

MINUTES of Meeting held on Monday 20th June 2022 at Pike Hill Golf Club, Tadcaster Road, Askham Bryan, York.

PRESENT

Mr A P Sykes (In the Chair)
Mr R F Hildreth
Mr A Percy
Mr P Bramley
Mrs S Wiseman
Cllr J Galvin
Mr S Wragg
Cllr D Mackay

The Clerk – Mr W Symons
Engineering Assistant – Mr N Culpan
Member of the Public – Mr J Copeland

SUSPENSION OF
STANDING
ORDERS

The Clerk informed Members that with eight Members in attendance, a quorum of ten Members was not present.

The Clerk informed Members that the Board had to consider authorising and approving its Audit and Governance Statements by a set date. To meet this requirement Standing Order 27, to suspend SO 4(a) could be invoked by resolution of at least 75% of the Members present.

All Members Present UNANIMOUSLY AGREED Standing Order 27, to suspend SO 4(a) could be invoked by resolution so a formal meeting can be progressed.

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Mr S E Jackson (Mr A P Sykes standing in as Chairman), Mr C E Mills, Mr J Sanderson, Mr J B Blacker, Mr C Clayton and Cllr D Carr.

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
MEETING HELD ON
14th MARCH 2022

The Clerk informed the meeting held on 14th March 2022 was not quorate. The meeting however was continued and made recommendations on any matter arising. He further ran through the minutes page by page and highlighted the recommendations made.

It was proposed by Mr R F Hildreth, seconded by Cllr D Mackay and RESOLVED that Minutes of the Meeting held on 14th March 2022, a copy of which had been sent to all Members, be taken as read and approved along with any recommendations made and that they be forthwith signed by the Chairman as a correct record.

MATTERS ARISING

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

MAINTENANCE WORKS

Mapping Software

The Engineering Assistant had circulated a report to Members with the Agenda along with a web link to electronic maps identifying the maintenance work carried out by the Board. He informed that the Board had taken out a licence in new mapping software. This creates a web address which links to an online map on a view only basis highlighting the work progressed to date. The work for last year being highlighted which can be saved for reference in the future.

Maintenance Report

The Engineering Assistant referred to the report circulated with the Agenda which he ran through highlighting the items raised.

Carr Drain Culvert CCTV Survey

The Engineering Assistant reported that the section of the drain in culvert had been recently surveyed as agreed at the last meeting. A report was currently being produced on the survey which should be available shortly.

Health and Safety Awareness – Health and Safety Review with Safety Advisor

The Clerk informed of a meeting held on 23rd May with the Board's Health and Safety Advisor Mr R Shepherd along with the Engineering Assistant. At this meeting the Boards Health and Safety Policy was reviewed. It was also agreed the Engineering Assistant should seek health and safety issues or prosecutions in work situations similar to the Boards activities. The intention is these events can be included for discussion in his report by Members in relation to risk avoidance in the Boards work.

Members being in support of this approach.

The Engineering Assistant included an accident report from the Health and Safety Executive for consideration. The incident was discussed by Members in particular the position on responsibility for management of health and safety. The particular incident causing a life changing accident to employees which appear to have been avoidable. This along with highlighting the penalties imposed and the resultant prosecutions as a result of the circumstances which had occurred.

Members discussed the importance of health and safety management and associated matters more widely. This including arrangements with contractors and training.

The Clerk informed that ADA had produced a series of online videos from the ADA website which can be viewed by Members regarding health and safety management and responsibility and other matters.

(SEE APPENDIX TO MINUTES)

MAINTENANCE CONTRACTS

Maintenance Flailing Contracts 2022/23

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

Contractor 1 – 36p/m in all Districts.

Contractor 2 – 36p/m in the South Wharfe District.
– 39p/m in the North Wharfe District.

Contractor 3 – 40p/m in all Districts.

The tender returns also including hourly rates for other activities if required. The returns showing an increase in costs (20 to 25%) over last year due to rising prices of fuel equipment and employment costs.

The Engineering Assistant believed it was a good idea to give the work to a number of contractors as in previous years to match machinery availability. This keeping a number of contractors working rather than limiting the work to the contractor with the lowest price.

Members considered the tender returns and UNANIMOUSLY AGREED 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.

RATES

The Clerk reported that the total rates collected up to the 17th June 2022 are as follows:

(a) Special Levy	-	£165,041.82 (50%)
(b) Direct Levy	-	<u>£ 53,606.61 (78%)</u>
		<u>£218,648.43</u>

The Clerk reported that the Board had sent out its rate demands for 1st April. The second direct debit payments have now been drawn and the second rate reminders sent out.

