

MINUTES of Meeting held on Monday 15<sup>th</sup> November 2021 at Woolas Barn, Woolas Grange, Appleton Roebuck York.

PRESENT

Mr A P Sykes (In the Chair)  
Mr C E Mills  
Mr S Barnes  
Mr J B Blacker  
Mr A Percy  
Mr C Clayton  
Mr A Sykes  
Mr P Bramley  
Cllr J Galvin  
Cllr D Carr  
Cllr D Mackay  
Mrs S Wiseman

The Clerk – Mr W Symons  
Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr S E Jackson, Mr J Sanderson, Mr S Wragg and Cllr A Myatt.

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 at the meeting for inspection and update as required.

ELECTION RESULT

The Clerk as Returning Officer advised that the new Board had come into place from 1<sup>st</sup> November. An election had not been required as the number of nominations did not exceed the number of positions on the Board. In view of this all the current Members were re-elected.

The Clerk welcomed Mrs S Wiseman to the meeting who potentially as a landowner in the district could ask the Board if she could join as an ‘Elected Member.’

ELECTION OF CHAIRMAN

The Clerk advised that Members were required to consider nominations and to appoint a Chairman and Vice Chairman for the Board. The positions are usually for a three year tenure.

The Clerk informed the meeting that Mr S E Jackson, although not present at the meeting, had confirmed he wished to be considered for nomination for the position of Chairman.

Members UNANIMOUSLY RESOLVED that Mr S E Jackson, be elected as Chairman.

Mr S E Jackson was duly elected as Chairman.

## ELECTION OF VICE CHAIRMAN

Mr A P Sykes informed the meeting that he wished to be considered for nomination for the position of Vice Chairman.

Members UNANIMOUSLY RESOLVED that Mr A P Sykes be elected as Vice-Chairman.

Mr A P Sykes was duly elected as Vice-Chairman.

The remainder of the meeting was chaired by Mr A P Sykes.

The Clerk thanking Mr S E Jackson and Mr A P Sykes for continuing as Chairman and Vice Chairman.

## Election Advert

The Clerk informed the Board that the outcome of the Boards election will be advertised shortly on the Boards website as required. The Clerk noting the required content which includes the details of the elected Members names and addresses.

## MINUTES OF LAST MEETING

It was proposed by Cllr D Mackay, seconded by Mr C Clayton and RESOLVED that Minutes of the Meeting held on 13<sup>th</sup> September 2021, a copy of which had been sent to all Members, be taken as read and approved. Then also as the last meeting of the Board was not quorate the recommendations made in the Minutes be formally accepted by the Board and they can 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.

## RATES

The Clerk reported that the total rates collected up to the 14<sup>th</sup> November 2021 are as follows:

(a) Special Levy	-	£160,425.25	(50 %)
(b) Direct Levy	-	<u>£ 64,045.03</u>	(96 %)
		<u>£224,470.28</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.

### **Court Fees and Costs**

The Clerk was asked about court fees and costs by Members which he explained at the meeting along with the Boards Policy for taking court action.

### **Low Value Drainage Rates Demands**

Mr C Clayton asked about the raising of low value drainage rates.

The Clerk explaining how this is managed.

The Engineering Assistant had circulated a report with the Agenda which he ran through highlighting the items raised. He had also made provision to display maps of the works carried out on a screen. This however was not very easy to see during the meeting so was made available at the end for Members to view.

### **Runswick Avenue Study**

The Clerk informed the study had been updated and circulated to Members for consideration with the Agenda. The study, having considered the location with limited access and failing structures, proposed three options with the following estimated costs:

**Option 1** – £573,000 – Buried Culvert

**Option 2** – £1,128,000 – New Reinforced Concrete Channel

**Option 3** – £235,000 – Clear Debris and Minor Repairs

All sums exclusive of VAT

### **Option Evaluation**

The Clerk noted Mr S Wragg had provided his input and views on the study which were available at the meeting offering to share if Members require.

## **MAINTENANCE WORKS**

The Clerk summarised the position with the study options believing Option 1 would be favoured although culverting is not widely supported as previously discussed. Option 2 was the most expensive and unlikely to be practical as the Board does not own any land at the location. Option 3 although the lowest cost does not address the overall problems. In the short term funding is very unlikely to be readily available.

The Clerk believes that in the short term work could be progressed on a limited budget trying to tackle health and safety structure issues. This being likely to be hand and barrow works.

### **Options Discussion**

Mr A P Sykes suggested the Board could get a land agent to approach landowners to tackle the problem as a neutral party also creating an awareness with the landowners.

Cllr D Mackay reported he has visited the location and was concerned about the infill development restricting access.

Cllr D Carr suggested the Board could host a public meeting to highlight the problem.

The Clerk noted he would be concerned about tackling all owners and issues in one go particularly without funding. This is because of the potential workload and required resources which could be created. He therefore suggests prioritising and focusing on the worst structures recorded in the report.

The Engineering Assistant reported he had checked the historical Minutes of the Board regarding the development at this location. In this it confirms Denby Drive was built so maintenance access was considered to be from the other side. Then both sides were developed later constraining access from both sides. Any of the proposed study options work is likely to have to be conducted in the channel.

Mr A Percy believes the starting point is to bring the matter to the land owner's attention. The Clerk has powers to enforce action. He recognised potentially the land owners could be elderly so the Board needs to try to create a working together relationship to progress the issue. In effect trying to pick the worst ones first but trying to avoid creating expectations on the overall solution.

## EXTERNAL AUDIT RETURN

### Conclusion and Action

Mr A Pearcy proposes the Board send letters to start the ball rolling to priority locations.

