

MINUTES of Meeting held on Monday 17th May 2021 via Microsoft Teams Online Meeting due to Global Pandemic. No attendance at the Strensall and Towthorpe Village Hall, Northfields, Strensall, York

PRESENT

Mr J P Coverdale (In the Chair)
Mr S Stark
Mr D R Brotherton
Mr M Cockerill
Mr I Ridsdale
Mr R J Burnett
Mr D M Crossley
Mr C Chambers
Mr S Wragg
Cllr Mr T Fisher
Cllr D Sykes

The Clerk – Mr W Symons

Member of the Public – Mr A S Richardson (later)

CONSIDERATION
OF REVISED
STANDING
ORDERS

The Clerk informed that the Chairman had instructed him to call the meeting as a virtual meeting because of the ongoing virus pandemic. This was required as the ability to hold virtual meetings after 7th May 2021 had expired in the Boards Standing Orders. This was on the basis that new Standing Orders based on the latest Defra Model Document are considered and approved as the first item on the Agenda. The Board requiring a formal meeting to approve a number of matters including authorising signing by the Chairman its Audit and Governance Statements for submission to the External Auditor by a fixed date.

The Clerk had included with the Agenda a copy of the draft of the proposed revised Standing Orders for Members consideration. The document being based on a revised model from Defra. The proposed changes allowing for remote meeting attendance and venue based meetings permanently. He further informed that he had confirmed with ADA that the document could be amended slightly so that the appointment of Chairman and Vice Chairman could be for a period three years rather than one. ADA having provided appropriate wording for the change.

Members reviewed the documentation and recognised the importance to conduct virtual Board Meetings at the current time in this way.

Mr D M Crossley proposed the draft document is formally adopted with the changes noted by the Clerk.

Mr S Stark seconded the proposal of Mr D M Crossley which was UNANIMOUSLY AGREED by the Board that the Board adopts the 'Draft Standing Orders' in particular so that formal meetings can continue to be held remotely due to the current virus pandemic.

APOLOGIES FOR ABSENCE

Apologies for absence were received from the Engineering Assistant, Mr N Culpan, along with Mr D J E Sherry, Mr P E Clark, Mr M Kemp and Mrs S Wiseman.

DECLARATION OF INTEREST

Mr M Cockerill noted an interest on one of the planning application responses the Board had prepared and sent included on the planning list.

There were no further 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

Mr S Stark proposed that the Minutes of the Meeting held on the 1st March 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.

Mr I Ridsdale seconded the proposal of Mr S Stark, which was UNANIMOUSLY AGREED.

MATTERS ARISING

There were no matters arising from the Minutes which were not covered in the Agenda.

HEALTH AND SAFETY

The Clerk confirmed no reportable incidents had occurred since the last meeting which would require reporting to the Health and Safety Executive (RIDDOR). He further reported an incident which had occurred with another Board of the York Consortium which had resulted in a hand injury and became reportable because of the time lost off work.

Proximity Sensors

Mr I Ridsdale asked about potential proximity sensors on excavators like the ones used on Heavy Good Vehicles with an audible warning could be used to reduce the risk of potential crushing.

Mr M Cockerill informed he was not sure how this would work as excavators work in a different environment to HGVs with many items close by as an example the equipment on HGVs can detect cyclists.

The Clerk informed that many excavators are fitted with cameras to help with this matter but he would ask the Engineering Assistant to review and provide advice at a future meeting.

RATES

The Clerk reported that the total rates collected up to the 14th May 2021 are as follows:

(a) Special Levy	-	£158,688.93	(50.0%)
(b) Direct Levy	-	<u>£ 24,285.15</u>	(48.0%)
		<u>£182,974.08</u>	

The Clerk reported that the Board had sent out its rate demands for 1st April. The first direct debit payments have also been drawn and the first rate reminders will be sent out shortly.

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

MAINTENANCE WORKS

The Clerk had circulated a report prepared by the Engineering Assistant which had been circulated with the agenda. He went through the report highlighting the items raised.

Pick-Up Truck Replacement

The Engineering Assistant's Report asked about the possible change of the Board's old Toyota pick-up for a newer second-hand one. This being included in the Board's budget for changing this year in its plant renewal programme. This is to update the Boards fleet and to avoid uneconomic repairs and reliability issues running an older vehicle.

The Clerk reported that it was difficult to price for a second-hand vehicle as they appear to sell quickly or may no longer be available following a Board Meeting.

Mr M Cockerill informed he had recently purchased Toyota pick-ups and achieved a good discount and was happy to share his contact with the Engineering Assistant so this option can be explored for a new vehicle.

Members considered this matter and it was also noted that quite high demand existed for second-hand vehicles currently along with long lead times for the purchase of new ones.

Cllr T Fisher proposed that this matter could be delegated to the Chairman to decide and instruct the purchase as advised by the Engineering Assistant.

The Chairman being in agreement to this approach.

