee but not to individual Councillors.

However there does appear to be the opportunity to join up with other Parish Councils and to delegate powers to a Joint Committee.

It was noted that some of the Parish Clerks have flexible working arrangements, which can enable them to be engaged with the WWSTF meetings.

6.2 Terms of Reference (TOR) - Agreement by individual bodies

It was noted that:

- North Cave PC will not sign up to TOR, although it offers full support.
- Brantingham Councillors need a formal minuted discussion - no problems anticipated.

- Ellerker confirmed, we wait to hear from South Cave
- Newbald is very much in favour of WWSTF but the PC have not yet had the opportunity to discuss and make a formal decision.
- Hotham have not yet engaged with WWSTF.
- Environment Agency - no problems anticipated
- ERYC has not formally committed to be signed up to the TOR as yet.

JN suggested that it might be necessary to have a clause in the TOR to state that there will be no financial implications on any body signing up to the TOR.

It was agreed that this issue need to be revisited and that all PCs would seek to establish and confirm their positions.

It was noted that the TOR was based on the HEYWoods Partnership TOR and no one seemed to have a problem signing up to these. It is hoped that in time these difficulties will be resolved.

6.3 Commuted sums

RM had suggested emailing ERYC Customer Services to contact Leanne, who manages Commuted Sums (includes S106 and CIL levies). RM had followed this up and received the response that this project was not the kind of project for which commuted sums are intended.

7 Accountable Body

BB reported that he had emailed YWT to establish what actions would need to be undertaken if another opportunity to seek funding arises and there is a need for an organisation to provide the role of accountable body. He is still awaiting a response and will report back in due course.

Following a suggestion by RM, BB had contacted Cllr Bernard Gateshill to see what he could suggest. Having consulted a number of people and Democratic and Legal Services in East Riding, BG established that none of them would be prepared to take on the role of Accountable Body. The reason was that if they did it for WWSTF then they will have to take on the role for everyone.

It was noted that, where there is high-level commitment to a project (such as Living with Water) there does not seem to be a problem of applying for funding in partnership.

Cllr Gateshill suggested contacting HEYSmile as they assist voluntary organisations around how they can be set up. He also wondered about the role of Parish Councils.

7.1 Parish Councils Acting as Accountable Body

SS had identified a proposition that The Local Government Act could allow the formation of a committee of Parish Councils/sub Committee of Parish Councils/Councillors which could be charged with carrying out the duties of the contributing Parish Councils.

It was noted that this is a potential solution if there are willing and able Parish Councils. Also, if activities involve going after funding opportunities to enable work to be funded this would allow funds to be included to enable their Parish Clerks, for example, to be involved.

The problem at present is that WWSTF does not have equal representation from the Parish Councils: Hotham - non-existent, North Cave - not unanimous support, and others willing to be involved and put time and effort into meetings etc.

ALL

BB/
YWT

There was wide-ranging discussion around the possibility of setting up a Joint Committee of Parish Councils, noting that many points would need to be clearly stated and agreed to.

- The benefits of being part of the group.
- Joint Committee would have a legal status if all the PCs feel that they can sign up to the arrangement and it would need to comply with the normal processes that relate to PCs - notices of meetings, agendas, minutes, members of the public able to attend any meeting if they wish, etc.
- It was noted that the involvement of a Clerk could present a problem to some Parish Councils and be seen as a cost to the Parish Council. However, as a legally constituted Joint Committee it does not need to have a Clerk present, but someone would need to fulfil the role of Secretary to the Committee.
- The Joint Committee could become the Accountable Body to receive and allocate funding - resulting in an element of administration. The cost for this could be included in any funding bid and could then offset any potential costs to a PC.
- If meetings are able to be held via Zoom, the organisation should be fairly easy. However, if meetings have to be undertaken physically then arrangements might require more co-ordination. The intervals of the meetings could be determined by the Joint Committee.
- It was noted that a big attraction of the proposition is that the Joint Committee would be representative of all the areas and be an effectively democratically Accountable Body as well as being able to be the Accountable Body for funds.
- It was noted that a responsible Financial Officer would be required and that this role could be taken by one of the Clerks to a Parish Council.
- It was noted that Risk and Liability are important factors to consider. It was assumed that one of the agencies (YW, ERYC or EA) would tend to lead on any given project, depending on responsibilities and funding and, therefore, liability would be assigned accordingly. It was agreed that any potential liability would be more than any one or more Parish Council could accept by themselves.
- The risk associated with constituting and running the Committee should be separated from the risk associated with the implementation of any physical interventions, which would be taken on by one of the Agencies.