Mr C E Mills seconding the proposal of Mr A Pearcy which was UNANIMOUSLY AGREED by the Board

The Clerk referred to a copy of the External Auditors Certificate and Opinion for the accounts for financial year 2020/21. A copy of the External Auditors Certificate and Opinion had been circulated (Section 3 and 4) to Committee Members prior to the meeting with the Agenda.

The Clerk informed Members that the return from the External Auditor does not raise any matters under Section 3 External Auditor Certificate and Opinion 2020/21.

### Completion of the Audit

The Completion of the Audit has been advertised, as required. The Board acknowledged this outcome.

### Appointment of Internal Auditors

The Clerk advised the Board that the audit of the Board's accounts is reasonably complex. In view of this any new auditor would require some time to understand the working arrangements currently in place.

The current Internal Auditors, Brodericks (Doncaster), who have carried out audits for a number of other Boards, are familiar with the Consortium arrangements along with the Audit of small body public accounts and the requirements of the external audit.

In view of this the Clerk asked if the existing Auditor is retained for the 2021/21 financial year audit because of the familiarity of our current systems. The cost of last year's audit, support and production of the required reports for the Board was £1,650 plus VAT. However, the cost could increase depending on the requirements of the audit.

The Clerk noted that the external audit will be again with a small authorities contracted in external audit following the abolition of the Audit Commission. In this sustaining continuity of internal audit is likely to help if any problems arise with these arrangements.

The Clerk confirmed that the Board could send the internal audit work out for tender. However, the audit currently consisted of all the Boards in the Consortium and the process is reasonably complex because of shared services. As it is useful to have the auditor appointed during the financial year of the audit to cover any requirements during the financial year. If sent out to tender it would need to be planned in a future year. It also being difficult to find auditors with experience of Internal Drainage Boards and in particular the governance arrangements to be suitable to tender for the work.

The Board Members UNANIMOUSLY AGREED that the Board re-appointment the Internal Auditors, Brodericks (Doncaster) for the 2021/22 financial year.

### **Review of the Effectiveness of Internal Control**

The Clerk referenced the historical concerns of the External Auditor regarding the review of the effectiveness of internal control.

The Clerk asked if the Board would wish to continue to review its effectiveness of internal control in financial year 2021/22 with the report being prepared by the Internal Auditor. This is because the internal auditor is believed to be impartial to the interests of Members and the Boards Consortium staff. This therefore avoids any potential conflict of interest. However, the Board's Clerk should review the documentation and scope of this report to ensure that the audit compliance requirements are fully covered.

The Board Members UNANIMOUSLY AGREED for the Boards Internal Auditors work to additionally include the review of the effectiveness of internal control as carried out in the previous financial year 2020/21.

### **RED DIESEL**

The Clerk informed that uncertainty remains if red (untaxed) diesel can continue to be used for IDB maintenance work from 1<sup>st</sup> April 2022. The alternative being white (taxed) diesel which clearly will increase costs and limit the contractors the Board can use. New guidance on the usage of red diesel in agriculture had been issued last week (11-11-21). However, this did not provide any further information relevant to IDBs beyond what had already been established.

The Clerk informed he will base next year's budgets on accepting that most of the Boards work as ditch clearance is for the sole benefit of agricultural land which can 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.

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).

CORRESPONDENCE

The Clerk had circulated a letter regarding a pump design which was being sought by Ryther Parish Council to be prepared by the Board. The Boards response also being circulated with the Agenda for Members reference.

Mr C Clayton noting problems with the Agency not opening the flaps quickly enough at Ulleskelf to provide relief when the river starts dropping which increases the need for potential pumping.

The Engineering Assistant asked if it might be possible for the Agency to put in place a local 'flood warden' who could open and close the flood gate more appropriately.

Mr A Percy noted he supported the response of the Clerk which was agreed by Members.

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.

The Clerk reporting that all this information was now digitised and a copy can be provided at the meeting on a laptop computer instead of the paper records.

**Carr Drain and Permitted Development**

Mr C Clayton asked about development impacting on the Carr Drain and planning applications and if the Board is 'Objecting.'

The Clerk informed that most of the infill development at this location is permitted development so does not require planning permission.

**(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 at the meeting on a laptop computer instead of the paper records.

Mr A P Symes asked about The Harewood Whin allotments site.

The Engineering Assistant explained the situation with Tinker Lane and the outfall now installed.

**(SEE APPENDIX TO MINUTES)**

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £565,750.68 with Barclays Bank as at the 29<sup>th</sup> October 2021.

The 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 £74,084.82. The Board placing funds in a 95 day business saver account which is achieving 0.40% gross per annum.

The total balance of the Boards funds held in these accounts is £793,550.60.

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.

Members 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 this venue on **Monday 17<sup>th</sup> January 2022** commencing at **6.30pm** subject to confirmation of its availability.

The Chairman thanking Mr C E Mills for the usage of his venue which was appreciated by the Board.

FUTURE MEETINGS

Monday 14<sup>th</sup> March 2022

Monday 20<sup>th</sup> June 2022

Monday 12<sup>th</sup> September 2022

Monday 14<sup>th</sup> November 2022



ANY OTHER  
BUSINESS

Highland Water Contributions

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 Committee's (RFCC) consideration of the percentage to be paid. The RFCC October meeting has recommended that Boards pro rata to the claims made should be paid to the budget provided. However further consideration may be given and a larger amount may be paid. The Board's Highland Water Works Claim was for £79,730.76, the October meeting recommending the payment of roughly £52,506.83 thus a shortfall of £27,223.93. The Clerk noting the big impact on the Boards funds with reduced payment.

The Clerk thanked Members for attendance at the meeting.

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

CLOSE OF  
MEETING

**(APPENDICES TO FOLLOW)**