

MINUTES of Meeting held on Monday 14th June 2021 via Microsoft Teams Online Meeting due to the Global Pandemic. No attendance at St Andrews Parish Church, York

PRESENT

Mr A P Sykes (In the Chair)
Mr R F Hildreth
Mr J Sanderson
Mr J B Blacker
Mr A Percy
Mr C Clayton
Mr P Bramley
Cllr J Galvin
Cllr D Mackay

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

CONSIDERATION
OF REVISED
STANDING
ORDERS

The Clerk informed that the Chairman had instructed him to call the meeting as a virtual meeting because of the ongoing virus pandemic. This was required as the ability to hold virtual meetings after 7th May 2021 had expired in the Boards Standing Orders. This was on the basis that new Standing Orders based on the latest Defra Model Document are considered and approved as the first item on the Agenda. The Board requiring a formal meeting to approve a number of matters including authorising signing by the Chairman its Audit and Governance Statements for submission to the External Auditor by a fixed date.

The Clerk had included with the Agenda a copy of the draft of the proposed revised Standing Orders for Members consideration. The document being based on a revised model from Defra. The proposed changes allowing for remote meeting attendance and venue based meetings permanently. He further informed that he had confirmed with ADA that the document could be amended slightly so that the appointment of Chairman and Vice Chairman could be for a period of three years rather than one. ADA having provided appropriate wording for the change.

Members reviewed the documentation and recognised the importance to conduct virtual Board Meetings at the current time in this way.

Mr J B Blacker proposed the draft document is formally adopted with the changes noted by the Clerk.

SUSPENSION OF
STANDING
ORDERS

APOLOGIES FOR
ABSENCE

DECLARATION OF
INTEREST

MEMBERSHIP

Mr R F Hildreth seconded the proposal of Mr J B Blacker which was UNANIMOUSLY AGREED by the Board that the Board adopts the ‘Draft Standing Orders’ in particular so that formal meetings can continue to be held remotely due to the current virus pandemic.

The Clerk informed members that with nine 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 were received from Mr S E Jackson (Mr A P Sykes standing in as Chairman), Mr S Wragg, Mr C E Mills, Cllr D Carr and Cllr A Myatt.

Mr C Clayton noted that he potentially had an interest in possibly purchasing the Boards Quad Bike and was happy to leave the meeting when the item was discussed.

There were no further 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.

City of York Council Nominated Members

The Clerk confirmed that City of York Council had recently confirmed that its ‘Nominated’ Members remained the same.

New Member

The Clerk welcomed Mr J Bramley to his first meeting of the Board and how the Board was pleased to have continuing representation from his family.

MINUTES OF LAST MEETING

MATTERS ARISING

MAINTENANCE WORKS

Sad Loss of a Historical Member

The Clerk reported the sad loss of Mr B Atkinson who originally was a Marston Moor IDB Member having joined the Board on 18th January 1999 following on from his father.

It was proposed by Mr A Percy, seconded by R F Hildreth and **RESOLVED** that Minutes of the Meeting held on 15th March 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.

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

The Engineering Assistant had circulated a report with the Agenda which he ran through highlighting the items raised. He however was unable to display maps at the virtual meeting of the works carried out due to technical difficulties.

Machinery Purchases 2021

Kubota ATV Replacement

The Engineering Assistant explained the Boards 2012 Kubota ATV is due for replacement. He had obtained the following quotations:

- Kubota RTV-X110 Cammo – Cost £16,240, trade in £4,000;
 - Gator XUV865M – Cost £19,694.31, trade in £4,000;
 - Yamaha Wolverine X” 850 2021 – Cost £21,055, trade in £4,000.
- (No VAT on Wolverine, all others plus VAT)

The Engineering Assistant explained the reasons why the workforce favoured the Gator rather than the new model of the Kubota, which is the Boards current machine. This including faster ground speed with hydro drive and more storage in the cab.

Mr R F Hildreth asked if the quotes include the correct tyres (e.g., road/semi road tyres) for the Boards work as changing them has been found to be expensive and asked if the existing has had any problems.

The Engineering Assistant confirmed this was included in the quotations and noted this was a very useful bit of equipment and the existing has had no problems to date.

The Chairman asked if any Member wished to make a proposal on which machine to purchase.

Mr A Percy proposes the Kubota at the cheaper cost and the existing has been reliable.

Mr C Clayton noted that a concern existed about the cab in the Kubota getting hot in the summer.

The Engineering Assistant agreed that ventilation was better in the Gator but the windscreen on the Kubota opens so not too bad.

Mr R F Hildreth seconding the proposal of Mr A Percy.

Members UNANMOUSLY AGREED with no other proposals made for any other option.

Offer for the Boards Existing Kubota

Mr C Clayton logged off the virtual meeting as he had an interest in this item.

The Clerk informed the Board had an offer to purchase its current Kubota rather than part exchange it.

Mr C Clayton had made a written offer of £4,100 + VAT. Part exchange is £4,000 currently offered.