BB asked the Parish Councils if they would be prepared to pursue the idea. PC representatives expressed their thoughts about the possible reactions of their PCs and the concerns that might be raised. It was noted that the process would need to proceed with caution to establish tight terms of reference, a clear understanding of the aims, objectives, and commitment required, and benefits, to ensure all concerns are addressed prior to the point when everyone feels able to sign up.

It was agreed that the idea should be taken back to all PCs to seek their agreement to investigate the formation of a joint Committee and for tentative moves to be taken to develop the idea further.

ALL

8 Support from County Councillors

The support of two County Councillors (Victoria Aitken and Richard Meredith) was gratefully noted. However, the question was asked whether there another Ward Councillor who could be involved providing some support. It was suggested that they could come together to provide some leadership and support which might help the Parish Councils.

SS stated that Newbald is covered by Cllrs Bernard Gatesgill, Pauline Greenwood and Kevin Beaumont. It was noted that Bernard Gatesgill had been very positive in his emails to BB, it was suggested that Newbald could ask him if he would be prepared to come along. SS agreed that she could ask.

SS

It was suggested that the supportive County Councillors could discuss between them how they could collectively assist and perhaps identify who they need to speak to within East Riding to help the group.

9 South Cave Flood Alleviation Scheme and WWSTF

It was noted that ERYC Flood Risk are currently in the process of designing a £1.2m Flood Alleviation Scheme for South Cave and have been asked if they would explain the scheme to this group.

Concern was expressed that, in the eyes of ERYC, WWSTF does not have any status other than being seen as 'the public' and will only hear at the same time as everyone else, as opposed to being seen as a collective body which can contribute a collective view.

The scheme, as currently understood, is a large, traditional flood scheme, i.e. large and carbon intensive, as opposed to the small localised, frequent, working-with-nature, type of project, that WWSTF would favour. Conceptually, these are two very different approaches.

BB explained that RM has also spoken to MK's superiors to try to find out more and they have said that they will come back in due course. However, it seems unlikely that there will be any opportunity to influence anything before public consultation is undertaken.

BB/RM
/ERYC

7 Yorkshire Water

The Group welcomed Seraya (YW) to the meeting. BB explained the history of YW attendance and contribution to the group and that at one of the meetings Gary had suggested that YW could get together with ERYC/EA to put some funding together to appoint some consultants. WWSTF had made it clear that they wanted to be engaged in, at least, the briefing which should be done through a partnership approach wherever possible.

SS(YW) reassured the group that all that has happened has been a pre-scheme consultation discussion to set out the issues and establish whether the consultants can identify any other issues that might contribute to the systems and whether they can suggest a fundable project. If they come back with a viable suggestion, then YW would bring it back to the Group and ERYC for further discussion. SS(YW) reported that she is still waiting for a response but she assured the group that she would be reporting back as soon as possible.

BB reminded the group that YW has duties under its agreement with Ofwat to prevent combined sewer overflows and sewer contaminated flooding of property and that if it fails to do this, it is potentially subject to large fines. Consequently, if YW can be involved in measures to prevent this sort of event, then considerable amounts of money could be made available to fund projects. An example is the direct path that can be established between surface water flooding along Everthorpe Lane and CSOs in Finkle Street with attendant costs on YW.

SS(YW) reassured the group that this was very much her brief and that the consultants would be being asked to look at the even wider environment to establish potential impacts. She was clear that YW would seek to keep the community and EA involved to ensure that the issues are not considered in isolation but as a partnership response.

8 ERYC Section 19 Report into Winter Flooding

BB explained that this refers to Section 19 of the 2010 Flood and Water Management Act and is an obligation Lead Local Flood Authorities to investigate and report on flood events - especially those that impact on properties.

BB had asked if WWSTF would have a chance to see the report before publication and contribute, at which point Steve Charlton had written *"Because WWSTF group is not a risk management authority, they do not have any duties or designated functions during a flood event, and therefore are not mentioned in the report or in the recommendations. All recommendations are aimed at the risk management authorities."*

BB replied *"WWSTF is attempting to develop a catchment-based partnership, which includes not only the risk management authorities but also the elected members, the Parish Councils, the local community and land-owners. Is there not a strong argument for suggesting that a (S19) recommendation to the risk management authorities might be to work with such a partnership – rather than treating it as something entirely unconnected from the process of mitigating flooding?"*

Steve was saying that WWSTF has no more right or opportunity than any member of the public - which suggests that there is not as much sense of partnership as we might hope for.

