



# Vale of Pickering Internal Drainage Board

## MINUTES OF THE FULL BOARD MEETING HELD ON WEDNESDAY 31ST MAY 2023 AT WINTRINGHAM COMMUNITY HALL

### PRESENT

#### *Elected*

James Stockdale   Robert Wainwright   Mr A Nutt   Mike Morley

#### *Appointed*

Mike Potter   David Cussons

### APOLOGIES

#### *Elected*

A Green

### ABSENT

#### *Elected*

D Teasdale

### IN ATTENDANCE

#### *Officers*

Mr A McLachlan – Chief Executive Officer  
Mr R Towse – Director of Operation  
Ms A Cowen – Director of Policy & Finance  
Miss L Smith – Executive Assistant

#### *Others*

Mrs J Jackson – Accountant – Hunter Gee-Holroyd

Andrew McLachlan  
Chief Executive Officer and Clerk to the Board  
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## **151. Welcome, Introductions and Apologies**

- 151.1. The Chair welcomed Members and Officers to the Board, noting apologies from Mr Green.
- 151.2. The CEO introduced Mrs Jackson as the Board's accountant, who would be available to answer questions relating to the Board's annual return documents and finances.

## **152. Declarations of Interest**

- 152.1. None.

## **153. Additional Agenda Items**

- 153.1. A supplementary paper was provided to all attendees in relation to the subdivision of the drainage district for election purposes.

## **154. Health & Safety**

- 154.1. The DO confirmed that there were no incidents to report.

## **155. Natural Environment**

- 155.1. The Chair drew attention to the Biodiversity Action Plan (BAP) which was included at Appendix G of the meeting papers.
- 155.2. The CEO advised that the Board were required to have a BAP to meet their statutory duties in supporting the sustainability and enhancement of the natural environment within the Board's district.
- 155.3. The BAP provides an audit of flora and fauna located within (or which interacts with) the Board's district, along with priorities and targets for protecting and enhancing the local biodiversity, as far as practicable. The CEO advised how the operational staff might be able to collect relevant data as part of their duties.
- 155.4. Mr Morley commented that he had found the national character areas slightly difficult to locate and suggested a map would be a useful addition.
- 155.5. Cllr Cussons queried if the EA had an action plan, to which the CEO confirmed this would be the case, each authority would have similar action plans.
- 155.6. Mr Morley queried the section regarding polluted arisings; the DO clarified that if the operational team were to remove polluted [inorganic] waste, the Board would be classed as the producer and liable for the cost of the safe removal of the waste.
- 155.7. It was **PROPOSED** by Cllr Potter and **SECONDED** by Mr Stockdale and **UNANIMOUSLY RESOLVED** that the Board adopt the Biodiversity Action Plan.

## **156. Minutes of the previous Full Board Meeting**

- 156.1. The Chair drew attention to the minutes of the previous meeting.

156.2. It was **PROPOSED** by Mr Wainwright and **SECONDED** by Cllr Cussons and **UNANIMOUSLY RESOLVED** that the Board adopt these minutes as a true record of the previous meeting.

#### **157. Matters Arising**

157.1. Minute 149.3 - it was required that an additional form be completed for the license plate to be issued; this matter had been resolved.

157.2. Minutes 150.5 & 150.6 had been resolved.

#### **158. Drainage Rates**

158.1. The DPF brought the drainage rates arrears to the attention of Members whereby the Board had agreed to write off £8,120.52 during 2022/23.

158.2. Recovery of rates had improved; on 31<sup>st</sup> March 2022 the drainage rates arrears stood at £35,971 – 11% of the total raised. This figure had reduced to £19,114 as of 31<sup>st</sup> March 2023 (6%), with £9,946 written off and £6,911 recovered. Most of the arrears related to one account, which had £9,299 outstanding at year-end. The account holder was paying the balance in monthly instalments as part of a payment arrangement. It was therefore anticipated that by the end of 2023/24, the drainage rates arrears would be reduced further to less than 5%.

158.3. It was **PROPOSED** by Mr Nutt AND **SECONDED** by Mr Stockdale and **UNANIMOUSLY RESOLVED** that the Board write off the sums itemised, totalling £1,825,63, from the drainage rates ledger.

#### **159. Annual Risk Register & Health and Safety Review**

159.1. The CEO confirmed that he had completed a desktop review comparing risks against the previous year and drew attention to the draft 2023 risk register at Appendix B.

159.2. He commented on some of the risks, noting that the lack of records of Board-owned assets posed an ongoing risk of potential unknown liability. He confirmed that an exercise was ongoing to ascertain which assets belonged to the Board and relevant information such as condition, age, lifespan etc.

159.3. He informed members that the Board were now an accredited cyber essentials organisation, which meant that the Board were approved within a government scheme and therefore theoretically less vulnerable to cyber-attacks.

159.4. The CEO drew attention to an increase in the risk score for maintenance of watercourses, as the Board had agreed to maintain more watercourses than originally advised but suggested that this may reduce later in the year as the team worked through the serviceability programme.

159.5. It was **PROPOSED** by Mr Stockdale and **SECONDED** by Mr Morley and **UNANIMOUSLY RESOLVED** that the Board approve the revised risk register for 2023.

- 159.6. Turning to the Health & Safety Review, the CEO explained that as part of the new Health and Safety Management System, the Board were required to review progress on an annual basis. He presented the following table.

