

MINUTES of Meeting held on Tuesday 25th June 2024 at the Village Club, Escrick, York

PRESENT

Cllr J Cattanach (In the Chair)

Mr D Dear

Mr J Daniel

Mr M Headley

Mrs K McSherry

Cllr J Brooks

Mr M Grainger

Dr H Ferguson

Cllr R W Bramley

Mr A Vevers

Cllr C Vassie

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Hopwood, Mr R A Bramley, Mr I Ellwood, Mr S Christian and Cllr M Baker.

DECLARATION OF INTEREST

The Chairman informed he was a council nominated member of Selby IDB and Kyle and Ouse IDB and uses Brodericks (the company providing the Board's internal auditor), with his work as Chairman of Selby District Vision.

There were no further 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 MEETING

It was proposed by Mrs K McSherry, seconded by Dr H Ferguson and RESOLVED that the Minutes of the meeting held on the 23rd January 2024, 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

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

MINUTES OF
FINANCE SUB-
COMMITTEE
MEETING

RECOMMENDATIONS

The Chairman highlighted the Minutes and recommendations of the Sub-Committee Meeting held on 4th June 2024, a copy of which had been sent to all Members.

The Clerk noted the meeting within its scope was not quorate with the numbers of Members attending. The meeting however was progressed, making recommendations to the Board on the meeting agenda. These recommendations can then be considered by the Board if they wish to accept them.

The Clerk presented the Minutes page by page and the recommendations highlighted. He further asked Members to raise a hand if they have any queries or questions on the item being discussed.

Scope of the Finance Sub-Committee

Members UNANIMOUSLY AGREED to the Sub-Committee's recommendation that the document without any changes (beyond changing the Authority to North Yorkshire Council from Selby District Council) is accepted by the Board as the Committee's scope.

Review Policy on Court Action

The Clerk explained the process of advancing to court action and costs charged if payment is not made.

Members UNANIMOUSLY AGREED to the Sub-Committee's recommendation on court action accounts with sums more than £30 or accounts which had not been paid for a period of two years or more.

Auditor Certificate 2022/23

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 2023/24 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 2022/23 (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 2023/24.

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 Board’s System of Internal Control. The Clerk had circulated a copy of the report for the year ending 31st March 2024 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 Board’s 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 Board’s 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.

Mrs K McSherry proposed that the Board accept the Sub-Committee’s recommendation of acceptance of the findings of the review and acceptance of the reports content.

Dr H Ferguson seconding the proposal of Mrs K McSherry which was **UNANIMOUSLY AGREED** by the Board.

Approval of the Annual Governance Statement

The Clerk informed the Audit Commission's Annual Return has been completed for 2023/24 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.

Mrs K McSherry proposed that the Board accept the Sub-Committee's recommendation that the Board approves the Annual Governance Statement with the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2023/24.

Dr H Ferguson seconding the proposal of Mrs K McSherry which was **UNANIMOUSLY AGREED** by the Board.

Consideration of the Accounting Statements

The Clerk reported that the Board's External Auditors are Littlejohn LLP for the accounts being considered. 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 31st March 2024. The accounts having been internally audited, with the Auditor having completed and signed off Section 3 Annual Internal Auditor Report 2023/24 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 2023/24, had recommended the Board's approval.

Mrs K McSherry proposed that the Board accept the recommendation of the Sub-Committee and approve the Annual Accounting Statement for 2023/24.

Dr H Ferguson seconding the proposal of Mrs K McSherry which was **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 the recommendation of the Sub-Committee.

Mrs K McSherry proposed that the Board accept the recommendation of the Sub-Committee and authorise the Chairman to sign and date the statements.

Dr H Ferguson seconding the proposal of Mrs K McSherry which was **UNANIMOUSLY AGREED** by the Board.

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 of 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.

The Chairman proposed 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 2024/25.

Dr H Ferguson seconding the proposal of the Chairman which was **UNANIMOUSLY AGREED** by the Board.

Insurance Scope and Renewal Costs

The Clerk informed that the details of the costs and cover to be provided were not available for the meeting. This item will therefore be included in the Main Meeting for formal review.

Accounts for Confirmation

Mrs K McSherry proposed acceptance of the accounts for confirmation.

Dr H Ferguson seconding the proposal of Mrs K McSherry which was UNANIMOUSLY ACCEPTED by the Board that payment of these accounts was confirmed.

Formal Recording of Approval of the Recommendations of the Finance Sub-Committee from the meeting held on 4th June 2024

Mrs K McSherry proposed acceptance and approval of the recommendations contained within the Sub-Committee Minutes.

Dr H Ferguson seconding the proposal, which was UNANIMOUSLY AGREED by the Board.

MEMBERSHIP

The Clerk advised that City of York Council have confirmed its nominated members which remain the same except for the loss of Mr S Wragg as the council's Flood Risk Manager, the position currently being vacant. This also leaving a vacancy on the Board's Finance Sub-Committee which needs filling.

The Clerk further reported that Defra were shortly going to be advertising the changes to the Board with its reconstitution resulting in a reduction in membership numbers. It however is uncertain if this may be delayed because of the general election.