The Engineering Assistant informed this would have to be on the basis as sold as seen, no guarantee or come backs. He noted it might take 3 months for delivery of the new one but the offer is for now. In view of this the Board may have a period without one but this will not impact on the Boards work rates.

Cllr D Mackay proposes the sale of the Kubota to Mr C Clayton on the above terms and the sum of £4,100 plus VAT.

Mr A Percy seconding the proposal of Cllr D Mackay.

Members UNANMOUSLY AGREED to the sale.

The Engineering Assistant was asked to try to get a further discount without a trade in if this sale is made.

The Clerk ringing Mr C Clayton and asking him to log back on to the virtual meeting, thanking him for making the offer and informing the Board had accepted it.

New Tipping Trailer

The Engineering Assistant explained the Boards Ivor Williams Trailer was due for replacement and a tipping version would offer a number of benefits.

He had obtained the following quotations for a power tipping trailer with extras such as extended sides as covered in the Engineer's Report:

- GT Trailers – Ifor Williams TT3017 – Cost £6,378 plus delivery and VAT, no trade in offered;
- Ripon Trailer Centres – Ifor Williams TT3017 – Cost £5,050 (£3,650 + VAT with the trade in), trade in £1,400;
- Graham Edwards – TP106 Trailer – Cost £5,730 + VAT.

He further informed the Board had purchased trailers previously from Ripon Trailer Centre and they have provided a good back up service so he recommends purchasing the trailer from them as per the quotation.

Mr A Percy proposed the purchase of the Ripon Trailer Centres Ifor Williams TT3017 trailer for £5,050 with a £1,400 trade in thus £3,650 + VAT with the trade in.

The Chairman seconding the proposal of Mr A Percy. Members UNANIMOUSLY AGREED to purchase the trailer from Ripon Trailer Centre.

The Chairman also suggested it was a good idea to purchase and use a hitch lock as a deterrent to help stop the trailer being stolen.

MAINTENANCE CONTRACTS

Maintenance Flailing Contracts 2021/22

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

Contractor 1 – 30p/m in all Districts.

Contractor 2 – 32p/m in the South Wharfe District.

Contractor 3 – 30p/m in all Districts.

The tender returns also including hourly rates for other activities if required.

Members asked about the resources available with the contractor Greens.

The Engineering Assistant reported they have worked for other Boards in the Consortium and been reliable and have at least two machines. He also believed it was a good idea to give the work to a number of contractors to match machinery availability with a number working rather than limiting the work to the contractor with the lowest price.

Mr C Clayton informed he was pleased with Contractor 2's work last year although slightly more expensive.

Members discussed the number of flailing passes required with the expectation in the contract along with trying to keep smaller machines and larger machines working on appropriately sized watercourses.

Members considered the tender returns and suggested 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.

Mr A Percy proposed this approach, which was seconded by Mr J B Blaker and UNANIMOUSLY AGREED by the Board.

(SEE APPENDIX TO MINUTES)

RATES

The Clerk reported that the total rates collected up to the 7th June 2021 are as follows:

(a) Special Levy	-	£160,425.25	(50%)
(b) Direct Levy	-	£ 52,981.96	(80.0%)
		<u>£213,407.21</u>	

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

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). He further reported an incident which had occurred with another Board of the York Consortium which had resulted in a hand injury and became reportable because of the time lost off work.

AUDITOR
CERTIFICATE
2019/20

REPORT ON THE
SYSTEM OF
INTERNAL
CONTROLS

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 2020/21 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 2019/20 (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 2020/21.

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 2021 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.

Consider the Findings of the Review

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 the Chairman that the Board accepted the letters content. This proposal was seconded by Mr R Hildreth and **UNANIMOUSLY AGREED** by the Board.

APPROVAL OF THE
ANNUAL
GOVERNANCE
STATEMENT

ACCOUNTING
STATEMENTS

The Clerk informed the Audit Commissions Annual Return has been completed for 2020/21 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 J Galvin that the Board approved the Annual Governance Statement. This proposal was seconded by Mr A Percy and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2020/21.

Consideration of the Accounting Statements

The Clerk reported that the Board’s External Auditors are Littlejohn LLP for the accounts being considered. The Audit Commission having been abolished but 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 2021. The accounts having been internally audited, with the Auditor having completed and signed off Section 3 Annual Internal Auditor Report 2020/21 of the IDB return.

The Clerk ran through the details of the Board’s accounts.

Approval of the Accounting Statements by Resolution

The Committee considered Section 2 of the Annual Return and it was proposed by Mr A Percy that the Board approve the Annual Accounting Statement for 2020/21. This proposal was seconded by Mr C Clayton 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 Mr A Percy, seconded by Cllr J Galvin and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2020/21.

The Board further authorised the Chairman and Clerk to sign and date the balance sheet of the accounts.

TERMS OF REFERENCE FOR INTERNAL AUDIT

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 2021/22.