With regard to Section 19 Report - at the recent National Flood Forum meeting on the subject, BB/EAB had heard a consensus view, from around the country, that the reports were often a whitewashing exercise - the reports did not contain enough detail, or actions, they did not monitor actions or take matters forward.

BB reported that, having looked at ERYC's previous report for South Cave in 2014 and a link to a committee meeting (provided by RM) at which Steve Charlton had talked about Section 19 Reports, it would seem that ERYC goes a lot further than most LLFAs and does a much better job than most, so they deserve credit. This gives optimism that even if WWSTF does not get to contribute to the Section 19 Report, it will be a useful tool in discussions.

9 Funding - Flood and coastal resilience innovation programme

9.1 ERYC's intention – Living with Water?

This opportunity had been circulated. RM had followed up whether ERYC would be interested in following this up with WWSTF and the answer has been "No" because Living with Water has already put a proposal together which would be around extending Living with Water in Hull's work, primarily focussed on education and working with primary school children and potentially involving things like diverting water from school roofs. The fear is that the emphasis will continue to be primarily on education and not necessarily getting things on the ground. This funding is not available to WWSTF but there might be the chance to engage with ERYC on the education side of things to fulfil some of the educational aspirations of WWSTF.

9.2 Significance of Funding document terminology

It was noted that the tone of the Funding Document was closely aligned to the objectives of WWSTF. The group takes heart that we are in tune with these messages coming from the centre of government which will be increasingly widely adopted.

10 WWSTF Position Statement 2020

RM and BB had a conversation regarding the need for a more nature-based response to the issues at South Cave rather than a single intervention. RM had stated that this is not the approach that ERYC want because they need single big assets that they can maintain and manage and they cannot cope with lots of small interventions distributed around the landscape.

BB explained that there is the potential for multiple small assets to be managed by the landowners themselves - looking ahead to the introduction of Environmental Land Management scheme (ELM, still in development) in which landowners will be paid 'for the public good' - this being the Post-BREXIT replacement to the Common Agricultural Policy.

RM requested a document that he could place in front of Portfolio Holders and other Councillors. As a result, the early draft of the Position Statement was shared and BB explained the concept to answer a series of questions as follows:

- **What?** - Introduction/Overview/Executive Summary
- **Why?** - Flooding, climate and sustainability / Community based / Make landscape and property resilient to climate change - make landscape resilient to reduce impact on properties
- **Where?** - Mill Beck Catchment / Parishes / Summarise each Parish's issues / Well-defined study area can act as a Pilot approach for other areas
- **Who** - Initiated from the community, Landscape Architects, Agencies, Parish Councils / Further partners: HERCP, HEYwoods etc. / Calder Valley Slow the Flow
- **How?** - Working with communities, landowners and farmers / ELMS and the 25 Year Environment Plan / Education and participation / Schools and individuals, rain gauges etc. / Resilient and sustainable properties / Engagement with planning process
- **When?** - 2007-2019 Flooding / Started 2020 / Planning phase 2021 ... / Early wins .../ Wider implementation
- **Case Studies**
- **Funding Opportunities** - WEIF (Water Environment Improvement Fund) / Yorkshire Water -CSO Improvements / Flood and coastal resilience innovation programme (just missed this one but the education strand might be able to tap into this fund) / Trees for Climate / Northern Forest / Landowners and Businesses

The document is intended to be a living one that can be added to as things develop.

The group agreed that this would be a very useful document and it was suggested that it would be helpful for all Parish Councillors to study at their leisure and ask questions on when the proposals are taken to each Parish Council.

BB reported that he intended to develop the document and share with the partners with the hope that they would be able to add more from their own experience to the various topic headings.

11 Zoom 'public' meetings

BB suggested 2B could host a series of meetings for the different Parishes on Zoom at which as many people as possible would be able to attend and be involved in the review and discussion of flooding issues and the planning allocations and bids in their Parish.

Suggested groups: Newbald; Hotham, North Cave and Everthorpe; South Cave; Ellerker and Brantingham

Suggested time: evening, say 7pm

It was agreed that this would be a worthwhile approach and that notification of the intention should be shared through the forthcoming Parish Newsletters and The Village Link.