

MINUTES of Meeting held on Monday 9th September 2024 at the Strensall and Towthorpe Village Hall, Northfields, Strensall, York

PRESENT

Mr J P Coverdale (In the Chair)

Mr S Stark

Mr D R Brotherton

Mr D J E Sherry

Mr M Kemp

Mr I Ridsdale

Mr R J Burnett

Cllr M Warters

Mr D M Crossley

Mr C Chambers

Cllr T Fisher

Mr M Lumley-Holmes

Cllr D Needham

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr P E Clark, Cllr E Pearson, Mrs S Wiseman and Mr J Dent.

DECLARATION OF INTEREST

Mr I Ridsdale noted he had an interest in planning application number 7887 included in the list circulated with the agenda.

Cllr T Fisher noted he had an interest in planning application number 7918 included in the list circulated with the agenda.

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.

MEMBERSHIP

The Clerk confirmed following the general election he had received correspondence from the councils. This had confirmed there were no changes to either the City of York Council or East Riding of Yorkshire Council Nominated Members.

The Clerk further confirmed that City of York Council were currently advertising the position of Flood Risk Manager. This was the position previously held by Mr S Wragg. The Council's published job description for the position included the responsibility to attend Internal Drainage Board meetings as a Council Nominated Member as required.

MINUTES OF LAST MEETING

Mr I Ridsdale noted that his son had only looked at the Board's drainage rating software to see if the proposal was practical.

The Clerk apologised that this item was incorrectly minuted as a consultation.

It was UNANIMOUSLY AGREED and RESOLVED that the Minutes of the meeting held on 3rd June 2024, 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.

RATES

The Clerk reported that the total rates collected up to the 16th August 2024 are as follows:

(a) Special Levy -	£184,163.73	(50%)
(b) Direct Levy -	£ 53,384.81	(92%)
	<u>£237,548.54</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. The Board heading towards sending out final demand letters which include pre-action protocol forms. These being required before any court action can be taken. It was also noted 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 with the Agenda for Members consideration. This included an electronic web link to the Board's GIS maps showing the locations of work carried out. He noted the Board's Works Foreman had been trained on the mapping system and was now inputting the data. He further ran through the items included in the report.

Cllr T Fisher noted local concern about weed growth in the River Foss through Strensall, particularly in the narrow parts.

The Engineering Assistant noted that duckweed had been a problem in the past along with weed growth so he offered to have a look and see what can be progressed.

Sewage Discharges into the Board's Catchment

Cllr T Fisher and Mr I Ridsdale highlighted the problems with the quality of water being discharged from local sewage treatment works into the Board's catchment.

Culvert CCTV Work

The Chairman asked if the Board had any further culvert CCTV work planned.

The Engineering Assistant informed he was planning on conducting a survey on the Usher Lane culvert as the next priority.

River Derwent Retained Flows After Heavy Rainfall

Mr I Ridsdale informed that the National Farmers Union (NFU) East Riding Chairman had called to inform he was meeting high level colleagues in London. This in particular focusing on Environment Agency river maintenance. He then asked if the Board would support the NFU or help in any discussions.

The Clerk informing that the Board would be in support of any such action; however, the NFU discussions to date had tendered to be between the NFU and its Members.

(SEE APPENDIX TO MINUTES)

**STORM RECOVERY
AND ASSET
RENEWAL GRANT
FUNDS**

Tranche 1 Funding Granted

The Clerk reported the funding for storm recovery in Tranche 1 has been granted. The Board and Consortium Member Boards have benefitted from the following:

- Foss (2008) IDB Directly
 - achieved £15k for additional bank repairs and stabilisation funding following storms.
- Consortium Boards
 - Funding for additional electricity used for pumping;
 - Some pump refurbishment;
 - LIDAR survey of flooded Beverley catchment.

The Clerk reported that 115 applications have been considered nationally. The applications amounted to £32 million, an initial budget was set at £25 million.

Tranche 2 Funding – (No Authorisation until Ministerial Approval Given)

- Consortium Member Boards Applications Made
 - seeking top up funding for highland water contributions;
 - seeking funding for Drainage Rating Software (commercial proposal);
 - More wider Consortium funding (e.g. pump upgrades);
 - Funding for some GIS mapping of field boundaries.

