

MINUTES of Meeting held on Monday 14<sup>th</sup> September 2020 via Microsoft Teams Online Meeting due to Global Pandemic. No attendance at St Andrews Parish Church, York

PRESENT

Mr S E Jackson (In the Chair)

Mr A P Sykes

Mr R F Hildreth

Mr J B Blacker

Mr G H Smith (part meeting)

Cllr J Galvin

Mr S Wragg

Cllr N Waller

Cllr A Myatt

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr C E Mills, Mr A Percy, Cllr D Carr, Mr C Clayton and Mr J Bramley.

It was further noted that the meeting was not quorate with 8/9 out of 10 Members required.

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 proposed by Mr J B Blacker, seconded by Cllr J Galvin and RESOLVED that Minutes of the Meeting held on 15<sup>th</sup> June 2020, 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 further matters arising from the Minutes which were not covered under the agenda items.

LOSS OF A MEMBER

The Chairman reported the loss of Mr (Richard) Barnitt from the old Marston Moor district who had sadly passed away. He left the Board as an elected Member when it amalgamated to become the Ainsty (2008) IDB. It is believed the first meeting he attended as a Member was 19<sup>th</sup> November 1971. As a long serving Member his attendance was very good and he gave his time freely to the affairs of the Board.

## ELECTION OF VICE CHAIRMAN

The Chairman informed that Mr M Haigh had resigned as a Board Member as he had moved away to Northumberland. He further informed Members how grateful he was for the help Mr M Haigh had given the Board. This resignation however has created a vacancy for the Board's Vice Chairman. In view of this it was asked if anyone wished to be Nominated.

Members AGREED that the appointment of a new Vice Chairman should be given further consideration at a later meeting. As potentially it would be more appropriate when a larger number of Members were in attendance after the current Pandemic when a meeting is held in a formal venue.

## 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).

The Clerk reported he and the Engineering Assistant have had a contractor had an incident with an overhead power line which was reported as insulated serving a pumping station.

The Clerk further informed that the Board continues to keep up to date with the global virus pandemic and will adjust its working practice as required for both administration staff, workforce and contractors. This being aimed at reducing the risk of spreading the virus and containing it if it occurs.

## RATES

The Clerk reported the total rates collected up to the 4<sup>th</sup> September 2020 are as follows:

(a) Special Levy	-	£277,431.49	(93.6%)
(b) Direct Levy	-	<u>£ 62,765.32</u>	(97%)
		<u>£340,196.81</u>	

The Clerk also advised that a sum of £9,578.09 had been collected in drainage rates since the report of the last meeting.

The Clerk further reported that second reminders have been sent out and final reminders will be sent out shortly. If required court actions will be progressed. The Clerk providing a list of the outstanding rates which was viewed by the Chairman at the Meeting.

The Clerk reported that the Board had managed to send its rate demands out for 1<sup>st</sup> April despite the Global Pandemic and lockdown. Drainage Rate income overall not being far behind the percentage raised last year in June. The first direct debit payments have also been drawn and the first rate reminders will be sent out shortly.

## MAINTENANCE WORKS

The Clerk further reported that the City of York Council had paid 100% of the Special Levy rather than 50% as required to have been drawn.

The Clerk informed Members a report had been circulated with the Agenda.

The Clerk initially ran through the Engineer's Report. The Engineering Assistant then was able to join the meeting and continued from the Clerk along with informing that maps of the work carried out to date for Member's reference can be provided if required after the meeting.

### Carr Drain, Acomb

The Engineering Assistant reported that time and resources had not permitted advancing the proposals at the Carr Drain in Acomb. He was hoping to obtain a video shortly to give a more accurate position on the location and why he believed culverting may be a solution. He informed that the watercourse has a reasonably stony bed so is not subject to needing desilting. He also noted he was having trouble hearing the discussion at the meeting on the device he was using.

Mr S Wragg noted that this problem had existed for about 20 years and was disappointed that access had not been recovered by the Board. He however noted the issue of fencing and walls was unconsented and the landowner's responsibility. He however believed that the Board should be working on recovering access to be able to maintain the channel in the future. In his view culverting may not necessarily be the favoured option. He believed the Board for the Special Levy paid should progress this matter more actively. He believed that the local properties affected need to be more aware of the situation and responsibilities.

