

MINUTES of Meeting held on Tuesday 22<sup>nd</sup> June 2021 via Microsoft Teams Online Meeting due to Global Pandemic. No attendance at the Village Club, Escrick, York

PRESENT

Cllr J Cattnach (In the Chair)  
Mr J Hopwood  
Mr K Atkinson  
Mr R Bramley  
Mr J Daniel  
Ms T Fawcett  
Mr R Britton  
Mr S Christian  
Mr J Deans  
Cllr P Welch  
Cllr S Duckett  
Cllr R W Bramley  
Mr A Vevers  
Cllr C Vassie

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 7<sup>th</sup> 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 three years rather than one. ADA having provided appropriate wording for the change. The Board also sustaining its number for a meeting to be quorate lower than 1/3<sup>rd</sup> of its membership at 8. The Finance Sub Committee also having reviewed the Defra Model Document has recommended the adoption of this document by the Board at this meeting.

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

Mr R Britton proposed the draft document is formally adopted with the changes noted by the Clerk.

Mr J Deans seconded the proposal of Mr R Britton 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.

#### APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M Crane 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 for inspection and update as required.

#### MINUTES OF LAST MEETING

Mr R Britton proposed the Minutes of the meeting held on 26<sup>th</sup> January 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.

The Chairman seconding the proposal of Mr R Britton which was UNANIMOUSLY AGREED by the Board.

MATTERS ARISING

**Vacuum Collection of Flailings**

Cllr C Vassie informed the vacuum collection of flailing cuttings trials had advanced and information had been produced and provided recently which he could provide. The trials being carried out by the Kent Wildlife Trust and Lincolnshire Wildlife Trust and the makers of the equipment.

**Biodiversity Action Plans**

Ms T Fawcett noted that biodiversity action plans were not on this meeting's agenda and asked about progress.

The Clerk informed that progress had not yet been made due to a number of reasons. He noted that both Ms T Fawcett and Mr A Vevers had offered to help which he appreciated.

Mr S Christian offered Natural England's help and advice to also progress the matter resources permitting.

**Minutes Circulation**

Mr A Vevers asked if the Boards Meeting Minutes could be sent sooner rather than with the next meeting papers.

The Clerk informed that the Consortium ran five Boards and Sub Committees so a considerable number of minutes are produced. Currently logistically with the resource available it would be difficult to provide the minutes any earlier.

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

FINANCE SUB-COMMITTEE MINUTES

The Chairman presented the Minutes and recommendations of the Sub-Committee Meeting held on the 1<sup>st</sup> June 2021, a copy of which had been sent to all Members. These were summarised by the Chairman started to be considered page by page.

Mr R Britton proposed acceptance and approval of the recommendations contained within the Finance Sub-Committee Minutes.

The Chairman seconding the proposal which was **UNANIMOUSLY AGREED** by the Board.

The Chairman thanking Mr Britton for chairing the final closing items of the meeting as he had to leave early.

MATTERS ARISING

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

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 31<sup>st</sup> 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**

Members of the Boards Sub-Committee have considered the findings of the review and recommended the acceptance of the reports content.

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 and recommendation at the next meeting of the Finance Sub-Committee for the main Board’s consideration.

APPROVAL OF THE  
ANNUAL  
GOVERNANCE  
STATEMENT

Members considered the report and the review of the effectiveness of internal control and the recommendation of the Sub-Committee and it was proposed by Mr R Britton, seconded by the Chairman and UNANIMOUSLY AGREED the Board accepted the reports content.

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 Sub-Committee considered Section 1 of the Annual Return and recommended its approval.

It was proposed by Mr R Britton that the Board approved the Annual Governance Statement. This proposal was seconded by the Chairman and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2020/21.

ACCOUNTING  
STATEMENTS

**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 to the Sub-Committee Members with the meeting agenda for the year-ending 31<sup>st</sup> 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 Sub-Committee, after considering these accounts and the Audit Commission IDB Return Form Section 2 – Accounting Statements 2020/21, had recommended the Boards approval.

It was proposed by Mr R Britton that the Board approve the Annual Accounting Statement for 2020/21. This proposal was seconded by the Chairman 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 R Britton, seconded by the Chairman 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 the Recommendation of the Sub Committee and it was proposed by Mr R Britton, seconded by the Chairman 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.

## RATES

The Clerk reported that the total rates collected up to the 15<sup>th</sup> June 2021 are as follows:

(a) Special Levy	-	£201,212.95	(50.0%)
(b) Direct Levy	-	<u>£ 68,879.27</u>	(83.0%)
		<u>£270,092.22</u>	

The Clerk reported that the Board had sent out its rate demands for 1<sup>st</sup> April. The first 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.

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.

MAINTENANCE  
WORKS

The Engineering Assistant had circulated a report with the Agenda which he ran through highlighting the items raised. He displayed on screen maps of the work underway at the meeting on a new graphical information system (GIS) showing the Boards watercourses. This will be coloured up to be able to record and present at meetings the progress being carried out.

The Engineering Assistant ran through the maintenance report circulated with the Agenda.

Ms T Fawcett reported that Escrick Park Estates had an inspection of margins and hedges by RPA. The Margins being included in a Stewardship Scheme beside dykes. The inspection identified that the Board had conducted work outside the timing required in the specific Scheme. This resulting in a large fine in relation to the Stewardship payment. The Estate having a considerable length of margin near the Boards maintained watercourses which if taken out of Stewardship would cause problems.