The Clerk reported that a large amount of input was required to make both funding tranches submissions. This along with the resources of the Environment Agency to administer the fund and the award of the work. It however is now uncertain with the new government if Tranche 2 will be funded. He informed that the value of the expressions of interest in the fund overall was approaching £95 million with 275 applications. The fund initially allocated related to £75 million. He was informed that the Tranche 2 funding was quickly signed off by MP Emma Hardy and is now seeking the Secretary of State's approval since 6th August 2024.

HIGHLAND WATER CONTRIBUTION

The Clerk advised that claims had been made to the Environment Agency for the 2023/24 Upland Water ditch maintenance works. This was made on the basis of the sum of £182,623.30 of total works for which £81,341.67 is eligible to claim. The July meeting of the Regional Flood and Coastal Defence Committee (RFCC) has agreed to pay 64.29% of this claim. This relating to the budget made available nationally in the Environment Agency. This results in a payment to the Board of £52,299.80. It is possible a larger percentage may be paid if the Tranche 2 funding is approved. This may be on the basis of the Clerks expression of interest for all Boards in the Yorkshire Region. The Regional Flood and Coastal Committee Chairman being in support of this approach if the funding application is successful.

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 dropped significantly from three to four years ago when the budget allocated was reduced. It also gives no certainty that the percentages will remain at this level in the future. However, the Board supports and lobby's the Regional Flood and Coastal Committee (RFCC) to keep the percentage contribution as high a level as possible.

INSURANCE

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 Towergate as the Board's broker to obtain the required covers. The sums in the table include Insurance Premium Tax and VAT.

The Clerk further noted the Boards of the Consortium continue to have a shared hired in plant and equipment policy which this Board pays for and recharges contributions to others.

The Clerk informed following the problems recently and increased cost of insurance the industry appears now more settled. The increased cost this year reflecting the areas which the Board was seeking increased cover and reflecting increases in cost being driven by inflation.

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.

CONSORTIUM
BOARDS CYBER
INSURANCE

The Clerk had circulated the details and likely cost for Cyber Insurance with the Agenda. The cost and cover is for the five Boards who are Members of the York Consortium of Drainage Boards. All of which would contribute to the cost if implemented. He noted this was a new area of concern because of developing technology and regulation. The issue recently becoming a wider concern because of recent events so he wanted the Board to consider cover for the wider Consortium.

The cost of which was £2,335.60 with the recommended excesses. He noted if the excesses are increased they do not significantly alter the cost.

Cllr T Fisher informed he was aware of a local authority who had a cyber-attack and for a period of time could not produce and send electronic invoices or make payments. This attack he believed had cost the Authority in the region of £10 million. He therefore believes this cover is absolutely critical. The advice service included also being very useful if any data issues occur and the Board then has to deal with enquires from the Information Commissioners Office.

A few Members believed that the policy may be of limited value as they believed the Board was at low risk.

Mr I Ridsdale believed the Board through diligent action could minimise the risk of attack.

Mr M Lumley-Holmes believed it was possibly unnecessary.

Cllr T Fisher proposed that the Board should accept the quotation and advice offered by Towergate and ask the Clerk to implement the Cyber Insurance.

Mr D R Brotherton seconding the proposal of Cllr T Fisher.

The Chairman put the proposal to the Board with nine Members voting for the proposal and two Members voting against the proposal. The proposal being carried by the Board.

BUSINESS RISK ASSESSMENT

The Clerk informed Members that the Association of Drainage Authorities have issued a model policy document for the Boards Risk Assessment. This has been in place several years. The format is in the form of a 3 x 3 matrix which evaluates the likelihood of an event happening against the consequence if it occurred. A draft updated Risk Assessment for the Board on this basis has been prepared which Members considered at the meeting. The text with changes being highlighted and underlined.

The draft also has been considered and updated with the comments following the report of the Boards Internal Auditors' letter along with the Report on the Effectiveness of Internal Control.

The Clerk ran through the items on the assessment with a score which had been identified as 4 or higher.

Members reviewed this document and considered the higher risk matters.

Members suggested that the document should highlight more strongly the risk of cybercrime.

Costs Linked with Climate Change

The Clerk informed that climate change remains an ongoing and developing issue with increasing flooding and impacts of events.