The Clerk having a list of accounts with sums outstanding.

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).

AUDITOR CERTIFICATE 2020/21

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 2021/22 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 comments of 2020/21 (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 2021/22.

REPORT ON THE SYSTEM OF INTERNAL CONTROLS

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 2022 with the Agenda.

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.

Mr R F Hildreth noted that the Board had a number of meetings not quorate which he believes is a shame and the situation appears to be worsening. The Board needing to get more Members in attendance.

The Clerk informed the Board had a formal quorate number of 10 because of the overall number of Members. It would be possible to reduce the number of Members of the Board to lower the quorate number. Defra seeking Board Membership to be roughly 21 Members. It was also noted the Board was likely to see a reduction in the number of Members Nominated by the formation of the new North Yorkshire Council.

Formation of the New North Yorkshire Council

The Clerk reported on the formation of the new North Yorkshire / York Authority with devolution. These arrangements potentially could reduce the numbers of Council Nominated Members. Selby and Harrogate will fall under these new arrangements. In relation to membership, it appears that only formal Councillors will be Nominated to the Board. Selby and Harrogate currently nominating two each. The new arrangements come into place on 1st April 2023 and it is likely these four nominations will reduce to 1 or 2 unless others are nominated.

Members Non-Attendance at Meetings

The Chairman asked about the criteria for Members attendance at Board Meetings.

The Clerk informed that to remain a Member attendance at Board Meetings was required in a six-month period as a minimum.

Mr A Percy summarising the total Membership of the Board is 29, the Board has 18 vacancies and 10 Members are absent from this meeting.

Mr R F Hildreth suggested the Board should send a survey to Members regarding the best day and time for meetings to establish if the current arrangements are contributing to low attendance.

Members were in agreement to this approach then the Clerk can report the outcome at the next meeting.

Consider the Findings of the Review from the Internal Auditor

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 D Mackay that the Board accepted the letters content. This proposal was seconded by the Mr A Percy and **UNANIMOUSLY AGREED** by the Board.

APPROVAL OF THE ANNUAL GOVERNANCE STATEMENT

The Clerk informed the Audit Commissions Annual Return has been completed for 2021/22 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 Cllr D Mackay that the Board approved the Annual Governance Statement. This proposal was seconded by the Mr A Percy and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2021/22.

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 2022. The accounts having been internally audited, with the Auditor having completed and signed off Section 3 Annual Internal Auditor Report 2021/22 of the IDB return.

The Clerk ran through the details of the Board’s accounts and noted the increased income arising from the Boards ‘Highland Water’ contribution from the Environment Agency for works carried out in 2020/21.

Approval of the Accounting Statements by Resolution

The Committee considered Section 2 of the Annual Return and it was proposed by the Chairman, that the Board approve the Annual Accounting Statement for 2021/22. This proposal was seconded by Cllr J Galvin 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 the Chairman, seconded by Cllr J Galvin and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2021/22.

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 2022/23.

The Clerk informed some changes in the Boards ‘Financial Regulations’ were required. This included how banking was changing with local branches closing causing difficulties with daily branch banking. Tenders also are hard to obtain for machinery and electricity/fuel supply with quotations being more appropriate. Markets are also changing making it harder to obtain numerous quotations and tenders. In view of this the Clerk had prepared and circulated with the Agenda new draft financial regulations for consideration of the Board.

TERMS OF REFERENCE FOR INTERNAL AUDIT

FINANCIAL REGULATIONS REVIEW

It was UNANIMOUSLY AGREED and RESOLVED that the Board adopts the new draft Financial Regulations as its 'Financial Regulations.' The Board's Chairman being Authorised to sign the document.

INSURANCE

The Clerk informed Members that the Boards insurance renewal had recently occurred in early June.

The Clerk having provided a table of the covers which includes the costs, which have been renewed, was circulated with the Agenda prior to the meeting. The sums in the table include Insurance Premium and VAT if applied. The table showing the previous year's costs and invoiced costs for this year's cover from the Boards Insurance Brokers Towergate.

