

MINUTES of Meeting held on Monday 11th September 2023 at Pike Hills Golf Club, Tadcaster Road, Askham Bryan, York

PRESENT

Mr S E Jackson (In the Chair)
Mr A P Sykes
Mr C E Mills
Mr R F Hildreth
Mr J B Blacker
Mr P Bramley
Cllr M Nicholls
Mr H Ferguson

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Sanderson, Mr A Percy, Mr C Clayton, Mrs S Wiseman, Cllr C Steward, Cllr A Hook, Mr S Wragg, Cllr A Warneken and Cllr A Paraskos.

MEETING NOT QUORATE

The Clerk informed Members that with eight Members in attendance, a quorum of ten Members was not present. Members agreed to continue the meeting and to make recommendations on any actions for further consideration and approval at the next meeting of the Board.

NEW MEMBERS

The Chairman welcomed Cllr M Nicholls (City of York) and Mr H Ferguson (North Yorkshire Council) as Council Nominated Members.

The two new Members introduced themselves and highlighted their backgrounds.

DECLARATION OF INTEREST

There were no declarations of interest related to the items listed on the Agenda.

The Clerk informed Members that the Register of Members Interests was available for inspection and update as required.

MINUTES OF LAST MEETING

It was proposed by Mr R F Hildreth, seconded by the Chairman and RESOLVED that the Minutes of the meeting held on 19th June 2023, a copy of which had been sent to all Members, be taken as read and approved and that they are forthwith signed by the Chairman as a correct record.

MATTERS ARISING

The Clerk reported that no matters were arising from the Minutes of the last meeting which were not covered on the Agenda.

HEALTH AND SAFETY

The Clerk advised that there have been no reportable incidents to the Health and Safety Executive (RIDDOR) since the date of the last meeting.

He noted the Board had been progressing the rollout of the Health and Safety Policy with its workforce.

RATES

The Clerk reported that the total rates collected up to the 11th September 2023 are as follows:

(a) Special Levy -	£176,971.60	(50%)
(b) Direct Levy -	£ 70,277.18	(95%)
	<u>£247,248.78</u>	

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

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.

ENGINEER'S REPORT

The Engineering Assistant had circulated a report to Members with the Agenda. This report did not contain a web link to electronic maps identifying the maintenance work carried out by the Board due to technical difficulties. This however will be provided for the next meeting. He offered to give demonstrations on using and gaining access to the Scribble Maps software system to individuals if required on which this information is provided.

Staff Changes

The Clerk informed that Mr G Parker, the Board's Foreman, has been recruited as the 'Field Works Supervisor.' This had recently been advertised for the three Boards surrounding York. The post starting from 1st August 2023 and working for the Foss (2008) IDB.

The Board's vacancy for Foreman has been advertised and awarded to Mr J Fenton on a trial basis, this leaving a vacancy for a machine operator which will be advertised shortly.

(SEE APPENDIX TO MINUTES)

HIGHLAND WATER CONTRIBUTION

The Clerk advised that claims had been made to the Environment Agency for the 2022/23 Upland Water ditch maintenance works. This was made on the basis of the sum of £142,217.50 of total works of which £64,719.44 is eligible to claim. The July meeting of the Regional Flood Defence Committee has agreed to pay 62.7% of this claim relating to the budget made available. This results in the payment of £40,604.07 to the Board. The Environment Agency may be able to pay a larger sum if efficiencies and savings made are achieved/identified in the revenue programme later in the year. This however did not occur last year so is potentially unlikely to occur.

The Clerk further informing that this returning of maintenance funds a year later is an important return income to the Board. The level of percentage paid in recent years has been high. It, however, gives no certainty that the percentages will remain and last year's percentage paid was much lower. However, the Board supports and appreciates the Regional Flood and Coastal Committee (RFCC) at keeping the percentage contribution as high as possible.

AUDIT

External Audit Return

The Clerk referred to a copy of the External Auditors Certificate and Opinion for the accounts for financial year 2022/23. 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 2022/23.

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 this sustaining continuity of the internal audit is likely to help if any problems arise with these arrangements.

In view of this the Clerk asked if the existing Auditor is retained for the 2023/24 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 PKF Littlejohn LLP.

Members UNANIMOUSLY AGREED to RECOMMEND that the Board re-appoint the Internal Auditors, Brodericks (Doncaster) for the 2023/24 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 2023/24 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 Board's 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 to RECOMMEND for the Board's Internal Auditors work to additionally include the review of the effectiveness of internal control as carried out in the previous financial year 2022/23.

BUSINESS RISK ASSESSMENT

Brexit, Materials, Energy Supply and Climate Change

The Clerk highlighted how the risk of Brexit with markets and supply appears to have settled down. This along with the Covid pandemic and restrictions diminishing.

In the time following the pandemic, shortages of raw material such as steel, cement and wood were not as prevalent as initially predicted. Costs however have increased and timber used in watercourse bank works at a reasonable cost being in short supply. The energy crisis influenced by the Russian-Ukraine conflict continues but it appears electricity prices are falling.

Members considering these risks not only from the perspective of drainage board maintenance operations but also from the ability of our ratepayers and Councils paying special levies to fund our activities. Councils have seen large payments due to recent events and financial funding restrictions. This along with landowners/occupiers potentially experiencing unfavourable market conditions for agricultural products or excessive overheads and could influence their ability to pay drainage rates.

It was noted that the Risk Assessment can be updated as new risks are established and mitigated.

The Clerk informed the external audit required the Board to formally consider and approve its Risk Assessment for 2023/24.