Mr J B Blacker noted the problems caused to access fences and walls which were all believed to be unconsented.

Cllr J Galvin believed that potentially the Board should be considering a culverting option to address the issue as soon as possible.

Cllr A Myatt asked Mr S Wragg what he believed the answer was to progress. She informed the Board needs to be more proactive and decide on a policy to deal with this in the future. In particular should failure of a structure and should blockages occur.

The Engineering Assistant again reporting having difficulties communicating from his device, he however believed the fence was unconsented but the channel was currently unhindered for flow. At the current time with social distancing, he was trying to obtain a video to give a more accurate position on the location and why he believed culverting may be a solution. He was hoping to be able to share this at the next meeting.

### **Watercourse Flailing – Rufforth Park**

Mr R F Hildreth reported that a reach of a watercourse flailing has been missed on a number of occasions. This is on a field between some greenhouses and Rufforth Park.

The Engineering Assistant reported that some of the Smallwith Dyke needed some logistics to do the work from the landowner however this reach should be addressed shortly.

**(SEE APPENDIX TO MINUTES)**

The Clerk reported that the 2019/2020 return had not yet been signed off but should be with the Board by the end of September.

### **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 Commission and the requirements of the external audit.

In view of this the Clerk proposed that our existing Auditor is retained for the 2020/21 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 for the fourth year of a 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.

**AUDIT**

Members UNANIMOUSLY AGREED to RECOMMEND that the Board re-appoint the Internal Auditors, Brodericks (Doncaster) for the 20/21 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 2020/21 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.

Members UNANIMOUSLY AGREED to RECOMMEND 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 19/20.

The Clerk advised that claims had been made to the Environment Agency for the 2019/20 upland water ditch maintenance works. This was made on the basis of the sum of £48,582.52. An overall payment has potentially been agreed of £47,785.77 (98.36%) but subject to being confirmed. The Board last year claimed £57,509.08 and an overall payment was agreed of 100% so is a slight reduction this year.

The Clerk informed the Board that the Association of Drainage Authorities have issued a model policy document for the Board's Risk Assessment. The format is in the form of a 3x3 matrix which evaluates the likelihood of an event happening against the consequence of the event happening. A draft updated Risk Assessment for the Board on this basis has been prepared which Members considered at the meeting. To aid Members identification the changes from last year were highlighted in bold and underlined.

It was noted that the Risk Assessment can be updated as new risks are established and mitigated. The Risk Assessment has been updated with the comments following the report of the Boards Internal Auditor's Report/Letter. It now also includes the Public Sector Cooperation Agreement (PSCA). This has been seen to be an important factor to be able to progress IDB Main River maintenance work such as on the Old Fleet Foss.

### UPLAND WATER CONTRIBUTION

### BUSINESS RISK ASSESSMENT POLICY

BRITISH SUGAR  
CULVERT BOARD  
DISTRICT  
REALIGNMENT

BYELAWS AND  
ENFORCEMENT

CORRESPONDENCE

The Board Members reviewed this document and considered the higher risk matters, which were highlighted in the report.

The Clerk informed the Board that the Audit required the Board to formally consider and approve its Risk Assessment for 2020/21.

Members UNANIMOUSLY AGREED to RECOMMEND that the Board adopts and approves this policy for financial year 2020/21.

The Clerk had circulated a copy of a map provided by the developer it showing that the proposed realignment of the culvert and its easements does not exist the Boards drainage district. The culvert being very deep in the ground.

The Clerk therefore asks Members if the Clerk could progress formally advancing changing the Boards Drainage District with the Environment Agency.

Mr S Wragg believes that a culvert renewal would be a good thing if the culverts hydraulics are appropriate and recognises the Board would seek to keep the culverts and its easements in the Boards drainage district.

Members present UNANIMOUSLY AGREED to RECOMMEND advancing the small change of the Boards drainage district to accommodate the realigned culvert and easements as shown on the drawing circulated with the Agenda.