New Increasing Risks

The Clerk informed about increasing risks becoming apparent. This including the development of the Board's Drainage Rating Software (DRS), to sustain the current system which could become a substantial problem if the outcome is not successful.

Members considering the 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 could see unfavourable market conditions for agricultural products or excessive overheads and may influence if they can pay drainage rates.

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

The Clerk informed the Board that the Board's Audit required the Board to formally consider and approve its Risk Assessment for 2024/25.

DRAINAGE
RATING
SOFTWARE (DRS)

DRAFT
UNACCEPTABLE
BEHAVIOUR
POLICY AND
PROCEDURE

Members UNANIMOUSLY AGREED the Board adopts and approves this policy approach to risk assessment and the evaluation carried out in the document for financial year 2024/25.

The Clerk informed that the Board was advancing developing its own Drainage Rating Software as agreed at its last meeting. He however has partnered with some other drainage boards on behalf of the York Consortium Drainage Boards to support the development of a potentially commercial software system for other Boards to use. To move this project forward, the Board's Clerk has agreed to help part fund the development of a legal agreement and development of the software. The matter was discussed at the meeting with Members in support of the Clerk's action. The details of which are not recorded in these minutes as the project is commercial and in confidence. If any further details are required the Clerk can provide further details to individual Members.

The Clerk had circulated with the Agenda a copy of a draft 'Unacceptable Behaviour Policy.' This included a form for completion if such a situation should arise. He further noted the Engineering Assistant was organising training for the Board's employees for dealing with and avoiding unacceptable behaviour situations.

Mr I Ridsdale noted that being flooded is a very stressful situation and the Board is likely to come into contact with people in this situation. In view of this he supports the implementation of a policy and the provision of training.

Members noted that the form might be a bit off-putting because of the number of boxes.

Mr M Lumley-Holmes asked what happened if it was an internal staff dispute and does this policy cover this aspect.

The Clerk informed the policy could be used but the Board's Contracts of Employment and Staff Handbook provide details of the Board's Grievance Procedures.

Members UNANIMOUSLY AGREED to accept the draft policy but recognised the form included for reporting incidents needed improving.

AUDIT

External Audit Return

The Clerk referred to a copy of the External Auditors Certificate and Opinion for the accounts for financial year 2023/24. 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 2023/24.

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 view of this the Clerk asked if the existing Auditor is retained for the 2024/25 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 PK Littlejohn. In this sustaining continuity of the internal audit is likely to help if any problems arise with these arrangements.

Members UNANIMOUSLY AGREED that the Board re-appoint the Internal Auditors, Brodericks (Doncaster) for the 2024/25 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 2024/25 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 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 2023/24.

ADA NATIONAL

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 details of the meeting being circulated with the agenda. The conference will be held with an address by the new Minister Emma Hardy. Arrangements can be made for Members to attend with early booking having a discount.

The Board agreed to pay the Members conference fee and travel if they wish to attend.

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.

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 Clerk issued 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 November Meeting.

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.

Members discussed the risk of contaminants being washed into watercourses such as in the event of fire with solar generation and electrical battery storage installations. This becoming a matter of increasing concern because of the numbers of applications both with the installation and the chemicals used to contain a fire. It was slightly uncertain the measures the planning authority were requiring in consideration of approving these applications.

The Clerk reporting that all the information for consents 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 £352,961.19 with Barclays Bank as at the 30th August 2024.

The Board also having £100,000 in a Barclays Treasury Fixed Term Deposit Account which is achieving 2.79% gross per annum.

The Virgin Bank account has an additional credit balance of £216,084.33. The Board placing funds into a twelve-month deposit account which is achieving 4.50% gross per annum.

The Nationwide Building Society account has an additional credit balance of £67,915.54. 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 £736,961.06.

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 proposed by Mr I Ridsdale, seconded by Cllr T Fisher and 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 the Strensall and Towthorpe Village Hall, Northfields, Strensall York on **Monday 4th November 2024** commencing at **1.30pm**.

DATES OF FUTURE
MEETINGS

Monday 6th January 2025 (AGM)
Monday 3rd March 2025
Monday 2nd June 2025
Monday 8th September 2025
Monday 3rd November 2025

ANY OTHER
BUSINESS

The Chairman closed the meeting at 3.02pm as there was no other business.

(APPENDICES TO FOLLOW)