Mr H Ferguson noted that in the tabled Business Risk Assessment on page 5 the score to accept the risk should use less than rather than greater than (typed the wrong way around). He also noted that significant failures quite often are caused by a sequence of events and asked how this was recognised in the approach tabled. He also asked about potential cybercrime.

The Clerk noted the point of the impact of a sequence of events agreeing that a combination of events could cause a higher consequence but accordingly are less likely to happen. In relation to cybercrime the Board's information and financial arrangements are mostly administered on the Board's behalf by Foss (2008) IDB in the York Consortium arrangements. The Board's information and technology systems are professionally provided, serviced and maintained including the provision of anti-virus software. Individual Boards however can take out cybercrime insurance. To date this has not been progressed but remains an option to be considered. The Board also does not take credit or debit payments either directly or through its website so does not carry any risk from this method of payment.

This area is clearly changing from a likelihood and impact on the business perspective over time. In view of this, as a risk which could increase, it is a factor for future review and mitigation if required.

Members UNANIMOUSLY AGREED to RECOMMEND the Board adopts and approves this policy approach to risk assessment and the evaluation carried out in the document for financial year 2023/24.

ADA NATIONAL

ADA Virtual Annual General Meeting

The Clerk informed that ADA National are organising a virtual AGM on 27th September 2023. Joining details for Members wishing to attend will be made available if required closer to the time.

ADA Conference 2023

The Clerk informed that ADA National are organising a Conference on 21st November 2023 at the Institute of Civil Engineers at 10 Great George Street, London, SW1. The Board approving the payment of Members attendance at the meeting and appropriate travel costs. The Clerk has been making arrangements to pre-book rail tickets for Members who wished to attend.

ADA NORTHERN BRANCH

ADA Northern Branch AGM

The Clerk informed this is likely to be on 24th November 2023 at Yorkshire and Humber IDB offices.

ADA Northern Branch Publicity

The Clerk informed that ADA Northern Branch had held a stand at the Driffield Show on 19th July 2023. He reported that the show was busy now being held on one day rather than two.

WATER MANAGEMENT 2023

The Clerk informed that he had attended the ADA National Land Drainage Machinery and Equipment Demonstration. This was held on 5th and 6th July 2023 at Dyson Farms in Carrington near Boston in Lincolnshire. This was an interesting event organised by ADA and was a good opportunity for meeting Members and Officers from other IDBs nationally.

Mr C E Mills believed an opportunity existed to significantly improve any future event on which he could give advice if one was held again.

CORRESPONDENCE

Bolton Percy Collapsed Culvert

Mr P Bramley declared he had an interest in the land upstream and noted the problems it was causing.

The Clerk had circulated details of a collapsed culvert on a private drain which belongs to the Yorkshire Wildlife Trust.

The Engineering Assistant explaining the situation of how the location of the collapse has been identified. The culvert shown on the map is upstream and outside of the Board's drainage district but flows into it. The flows from this location continue to discharge into the Board maintained Rectory Farm Dyke. Yorkshire Wildlife Trust estimate to bypass the collapsed section, the cheapest option will cost in the region of £20,000 plus VAT and were asking if the Board would be prepared to contribute to the work.

Members gave this matter consideration and asked if it could be opened up.

The Engineering Assistant informing it was likely to be too deep and difficult to open up as a channel.

Members AGREED to RECOMMEND this was a private issue and recommended that the Board seeks to have Yorkshire Wildlife progress the repair. They also have the backing of the Board for the Engineering Assistant to work with them to see the issue addressed.

The Clerk reported there was no further correspondence of significance received 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.

Yorkshire Green – Planning Inspectorate – Large Project Application

The Clerk informed that the Board were dealing with the response which is a significant infrastructure project being considered by the Planning Inspectorate. The scheme impacting on Foss (2008) IDB, Ainsty (2008) IDB and Kyle and Upper Ouse IDB. The work consisting of upgrading of electricity transformers and distribution equipment.

The Board is seeking National Grid (the applicant) to provide suitable high voltage cable clearance for the Board's excavators to safely operate under. The Planning Inspectorate in the overall project will be considering this matter and the outcome will be published in the near future.

(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.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £575,761.52 with Barclays Bank as at the 1st September 2023. He noted shortly the Board would be placing some of its funds held in the Barclays current account in a Barclays short term deposit to achieve extra interest.

The Virgin Bank account has an additional credit balance of £307,105.59. The Board placing funds into a twelve-month deposit account which is achieving 4.3% gross per annum.

The Nationwide Building Society account has an additional credit balance of £76,360.92. The Board placing funds in a 95-day business saver account which is achieving 3.75% gross per annum.

The total balance of the Board's funds held in these accounts is £959,228.03.

The Clerk confirmed that Barclays Bank continue charging for its banking services. He further noted that NatWest bank had informed that they were unable to open an account to take commercial deposits from the Board. This is because the Board's corporate structure is set up under statute rather than as a company.

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 A P Sykes noted some items listed on the accounts.

The Engineering Assistant explaining the expenditure. Electricity Costs were also discussed at the meeting.

It was RECOMMENDED that this meeting 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 Hill Golf Club, Tadcaster Road, Askham Bryan, York, YO23 3UW on **Monday 13th November 2023** commencing at **6.30pm**.

DATES OF FUTURE MEETINGS

Monday 15th January 2024 (AGM)
Monday 11th March 2024
Monday 17th June 2024
Monday 16th September 2024
Monday 11th November 2024

Members suggested that at the next Board meeting the Clerk should include on the Agenda a reduction in meeting numbers. This possibly resulting in no longer having a September meeting.

ANY OTHER BUSINESS

The Chairman closed the meeting at 7.30pm as there was no other business.

(APPENDICES TO FOLLOW)