ELECTION

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 Board however is unable to conduct the election on the basis of the future reduced membership numbers.

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 24th September 2024. If an election is then required this will be on 23rd October 2024 and the new Board will be in place on 1st November 2024. The election of Chairman and Vice Chairman for a three-year tenure will be at the Board's Meeting in January.

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.

RATES

The Clerk reported that the total rates collected up to the 7th June 2024 are as follows:

(a) Special Levy	-	£239,847.95	(50.0%)
(b) Direct Levy	-	£ 88,726.33	(91.0%)
		<u>£328,574.28</u>	

The Clerk reported that the Board had sent out its rate demands for 1st April. The first direct debit payments have also been drawn and the first rate reminders have been sent out in the last couple of weeks.

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

Drainage Rating Software

Dr H Ferguson asked about the current position on the Board's Drainage Rating Software. He noted this is a fundamental issue for Drainage Boards as this manages one of the key income streams.

The Clerk informed that an application was likely to seek funding for the development of a shared new software system from the Tranche 2 Asset Improvement Funding. This needing an expression of interest urgently submitted.

ENGINEER'S REPORT

The Engineering Assistant had circulated a report with the Agenda for Members consideration. This included an electronic web link to the Board's GIS maps showing the locations of this work carried out. He further ran through the items included in the report. It being noted the Board's activities had been restricted earlier in the period because of wet ground conditions and high-water levels until recently. It further outlined the significant amount of work the Board was carrying out both on its own and the Coal Authority Pumping Stations. The Board's work also including Public Sector Cooperation Agreement (PSCA) work at Kelfield Ings at the direction of the Environment Agency.

River Derwent Conveyance Problems

Members discussed the issues raised in the Assistant Engineer's Report and noted how difficult it was to establish what was needed to improve the situation. It became apparent that the Environment Agency perceived that flow restrictions existed. It did not appear a clear plan existed or was funded to be progressed.

The Clerk noted that the issues being raised were wider than this Board. In view of this it is important to establish what information is available and coordination of how this is used and progressed. This is to establish if anything can be done to improve the situation. Previously the National Farmers Union had progressed various meetings but no clear outcome was reported. It would be useful to find out who holds information in the Environment Agency relevant to the River Derwent. It is uncertain if any LIDAR or flow conveyance models are held or are being developed to understand the channels flow conveyance performance. It was further noted that uncertainty existed on the discharge implications of the operation of the Barmby Barrage.

Dr H Ferguson believes everybody needs to report flow deficiencies and flooding concerns when they occur to heighten the issue.

Tour of Assets

Dr H Ferguson who had attended believed the trip was very informative and appreciated it.

The Chairman informed that he had attended a similar trip when he first joined and believed it gave a good understanding of the works the Board carries out. This along with the issues and constraints the Board must work within. He further invited any Members to contact the Engineering Assistant if they wish for a further future tour to be organised.

Cllr C Vassie informed he would like to be included on a future tour of assets.

(SEE APPENDIX TO MINUTES)

The Clerk reported that three tender returns had been received which had been opened yesterday at the Board's office (24th June 2024) with the Chairman in attendance. A report of the tender rates will be provided at the next meeting of the Board.

**FLAILING TENDER
CONTRACT AWARD**

DEFRA 2024/25
FLOOD RECOVERY
AND ASSET
REFURBISHMENT
FUND

The Clerk further asked if the Board could delegate the decision on the award of the work to contractors to the Engineering Assistant. This to be when he had reviewed the tenders to decide how to award the work. The decision to be based on price and resources the contractor can provide when required to deliver the Board's programme of work.

Cllr C Vassie asked about the tendering contractors flexibility to the works should changes be required for environmental considerations such as collecting cuttings and arising debris. In particular that contract award does not preclude any alternative methods to achieve biodiversity improvements.

The Clerk informed that most of the work consisted of linear channel work. This however can be adapted to linear sections and sides not being cut from year to year which can be requested under the contracted terms. He further noted that the contractors normally work happily with any changes the Board may require. The Board further can take on extra over costs should alternative equipment be required.

The Clerk made Members aware of the scheme which originally was announced at the National Farmers Union Conference of a fund for IDBs to recover from flooding and refurbish assets. A total sum of £75 million being provided based on the following criteria:

- The investment will be made in the 2024/25 financial year;
- The Environment Agency will be administering the scheme;
- Expressions of Interest for storm recovery will be required by 7th June 2024 (Tranche 1);
- Expressions of Interest for asset improvement will be required by 28th June 2024 (Tranche 2).

The Expression of Interest is required on a special form which requires a certain amount of detail to be eligible to apply.

The Clerk has considered the applications which can be made across the Consortium Member Boards with the resources and required information available. It appeared the grant will not apply to Coal Authority Assets. It is considered excess electricity used in the Board's storm pumping over the winter months is an eligible cost to claim from the Storm Recovery Fund. In view of this the Clerk to date has made the following applications:

Storm Recovery Tranche 1

- Excess electricity for storm pumping;
- Replacement/repair of damaged pump at Newlands Pumping Station;
- Excess bank repair and reinstatement of bank slips following sustained high flows.

