

MINUTES of Meeting held on Monday 25th October 2021 at the Strensall and Towthorpe Village Hall, Northfields, Strensall, York

PRESENT

Mr J P Coverdale (In the Chair)
Mr D R Brotherton
Mr D J E Sherry
Mr P E Clark
Mr M Cockerill
Mr M Kemp
Mr I Ridsdale
Mr R J Burnett
Mr D M Crossley
Mr C Chambers
Cllr D Sykes
Cllr T Fisher

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr S Stark, Mrs S Wiseman and Mr S Wragg.

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.

MINUTES OF LAST MEETING

It was RESOLVED that the Minutes of the Meeting held on the 6th September 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.

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).

RATES

The Clerk reported that since the report of the last meeting the sums raised in agricultural drainage rates and Special Levy remained the same. The total now collected up to the 22nd October 2021 are as follows:

(a) Special Levy	-	£158,688.93	(96.6%)
(b) Direct Levy	-	<u>£ 48,692.49</u>	(50.0%)
		<u>£207,381.42</u>	

The Clerk reported the second part of the Special Levy payment is due shortly.

The Clerk further reported that Court Pre-Action Protocol/final reminder letters had been sent to three ratepayers. This includes the Boards information and the relevant forms for debtors to complete in the relevant time periods. The process being progressed so as to not delay final rate demand payments and court action if required. A list of outstanding rate accounts was shown to the Chairman at the meeting.

The Clerk will progress court action if required in line with the Boards policy for sums outstanding over £15 following the issue of Pre-Action Protocol letters if no queries or land transfers are outstanding.

MAINTENANCE WORKS

The Engineering Assistant had circulated a report with the Agenda of the work carried out for Members consideration. He further displayed projected graphical maps of the Boards Districts. The maintenance work being recorded on the maps and built up in different colours year on year. This being intended to help develop and understand the longer term requirements of the Boards 'maintained' watercourses from historical works.

Brash and Tree Cuttings Disposal

Cllr T Fisher asked about the Boards practice of disposing of brash and bushes and the overall environmental impact.

The Engineering Assistant informed the Board used shredding and local disposal of the shredded material when it can. However this is clearly limited by the size of the machine used for shredding. Then controlled burning is used with caution for the larger more difficult bits.

Sheriff Hutton Road Bridge – Depth Gauge Calibration

Mr C Chambers asked about the process of calibrating the gauge as it appeared in the pictures provided to be rigidly fixed.

The Engineering Assistant reported that the available highways datum from the bridge he was informed was uncertain how accurate it was in relation to ‘Ordinance Datum’ (ODN). In view of this he was hoping to tie the gauge calibration in with the construction works levels for the Foss Flood Storage Scheme. This however has not progressed as fast as originally anticipated but as this work progresses the depth gauge can be moved either up or down as required or a conversion given so the levels can be tied in and hopefully related to (ODN).

4x4 Pickup Replacement

The Engineering Assistant has been unable to find a suitable reasonably priced second-hand pickup truck to replace the current Toyota Hilux 2007 vehicle. The current waiting time for new vehicles due to global supply chain problems has appeared to have increased the price of second-hand. This is making a good condition reasonably new vehicle which is readily available to be only slightly cheaper than the cost of a brand-new one. He had discussed this matter with both the Chairman and Vice Chairman and it was agreed the Board should purchase a brand-new vehicle. The Chairman being delegated to decide and instruct on the purchase as agreed at the Board Meeting held on 17th May 2021. The Engineering Assistant having found a new Isuzu Utility D-Max Double Cab 4X4 Pickup readily available as a one off. The anticipated delivery otherwise for a new vehicle ordered at this time would be into February 2022.

The Engineering Assistant following the Chairman’s decision has now placed an order with York Van Centre and the vehicle will be available in November of this year. The vehicle cost is £27,800.00 without VAT and Road Fund Licence and the old truck will be part exchanged for £1,800.00 off this sum.

High Water Levels on the River Derwent

Mr I Ridsdale asked if the Board had established any reasons why water levels appeared to have been so high on the River Derwent recently.

The Engineering Assistant reported that locally no particular reason was apparent however levels appear now to be dropping.

Old Foss Beck

Mr D M Crossley informed he was attending a meeting tomorrow night and he wished to be informed about the maintenance of the Old Foss Beck near Hopgrove.

The Engineering Assistant reported he had met with the Board's Foreman about this location. The Board's Foreman had checked downstream, walking the section and recorded some weed at a low level but the beck was flowing at normal levels. The land to maintain the channel is currently drilled so the Board is in the process of spraying the channel weed off with herbicide.

Cllr Mr T Fisher has had similar concerns raised about this location with a section of channel flooding last year so is a location of some concern.

EXTERNAL AUDIT RETURN

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 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 2021/22 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 continue to be under the local framework contract with PK Littlejohn. In this sustaining continuity of the internal audit is likely to help if any problems arise with these arrangements.

Members UNANIMOUSLY AGREED that the Board re-appoint 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 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. The Clerk confirmed he had obtained a letter from HM Treasury that ditch clearance for the sole benefit of agricultural land could 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.

UPLAND WATER CONTRIBUTIONS

The Clerk seeking Members views and noted that further guidance from HMRC may come out that precludes IDB work. It also being noted that the Board awards its contracted work on a year by year basis so contractually is only committed to a year's work along with the impact on the Boards equipment.