The Clerk informed about the work he has progressing in relation to Byelaws. This was appearing to be advancing to updated draft model Byelaws being drafted by Defra for consultation. He also reported that he was attending meetings considering the costs which can be charged by Local Authorities and IDB's for issuing Land Drainage Consents.

**ADA Northern Branch Meeting – 3<sup>rd</sup> November 2020**

The Clerk informed this meeting was being organised on 3<sup>rd</sup> November for a Virtual Teams Meeting.

**Ryther Parish Council – Flood Pumping Scheme**

The Clerk informed he had been sent a copy of the Ryther Parish Council Flood Pumping Scheme. If any one is interested the Clerk is happy to discuss the proposals further.

The Clerk advised Members that there has been 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.

Mr R F Hildreth noted he had an interest in some of the applications.

The Board approved the comments.

**(SEE APPENDIX TO MINUTES)**

## CONSENTS

The Clerk referred to the list of Consents Applications 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 and Business Premium Account showing an aggregate credit balance of £729,906.97 with Barclays Bank as at 21<sup>st</sup> August 2020.

The Yorkshire Bank account has an additional credit balance of £152,646.57. The Board 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 £73,714.78. The Board placing funds into a 95 day saver which is achieving 0.4% gross per annum.

The total balance of the Boards funds held in these accounts is £956,268.32. It being noted that the balances were higher than usual at this time of the year as the City of York Council had paid its annual precept in full. The interest also on the Boards deposit accounts had fallen with the reduced bank base rate linked into the global pandemic.

## 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. The list was considered by Members and a number of questions asked.

It was RESOLVED that payment of these accounts be confirmed.

**(SEE APPENDIX TO MINUTES)**

ANY OTHER  
BUSINESS

**Machinery Purchase (Missed in Engineers Report)**

**Board Not Quorate to Consider Machinery Purchase –  
Suspension of Standing Orders**

The Clerk informed that the Board was not quorate to make a formal decision with only 8 members in attendance, a quorum of ten members was required but not present.

The Clerk informed Members that the Board had to consider purchasing this equipment to progress its maintenance works. In view of this Standing Order 27, to suspend SO 4(a), could be invoked by resolution of at least 75% of the members present to be able to commit to the purchase of this equipment.

Cllr J Galvin proposing Standing Order 27, to suspend SO 4(a), could be invoked.

Mr R F Hildreth seconding the proposal of Cllr J Galvin which was UNANIMOUSLY AGREED by the Board.

**Tree Shears**

The Clerk had circulated to the meeting three quotes and report for different tree shears provided by the Engineering Assistant. The Boards existing having become old and unreliable. The favoured option is the Habbig Tree Shears which are not the cheapest option but favoured for the Boards operation as explained in the report. The cost being £16,580 plus VAT.

**Heavy Duty Flail Head**

The Clerk had circulated to the meeting three quotes and report to purchase a heavy duty flail head to be used on the Boards excavators provided by the Engineering Assistant. The favoured option is the Fermac Heavy Duty Flail which includes two headstocks. This is however not the cheapest cost but the C4 Mulching head is only supplied with one headstock. In view of this the equipment is almost the same price with two, as the favoured Fermac model. The details of which are contained in the report. The favoured option of the Fermac model cost being £7,525.00 plus VAT with two heads.

Members UNANIMOUSLY AGREED that the Board should purchase the above equipment at or below the quotations as recommended by the Engineering Assistant in the circulated report.

DATE OF NEXT MEETING

It was AGREED that the next Meeting of the Board, the format of the meetings to be decided, will be on **Monday 16<sup>th</sup> November 2020** commencing at **6.30pm**. This was confirmed at the meeting.

FUTURE MEETINGS

The Clerk informed that future meetings of the Board are on the following dates were proposed and agreed:

Monday 18<sup>th</sup> January 2021 Annual General Meeting

Monday 15<sup>th</sup> March 2021

Monday 14<sup>th</sup> June 2021

Monday 13<sup>th</sup> September 2021

Monday 15<sup>th</sup> November 2021

There was no other business and the Meeting was closed at 20.07.

**(APPENDICÈS TO FOLLOW)**