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	£6,071.34	£6,071.34	£7,835.68
Loss Recovery Service	£128.80	£128.80	£135.24
Engineering Inspection	£807.14	£807.14	£985.20
Engineering and Construction	£172.97	£172.97	£453.60
Hired in Plant	Shared Policy in Consortium	Shared Policy in Consortium	Shared Policy in Consortium
Management Liability	£728.00	£728.00	£910.00
Personal Accident	£268.83	£268.83	£371.46
Motor Fleet	£2,632.00	£2,632.00	£2,699.20
Motor Legal expenses	£70.00	£70.00	£175.00
Legal Expenses	£56.00	£56.00	£56.00
Total	£10,935.08	£10,935.08	£13,621.38

The Chairman noted the Board had purchased new equipment which was likely to increase the cost but surprised about some of the other increases.

The Clerk ran through the covers provided and noted the current difficulties with insurance currently.

Mr A Percy believed it was a large percentage overall cost increase and asked if the cover provided was increased. He further noted if costs continue to rise perhaps the Board would need to consider providing insurance in a different way.

The Clerk informed some brokers had difficulty in providing liability policies for IDBs recently. He was informed a large insurance company recently had withdrawn from the market and the insurance capacity to provide the cover had reduced. In view of this the insurance cover had become more expensive because of the change in the structure of the industry along with other factors. He had asked the Boards brokers about insurance with the National Farmers Union but they only deal directly with clients. This along with Alliance Insurance which might be an option in the future however the insurance provided needed to cover all the risks of both the individual Board along with covering the shared Consortium risk.

The Chairman noted the Boards recent insurance claim history included the depot break in. In this, numerous tools were stolen including a pick-up truck which was a total loss.

The Assistant Engineer explained the cover provided on pumping station losses was good with claims being paid to other Boards of the Consortium when damage had occurred.

Cllr D Mackay proposed accepting the cover and tabled costs.

The Chairman seconding the proposal of Cllr D Mackay which was UNANIMOUSLY AGREED by the Board.

Cllr J Galvin apologising and leaving the meeting at this stage.

ELECTION

The Clerk informed that the election programme agreed at the Boards Annual General Meeting in January was advancing. The Board had approved the Register of Electors which had been advertised on the Boards website.

The Clerk will be issuing nomination forms in August to existing Elected Members and any other nomination forms as required. Nomination Forms will also be available for completion at the next meeting of the Board on 13th September 2021.

ADA NATIONAL
CONFERENCE

The Clerk informed that the closing date for submission of nomination forms is 28th September 2021. If an election is then required this will be on 26th October 2021 and the new Board will be in place on 1st November 2021. The meeting on 15th November will require the election of the Chairman and Vice Chairman for another three-year term.

The Clerk informed that an ADA National Conference is being organised on 11th November 2021. This has been decided to be a virtual meeting and details can be obtained closer to the time.

Potential Demonstration in 2022

The Clerk informed that a potential ADA National Land Drainage Machinery and Equipment Demonstration is being considered in 2022 which potentially may be held in the Doncaster area.

ADA NORTHERN
BRANCH

**ADA Northern Branch Conference – 5th November –
Cave Castle**

The Clerk as ADA Northern Branch Director is hopeful that a Northern Branch Conference and AGM can be organised on 5th November 2021 at the Cave Castle Hotel, South Cave.

CORRESPONDENCE

Channel Conveyance Meeting

The Clerk informed that a Channel Conveyance virtual meeting between the Environment Agency, Defra, ADA and CLA was being held on Thursday 24th June from 9.30am to 12.30pm. If anyone wishes to attend he can arrange for joining instructions to be sent.

Red Diesel

The Clerk informed that there appears to be an issue 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 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 electronically.

AGNOT

Mr C Clayton asked about what is an AGNOT planning application.

The Clerk explained it was an agricultural notification.

Surfacing of Grassland and Drainage

Mr C Clayton asked about the surfacing of grass land into hard standing.

The Engineering Assistant was aware of a current application which is likely to be reported to the next meeting of the Board in that the proposal is to use porous material so the water can infiltrate and uses field drainage. If clean limestone can be used with deep drainage before the land drains then this may be acceptable as a technical solution.

Cllr D Mackay believed the Board should try to observe the installation if it progresses to make sure it gets installed correctly.

(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.

Mr R F Hildreth asked about consent C898.

The Engineering Assistant informed that the Board maintains the watercourse from one side at this location from the village green. The consent is conditioned on the garden side down to a minimum of maintenance access of 3 metres which should not affect the Boards maintenance work.

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 £754,285.53 with Barclays Bank as at the 28th May 2021.

The Yorkshire Bank/Virgin Bank account has an additional credit balance of £152,646.57. The Boards 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 £73,960.73. 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 £980,892.83.

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.

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 as a virtual meeting on **Monday 13th September 2021** commencing at **6.30pm**.

DATES OF FUTURE
MEETINGS

Monday 15th November 2021

ANY OTHER
BUSINESS

The Clerk thanked Members for their patience and perseverance in joining the meeting.

CLOSE OF
MEETING

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

(APPENDICES TO FOLLOW)