The Clerk informing that a reasonably new second-hand vehicle was likely to cost between £17,500 to £18,500 along with PX or sale of the old vehicle. A new vehicle being £23,000 to £26,000 also along with PX or sale of the old vehicle, all prices excluding VAT.

Mr D Crossley seconding the proposal of Cllr T Fisher which was UNANIMOUSLY AGREED by the Board.

Black Dyke No 1 (near Church Road, Thornton)

The Clerk highlighted the matter raised in the Assistant Engineer's Report. The Assent from Natural England currently pending.

Members discussed the requirement for seeking assent from Natural England to remove the blockage because of the locations SSSI status.

Mr I Ridsdale noted the gradient at this location is extremely slack and a blockage of this nature can have an impact and can cause problems to other areas far beyond the SSSI.

River Foss Bank Works Downstream of the Tannery

Cllr T Fisher thanked the Board's Workforce for the work which had been carried out at this location and how it was nice to be able to view the improvements made.

Maintenance Flailing Contracts 2021/22

The Clerk reported that two maintenance flailing contract returns had been submitted. These in summary he opened in front of Members on line showing the cost summary sheets which included the rates as follows:

Contractor 1 – 30p/linear metre in old Wilberfoss and Thorton Level IDB district and 32p/linear metre in the old Foss IDB district.

Contractor 2 – 30p/linear metre in all districts.

The tender returns also including hourly rates for other activities if required.

Members considered the tender returns and suggested delegating the decision on awarding the work to the Engineering Assistant. This is so that a view on best value and available resources can be taken to deliver the maintenance programme.

Mr S Stark proposed this approach, which was seconded by Mr R J Burnett and UNANIMOUSLY AGREED by the Board.

Red Diesel

The Clerk informed that there appears to be an issue 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.

(SEE APPENDIX TO MINUTES)

The Clerk reminded Members of a letter from the Audit Commission which was circulated a few years ago. The letter clearly highlighted the requirements, which the Clerk has reflected in the Agenda items since, for the returns for the 2020/21 year-end audit. This is to try to ensure compliance and to avoid audit prequalification.

The Clerk had circulated with the Agenda a copy of the External Auditor's comments of 2019/20 (Section 3) in the IDB Audit Return for reference. The top box of the form includes that the External Auditor believes 'On the basis of our review of the annual return, in our opinion the information in the annual return 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.' In the second box 'Other Matters Affecting the External Auditors Opinion' no comments are made.

The Clerk reported that no comments were made by the Internal Auditor in Section 4 of the form for Financial Year 2020/21.

Review the Effectiveness of Internal Control

The Clerk noted that the Board had previously agreed for its Internal Auditor to review and report on the Boards System of Internal Control. The Clerk had circulated a copy of the report for the year ending 31st March 2021 with the Agenda.

AUDITOR
CERTIFICATE
2020/21

REPORT ON THE
SYSTEM OF
INTERNAL
CONTROLS

The Clerk noted the matters raised included continuity of service in the York Consortium, segregation of duties and representation at Board Meetings in decision making particularly with ‘Council Nominated Members.’ These matters were reviewed and discussed at the meeting by Members and the report content noted.

Consider the Findings of the Review

The Clerk will consider the matters raised and incorporate in the Boards Business Risk Assessment for the current financial year. The document will be included for review at the next meeting of the Board.

The Committee considered the report and it was proposed by Cllr T Fisher that the Board accepted the reports content. This proposal was seconded by Mr S Stark and **UNANIMOUSLY AGREED** by the Board.

APPROVAL OF THE ANNUAL GOVERNANCE STATEMENT

The Clerk informed the Audit Commissions Annual Return has been completed for 2020/21 which includes the Governance Statement Section 1. A copy of the Statement was circulated with the meeting agenda.

The Committee considered Section 1 of the Annual Return and it was proposed by Mr C Chambers that the Board approved the Annual Governance Statement. This proposal was seconded by Mr S Stark and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2020/21.

ACCOUNTING STATEMENTS

Consideration of the Accounting Statements

The Clerk reported that the Board’s External Auditors are Littlejohn LLP for the accounts being considered. The Auditors are now contracted directly to audit IDB accounts. This being established through a framework contract open to small local public organisations such as parish councils and IDBs.

A copy of the accounts was circulated with the meeting agenda for the year-ending 31st March 2021. The accounts having been internally audited, with the Auditor having completed and signed off Section 3 Annual Internal Auditor Report 2020/21 of the IDB Return.

The Clerk ran through the details of the Board’s accounts.

Cllr T Fisher asked about the reduced staff cost.

The Clerk informing that this was largely due to the Board being unable to recruit and introduce a new Member of staff during lockdown which had resulted in the underspend.

Approval of the Accounting Statements by Resolution

The Committee considered Section 2 of the Annual Return and it was proposed by Cllr T Fisher that the Board approve the Annual Accounting Statement for 2020/21. This proposal was seconded by Cllr D Sykes and UNANIMOUSLY AGREED by the Board.