Mr M Cockerill asked if it was not possible for the Board to become exempt through the Minister so able to use red diesel.

The Clerk confirmed this had not been possible as the legislation was based on exemptions related to activity rather than particular organisations.

Cllr T Fisher proposed the Board continues to do ditch clearance on red diesel unless it becomes obviously in breach of HMRC rules for 2021/22 maintenance work.

Mr C Chambers seconding the proposal of Cllr T Fisher which was UNANIMOUSLY AGREED by the Board.

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 £85,118.17 on expenditure of £182,427.99 for expenditure up to the end of financial year 2020/21. The Clerk being informed that the overall IDB claims significantly exceeds the budget available in the Yorkshire Region. In view of this further consideration and a more detailed report on the matter was produced for the Regional Flood and Coastal Committees (RFCC) consideration of the percentage to be paid and was considered last week. It being believed a payment of £56,054.71 is to be made from the available budget creating a shortfall of £29,063.46. It however is possible more may be paid later in the year but it is unclear how this will be calculated.

Mr D R Brotherton asked if the Clerk can do anything about this as the Board needs to conduct the work properly on these highland water carriers.

The Clerk reported the Agency were seeking better information on potential future claims on a Regional basis so budgets can be set on more accurate information. This however was not an easy task because of the complexity of how the eligible sums are calculated, increasing costs and requirements for work along with it being a retrospective claim for works done in a prior year. The current year claims in the Yorkshire Region amounting to £847,313 against a budget of £558,000 and thus a shortfall of £289,313.

ADA NATIONAL
CONFERENCE AND
DEMONSTRATION

The Clerk informed that an ADA National Conference is being organised as a virtual meeting in two parts on 10th November 2021. The conference will be held with an address by Minister Rebecca Pow. ADA's Annual General Meeting being held independently. Details and joining instructions can be provided by the Clerk if requested closer to the time.

Potential Machinery Demonstration in 2023

The Clerk informed that a potential ADA National Land Drainage Machinery and Equipment Demonstration is being considered in 2023 and investigation for a suitable venue is underway.

ADA NORTHERN
BRANCH
CONFERENCE

The Clerk as ADA Northern Branch Director is organising a Northern Branch Conference and AGM. Details of the event being provided prior to the meeting with the Agenda. This will be held on 5th November 2021 at the Cave Castle Hotel, South Cave. The theme of the conference will be on 'Managing Change' and it is believed the Environment Agency's new 'Regional Director' will be in attendance.

Members agreeing for the Board to pay Member's conference fees if they wish to attend. The Chairman has agreed to attend on behalf of the Board.

ELECTION 2021

The Clerk informed that the election programme agreed at the Board's 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 had issued nomination forms in August to existing Elected Members and any other nomination forms as required. The closing date for submission of nomination has now passed (28th September 2021). An election is not required as nominations did not exceed the number of positions. The new Board will come into place on 1st November 2021. The election of Chairman and Vice Chairman for a three-year tenure will be at the Boards AGM in January.

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. 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.

Cllr T Fisher noted a duplication on the planning list of application numbers 6324 and 6348.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £444,522.46 with Barclays Bank as at the 2nd October 2021.

The Virgin Bank account has an additional credit balance of £153,715.10. The Boards now gaining 0.3% gross per annum.

The Nationwide Building Society account has an additional credit balance of £63,479.71. 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 £661,717.27.

Church Commissioners Local Authority Investment Fund

The Clerk informed he had asked the above (CCLA) about investments and they informed instant access cash funds were producing a lower return than the Boards Deposit accounts. If funds were put on deposit with risk a 2% to 3% gross may be achieved with a 3-year investment. In view of this he had not taken this potential investment any further. This along with believing that potentially interest rates were likely to increase in the near future.

Mr D R Brotherton believed the Board should not commit funds for over a year as the future is always uncertain and the Board is not in the investment business.

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.

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

(SEE APPENDIX TO MINUTES)

ACCOUNTS FOR CONFIRMATION

DATE OF NEXT MEETING

The Chairman asked if Members felt safe and comfortable at this venue.

Members confirming that the venue was appropriate for future meetings.

It was directed that the next Meeting of the Board is due to be held at the Strensall and Towthorpe Village Hall, Northfields, Strensall, York on **Monday 10th January 2022** commencing at **1.30pm**.

DATES OF FUTURE MEETINGS

Monday 7th March 2022

Monday 6th June 2022

Monday 5th September 2022

Monday 7th November 2022

ANY OTHER BUSINESS

York Ring Road Plans

Mr P E Clark asked if any further plans have been provided about the works from the Highways Authority as proposals appear to be progressing.

The Engineering Assistant informed that nothing had been provided recently but we are aware that matters are progressing.

Foss Flood Storage Scheme

Mr D Crossley asked about the progress of the York Upstream Storage Scheme at Lilling Green.

Cllr T Fisher informed he believed that the work was not progressing over the winter months and believed completion was considered to be in late 2023. He however was uncertain how the discharge of all the planning conditions was progressing.

CLOSE OF MEETING

The Chairman closed the meeting at 2.25pm as there was no other business.

(APPENDICES TO FOLLOW)