Cover	Last renewal	Last renewal expiring	Renewal amount payable
Contractors Combined	£7,835.68	£7,835.68	£6,872.61
Covea Combined			£1,058.28
Markel Legal Expenses	£56.00	£56.00	£56.00
Towergate Assist Commercial	£135.24	£135.24	£355.75
Management Liability	£910.00	£910.00	£1,092.00
Engineering Inspection	£985.20	£985.20	£1,150.86
Engineering and Construction	£453.60	£453.60	£476.28
Motor Fleet	£2,699.20	£2,699.20	£2,888.48
General Legal expenses	£166.60	£166.60	£175.00
Personal Accident	£371.46	£371.46	Now Incl under Foss
Total	£13,612.98	£13,612.52	£14,125.26

The Clerk noted the Business Combined Policy is being split with part of the policy cover with Covea. This does not reduce the cost significantly but provides wider cover and in the event of a claim a lower excess to pay. He further noted that the cost of pumps and replacement with materials and equipment shortages was increasing and consideration of the values insured will require ongoing review. The Board further having a shared policy with the Foss (2008) IDB for hired in plant which it contributes towards.

The Clerk informed following the problems and increased cost last year the insurance industry was now more settled. The increased cost this year reflecting the areas which the Board was seeking increased cover.

Members UNANIMOUSLY ACCEPTING the insurance cover provided and the cost for renewal.

The Clerk informed that an ADA National Conference is being organised on 9th November 2022. The meeting and details will be available closer to the time.

Potential Demonstration in 2023

The Clerk informed that a potential ADA National Land Drainage Machinery and Equipment Demonstration is being considered in 2023 which is likely to be held at Dyson Farms at Carrington near Boston in Lincolnshire on 5th and 6th July 2023.

The Clerk informed about the meeting held on 27th May at Cave Castle which the Board's Clerk organised and attended. The meeting seeking a new ADA Northern Branch Chairman to be in place for next year.

The Clerk as ADA Northern Branch Director is hopeful that a Northern Branch AGM can be organised on 4th November 2022 at Ouse and Humber Drainage Boards office. It is hoped at this meeting a new Chairman can be elected.

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

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.

Mr R F Hildreth noted one of the application responses (6617) although out of the district was incorrectly included in the list.

ADA NATIONAL CONFERENCE

ADA NORTHERN BRANCH

CORRESPONDENCE

PLANS

The Clerk noted this point and will amend the record and also reported that all this information was now digitised and a copy can be provided electronically.

Danebury Drive Planning Application

The Clerk had circulated details of a planning application and plan of a proposed development of a single house close to the Boards maintained watercourse the Carr Drain. The applicant having made a planning application which the Board had objected to because of constraining access for future maintenance/replacement of the drain in culvert. The standoff distance being roughly 2 metres.

The Clerk further explained that the applicant's Consultant had revised the application to provide access as shown in the plans circulated. This achieving a 3-metre standoff. This being designed following a more stringent accurate survey.

The Engineering Assistant informed that he believed this would be adequate if kept clear of obstructions for the future requirements of the culvert.

Mr J Copeland asked how the 3m stretch would be protected for the future and expressed concerns about other developments and impact of permitted development.

The Engineering Assistant noted that the Boards Byelaws are in place requiring consent.

Mr S Wragg asked about the Boards wider access requirements and noted his concerns about the Board identifying these applications and responding. This along with the impact of permitted development over which the planning process has limited control.

The Board **UNANIMOUSLY AGREED** and accepted not to object to the planning application in relation to the proposed 3-metre access.

(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 electronically if requested.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £724,670.36 with Barclays Bank as at the 27th May 2022.

The Yorkshire Bank/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 £74,259.04. The Board placing funds in a 95 day business saver account which is achieving 0.55% gross per annum.

The total balance of the Boards funds held in these accounts is £952,644.50.

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.

Mr R F Hildreth asked about the lease of Sunnybank Cottage.

The Clerk confirmed this had been renegotiated and the rent has been increased.

The Engineering Assistant confirmed the current tenants have been in place since 2017 and it is best for the Board to have long term tenants because of the loss of rental and time and fees to organise a change.

It was UNANIMOUSLY 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 at **Pike Hills Golf Club** on **Monday 12th September 2022** commencing at **6.30pm**.

Mrs S Wiseman informed that the meeting clashed with a parish council meeting so she may have to send apologies for the meeting however it might be possible to have that meeting moved.

DATES OF FUTURE MEETINGS

Monday 14th November 2022

Monday 16th January 2023 (AGM)

ANY OTHER BUSINESS

The Clerk thanked Members for attending the meeting.

CLOSE OF
MEETING

The Chairman closed the meeting at 7.55pm as there was no other business.

(APPENDICES TO FOLLOW)