Authorise the Chairman to Sign and Date the Statements

The Committee considered Section 2 of the Annual Return with the accounting statements and it was proposed by Mr S Stark, seconded by Cllr D Sykes and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2020/21.

The Board further authorised the Chairman and Clerk to sign and date the balance sheet of the accounts.

The Clerk had circulated a draft document for the Scope for the Board's Internal Audit with the Agenda. This document following the Audit Commissioner's guidance is required to be able to review the effectiveness of the Internal Auditor if required when the Internal Audit is complete.

The Clerk noted that the guidance from ADA on the Governance and Accountabilities in Internal Drainage Boards in England a Practitioners Guide (2006) updated 2007 has been updated more recently but this now puts the onus on the Board to define the scope of its own internal audit.

The Board considered its content and UNANIMOUSLY AGREED the acceptance of the Board for the Scope of the Internal Audit to be able to formally review the Effectiveness of the Internal Audit for financial year 2021/22.

The Clerk informed the Boards Planning Officer was due to go on maternity leave and a temporary replacement to provide cover had been recruited and was currently being trained.

The Clerk is scoping the Boards Insurance Covers, which are due for renewal in early June. He will be asking Towergate as the Boards Insurance Broker to seek covers to sustain the Boards policies. The Board at its next meeting will be able to review the covers and costs if required. If any changes are then needed these can be organised with the Board's Insurance Brokers following the renewal.

TERMS OF REFERENCE FOR INTERNAL AUDIT

STAFF AND WORKFORCE

INSURANCE

The Clerk highlighted following lockdown and reassessment of the risks in the light of changes in the insurance industry various businesses cover was being more difficult to achieve along with rising costs.

The Board Members noted and accepted the position on the Boards Insurance.

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 will be issuing 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 25th October will remain as the existing committee and election of Chairman and Vice Chairman for a three-year tenure will be at the Boards AGM in January.

ADA NATIONAL CONFERENCE

The Clerk informed that an ADA National Conference is being organised on 11th November 2021. This has been decided to be a virtual meeting and details can be obtained closer to the time.

It is hoped this can be held in London but remains uncertain with the ongoing virus pandemic. If this is not possible then it may have to be held as a virtual meeting.

Potential Demonstration in 2022

The Clerk informed that a potential ADA National Land Drainage Machinery and Equipment Demonstration is being considered in 2022 which potentially may be held in the Doncaster area.

ADA NORTHERN BRANCH

The Clerk as ADA Northern Branch Director is hopeful that a Northern Branch Conference and AGM can be organised on 5th November 2021 at the Cave Castle Hotel, South Cave.

CORRESPONDENCE

The Clerk reported that no further significant correspondence had been received by the Board 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.

Foss Upstream Storage Project

Mr C Chambers asked about the Boards position on discharging the drainage condition in relation to the Upstream Storage Project.

The Clerk informed the Board still was having ongoing discussions on the work. This being aimed to seek agreement in discharging the surface water drainage conditions.

The Chairman highlighted that uncertainty existed from the Environment Agency as to the extent and impact of reprofiling of the River Foss which to progress will require the Boards formal consent.

Mr S Wragg informed that in regard to discharging the surface water planning conditions the issues related to managing the runoff from new impervious areas and structures and these were close to resolution for the conditions to be signed off. He however was uncertain about potential channel restrictions and reprofiling.

(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 produced the Bank Statements for the Board's Current Account with a credit balance of £549,475.64 with Barclays Bank as at the 30th April 2021.

The Virgin Bank account has an additional credit balance of £152,646.57. The Boards 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 £63,373.38. 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 £765,495.59.

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.

Leased L200 Pick-Up Truck

Mr M Cockerill asked about the purchase of the L200 previously leased truck.

The Clerk explained how it had been purchased and confirmed it was now in the Boards ownership.

It was proposed by Mr D R Brotherton, seconded by Mr I Ridsdale and RESOLVED that payment of these accounts be confirmed.

(SEE APPENDIX TO MINUTES)

DATE OF NEXT MEETING

It was directed that the next Meeting of the Board is due to be held as a virtual meeting on **Monday 6th September 2021** commencing at **1.30pm**.

DATES OF FUTURE MEETINGS

The Clerk confirmed that future meetings will be held on **Monday 25th October 2021** and **Monday 10th January 2022 (AGM)**. The option of holding a venue based meeting if safe and potentially a facility to join virtually can be held at the next meeting.

ANY OTHER BUSINESS

Mr R Burnett noted that Natural England wanted to do a survey close/near to his land. This is as an eco-systems survey looking at landscape features and taking water samples. He was uncertain if this in the future could have an impact on the Hacking Drain.

CLOSE OF MEETING

The Chairman closed the meeting at 2.30pm as there was no other business.

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

(APPENDICES TO FOLLOW)