The Board is likely to make the following applications at the end of this week.

Asset Improvement Tranche 2

- Portable emergency electric submersible pump.

The Chairman believed the Board needed to keep a watching brief on the matter and the capacity to deliver. In particular the work for Newlands Pumping Station.

The Clerk suggested he would progress Newlands Pumping Station such as quotes and delivery times but try to avoid commitment until necessary. If this occurs he will seek guidance from the Chairman.

PRECEPT

The Clerk advised that the Environment Agency's letter from February 2024 confirms the Board's Precept is set at £92,369.00 for financial year 2024/25. The recommendation of the Precept required by the Environment Agency being made and accepted by the Regional Flood and Coastal Committee (RFCC).

CONSORTIUM
MANAGEMENT
COMMITTEE
MEETING

The Clerk reported that a Consortium Management Committee Meeting was held on 6th February 2024. The meeting was attended by Cllr J Cattanach and Cllr J Brooks. A copy of the Consortium Agreement is available with the Clerk for Members to view if they wished. The meeting confirmed and agreed the Consortium staffing levels for financial year 2024/25 and the resources to provide the service.

The Clerk running through the items covered at the meeting. This included the potential to consider increasing the number of Boards in the overall Consortium and the administration efficiency in relation to the wider resources should an appropriate opportunity arise. This requires a reasonably sized Board for efficiencies to be achieved.

Committee Members gave the Clerk an open mandate to call a meeting of the Consortium should any appropriate opportunities arise.

The Clerk further highlighted the opportunities across the Consortium for partnership working under Public Sector Cooperation Agreements (PSCA) with our partners which this Board is clearly progressing.

The Chairman supporting the increased resource proposals for the Consortium.

Office Lease

The Clerk noted that the Committee considered the commercial estimate for the annual rent for the Board's office at Derwent House. The office being owned by the Board. A new lease being signed for an agreed sum which will run for the next three financial years with no further increase in cost.

Consortium Staff

The Clerk further reporting on the shared resources of the Consortium which had been increased from last year. This including the Board's part-time provision of graphical information support (GIS). This along with recruiting a Field Works Supervisor for the three Boards in the York area.

The Chairman supporting the ongoing increased resource proposals for the Consortium.

The Clerk further updated the Committee on the progress being made in consideration of rewriting the Drainage Rating Software (DRS).

STAFF

INSURANCE

ADA NATIONAL

ADA NORTHERN BRANCH

Workforce

The Clerk reported that the Board's new Member of the workforce was settling in well and learning about the Board's assets and developing new skills.

The Clerk reported that the Board's insurance policies renewed in early June for continuity of cover as agreed at the last meeting. A schedule of the insurance costs has been circulated with the Agenda. The Board using Townergate as the Board's broker to obtaining the required covers. The sums in the table include Insurance Premium Tax and VAT.

The Clerk informed following the problems and increased cost over the last couple of years the insurance industry was now more settled. The increased cost this year reflecting the areas which the Board was seeking increased cover and inflationary costs.

The Board Members noted and accepted the position on the Board's insurance, which had been renewed for continuity of cover on this basis, however if any changes are required later these can be organised with the Board's Insurance Brokers.

Members UNANIMOUSLY ACCEPTING the insurance cover provided and the cost for renewal.

ADA National Conference

The Clerk informed that this year's ADA National Conference is being held on 13th November 2024 at the Institute of Civil Engineers in London. The meeting and details will be made available closer to the time.

ADA National AGM

The Clerk informed that the ADA National AGM is being organised virtually on 3rd December 2024. The meeting and details also will be available closer to the time if anyone wishes to attend.

ADA Northern Branch AGM

The Clerk informed this is being organised on 22nd November 2024 at the Ouse and Humber Drainage Board Offices near Howden.

ADA Northern Branch Publicity

The Clerk reported that ADA Northern Branch will have a stand at the Drifffield Agricultural Show on 17th July 2024.

CORRESPONDENCE

The Clerk reported there was no 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.

(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 £736,648.95 with Barclays Bank as at the 24 May 2024.

The Board also having £200,000 in a Barclays Treasury Fixed Term Deposit Account which is achieving 3.03% gross per annum.

The Virgin Bank account has an additional credit balance of £357,105.60. The Board placing funds into a twelve-month deposit account which is achieving 4.30% gross per annum.

The Nationwide Building Society account has an additional credit balance of £95,187.20. The Board placing funds in a 95-day business saver account which is achieving 4.25% gross per annum.

The total balance of the Boards funds held in these accounts is £1,388,941.75.

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

DATE OF NEXT MEETING

It was directed that the next Meeting of the Board is due to be held at the Escrick & Deighton Club, Escrick, York on **Tuesday 22nd October 2024** commencing at **10am**.

DATES OF FUTURE MEETINGS

Tuesday 21st January 2025 (AGM)

ANY OTHER BUSINESS

The Chairman noted the latest ADA Magazine which gives a reference to a 25-minute video on the work IDBs carry out. He noted it was very worthwhile watching. A link to watch it can be obtained from the ADA website.

The Chairman closed the meeting at 11.50am as there was no other business.

(APPENDICES TO FOLLOW)