The Engineering Assistant informed he was sorry to hear the position with the fine. He noted that it was possible to seek a derogation if the Board required to do the work however, landowners are not keen to take this approach for a number of reasons. He offered to consider this matter further and the Board will see how it can help, if it can, in the future.

Mr S Christian noted it was worthwhile seeking a derogation if an unexpected issue occurs. He however believes as an example if a hedge needs cutting every year, it should not be entered into a Scheme and a derogation applied for every year. He informed he was aware of the Escrick Park Estate concerns and he may be able to help with some further advice.

**(SEE APPENDIX TO MINUTES)**

CHAIRMAN NOTES

The Chairman noted that Mr C Forbes Adams had been honoured with an OBE in the Queens honours recently for charitable fund raising.

HEALTH AND  
SAFETY

The Clerk confirmed a reportable incident had occurred since the last meeting which required reporting to the Health and Safety Executive (RIDDOR). This occurred lifting plastic pipes and resulted in a hand injury and became reportable because of the time lost off work.

## INSURANCE

The Clerk informed Members that the Boards insurance had renewed in early June for continuity of cover.

The Clerk having provided a table of the covers which includes the costs for renewal, 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.

<b>Cover</b>	<b>Last renewal</b>	<b>Last renewal expiring</b>	<b>Renewal amount payable</b>
Contractors Combined	£8,625.57	£9,379.17	£10,584.76
Loss Recovery Service	£101.82	£101.82	£101.82
Engineering and Construction	£590.55	£590.55	£4,855.20
Engineering Inspection	£1,526.09	£1,863.01	£2,026.80
Hired in Plant	Shared Policy in Consortium	Shared Policy in Consortium	Shared Policy in Consortium
Management Liability	£735.39	£735.39	£919.24
Combined Business Travel/PA/Sickness	£268.83	£268.83	£371.46
Motor Fleet	£2,130.24	£2,810.72	£2,917.60
General Legal expenses	£70.00	£70.00	£175.00
Towergate Assist Commercial	£203.93	£203.93	£355.75
<b>Total</b>	<b>£14,252.42</b>	<b>£16,023.42</b>	<b>£22,307.63</b>

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 Clerk had included an insurance report independent from Towergate from PI Property Insurance this highlighting the current problems in the insurance industry.

Members noted the large increase in Engineering and Construction. It was however noted that the Boards Pumping Stations are £1,411.20 and £3,440 for the Coal Authority ones. This policy having been used by the Board previously the Clerk believing that even at this increased cost it would be worthwhile sustaining this policy.

The Clerk informed he remains reassured that Towergate as a broker continues to try to find the covers required at reasonable costs for the Board. This cover also sustains the network links for the Consortium arrangements. He further noted that potentially a policy low claims rebate may be given if no claim is made in the first three months after renewal.

### **Hired In Plant**

The Clerk informed that a shared policy with other Boards in the Consortium continues. This provides cover for the Board if it wishes to hire in plant and equipment for its own usage. This however does not provide cover for road usage.

The Chairman proposing the approval of the costs and cover of the insurance provided which was seconded by Mr J Hopwood and **UNANIMOUSLY AGREED** by the Board.

Members also noted and accepted the position on the Boards insurance, which had been renewed for continuity of cover. However, if any changes are required these can be organised with the Board's Insurance Brokers following the renewal.

## **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 24<sup>th</sup> June from 9.30am to 12.30pm. If anyone wishes to attend he can still arrange for joining instructions to be sent.

## **Red Diesel**

The Clerk informed that there appears to be an issue if red (untaxed) diesel cannot 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. 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.

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 Board's website.

The Clerk will be issuing nomination forms in August to existing Elected Members and any other nomination forms as required. The closing date for submission of nomination forms is 28<sup>th</sup> September 2021. If an election is then required this will be on 26<sup>th</sup> October 2021 and the new Board will be in place on 1<sup>st</sup> November 2021. The meeting on 19<sup>th</sup> October will remain as the existing committee and election of Chairman and Vice Chairman for a three-year tenure will be at the Boards AGM in January 2022.

## **ELECTION**

## **ADA NATIONAL CONFERENCE**

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

## **Potential Machinery 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**

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

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 digital copy can be provided if required.

**(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 digital copy can be provided if required.

**(SEE APPENDIX TO MINUTES)**

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account with a credit balance of £1,184,901.82 with Barclays Bank as at the 11<sup>th</sup> June 2021.

The Yorkshire Bank account has an additional credit balance of £152,646.58. 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 £89,806.51. 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 £1,427,354.91.

The Clerk confirmed that Barclays Bank continue charging for its banking services.

PRECEPT

**Environment Agency Precept**

The Clerk advised the Precept has been confirmed by the Environment Agency in its letter dated 16<sup>th</sup> February 2021 at £92,369.00 for financial year 2021/22, this keeping the Precept at the same level as financial year 2020/21.

**(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 **Tuesday 19<sup>th</sup> October 2021** commencing at **10am**.

DATES OF FUTURE MEETINGS

Tuesday 25<sup>th</sup> January 2022 (Annual General Meeting)  
Tuesday 28<sup>th</sup> June 2022  
Tuesday 18<sup>th</sup> October 2022

ANY OTHER BUSINESS

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

**Biodiversity Action Plan Reporting**

Mr A Vevers asked about the Boards existing Biodiversity Action Plan if any annual reporting or progress had been carried out.

The Clerk informed it had not and it remained the reports measures were in need of development.

CLOSE OF MEETING

The Chairman closed the meeting at 11.05am as there was no other business.

**(APPENDICES TO FOLLOW)**