Accidents	Nil
Near Misses	Nil
Training Courses Taken (Since 2020)	56

- 159.7. The CEO and DO gave an update in relation to the training programme across the consortium.
- 159.8. The CEO reported that managers had attended an internal review meeting to review any accidents and near misses in order to learn from them and potentially put in place measures to reduce the risk of any recurrences.
- 159.9. It was **PROPOSED** by Mr Morley and **SECONDED** by Mr Wainwright and **UNANIMOUSLY RESOLVED** that the Board note and accept the CEOs annual report on Health and Safety.

#### **160. Accounting Statements and Annual Return**

- 160.1. The CEO referred members to the accounting statements and annual return for 2022/23, which had been prepared by the Board's accountant, Ms Jackson, from Hunter Gee Holroyd Ltd.
- 160.2. The CEO summarised the financial position as of 31st March 2023, highlighting the reserves position which supports the Board's cash flow, future investments and so on.
- 160.3. The Chair queried how the PWLB would appear in the accounts next year, noting its inclusion as income in the 2022/23 accounts. Ms Jackson explained that going forward, the accounts would show the annual repayment as revenue expenditure until the loan was repaid, and the balance of the loan would be shown as a liability.
- 160.4. The CEO drew attention to the annual return document (AGAR), noting that the figures were different to those in the accounting statements due to the AGAR having to represent cash balances rather than allowing for accruals (in accordance with government requirements).
- 160.5. The CEO highlighted that there was a restated figure for the Board's fixed assets at box nine, due to the adoption of a new fixed assets valuation policy in 2022/23. This used a different method for valuing assets such as bridges, which were previously valued according to construction cost. The new method valued such assets at a nominal £1 to reflect the fact that they were not marketable assets, ensuring the Board was not misrepresenting its financial status.
- 160.6. With no further questions on the accounts, the CEO reminded members that before giving approval of the accounts, the Board must consider the "Annual Governance Statement with Internal Controls" and indicate its agreement or disagreement with each statement. He advised that, as previously explained, the Board must answer "No" to statement four.

- 160.7. The CEO proceeded to read the eight annual governance statements to the Board asking members to indicate.
- 160.8. It was **PROPOSED** by Mr Stockdale and **SECONDED** by Mr Potter and **UNANIMOUSLY RESOLVED** that the Board approve the Annual Governance Statement for 2022/23.
- 160.9. It was **PROPOSED** by Mr Wainwright and **SECONDED** by Mr Nutt and **UNANIMOUSLY RESOLVED** that the Board approve the Accounting Statements for 2022/23.
- 160.10. Mrs Jackson left the meeting.

#### **161. Budget Refresh**

- 161.1. The CEO presented an amended budget.
- 161.2. It was **PROPOSED** by Mr Morley and **SECONDED** by Mr Stockdale and **UNANIMOUSLY RESOLVED** that the Board approve the revised budget of £726,650.

#### **162. Invoices Paid and Accounts Settled**

- 162.1. The CEO drew attention to the schedule of invoices paid and accounts settled.
- 162.2. Mr Morley queried the “staff-recharge mechanic” line; the DO explained that this was a reimbursement to Ouse & Humber Drainage Board for maintenance cost of the Board’s plant.
- 162.3. It was **PROPOSED** by Mr Wainwright and **SECONDED** by Cllr Potter and **UNANIMOUSLY RESOLVED** that the Board notes and approves the record of Invoices Paid and Accounts Settled to the value of £127,941.30 (net).

#### **163. Internal Audit**

- 163.1. The DPF confirmed that the internal auditor had conducted the third interim audit for 2022/23, but that the report was yet to be received. She confirmed that no concerns had been raised during the audit, other than the repeated recommendation for the Board to work towards increasing its reserves as part of annual budget planning.

#### **164. Review of Bank Accounts**

- 164.1. The DPF advised that the Board’s main operational bank account was the Barclays current account, set up in October 2020, and that this had gradually replaced the older Lloyds current account. She advised that although the Board also had a 32-day notice bond account, in which approximately £37k was deposited, the Board did not have an instant access savings account.
- 164.2. In light of recent rises in interest rates, she recommended that the Board open an instant access savings account, such as with Barclays, to benefit from greater interest rates. She also recommended that the older Lloyds accounts be closed within the next two years, noting that the bond account was only generating 2% interest.
- 164.3. It was **PROPOSED** by Cllr Potter and **SECONDED** by Mr Wainwright and **UNANIMOUSLY RESOLVED** that the Board authorise the Chair, the Vice-Chair, the Chief Executive and the

Director of Policy and Finance to deposit appropriate portions of the Board's funds into an instant-access savings account, offered by a high-street bank.

- 164.4. It was **PROPOSED** BY Cllr Potter AND **SECONDED** by Mr Nutt and **UNANIMOUSLY RESOLVED** that the Board authorise the Chair, the Vice-Chair, the Chief Executive and the Director of Policy and Finance to action the closure of the Board's existing Lloyds' bank accounts and transfer the balances to the Board's Barclays account(s).

**165. Public Sector Agreements**

- 165.1. The DO advised that there had been nothing confirmed in writing from the EA regarding any agreements due to cuts on their operational budgets for 2023/24.

**166. Development Control & Planning – Q4 (January – March 2023)**

- 166.1. The DO commented that although the transition period following the creation of the North Yorkshire Council unitary authority was ongoing, the relevant planning departments had generally continued to consult the Board on relevant applications and apply the Board's recommendations/conditions in respect of sustainable drainage and maintenance requirements.

- 166.2. The Board then discussed SUDS schemes and the importance of ensuring that a commuted sum would be sufficient to cover future maintenance requirements.

- 166.3. Mr Morley queried why the Lindum development had not been reported at a board meeting. The DO advised that this may be because the drainage scheme was to install an attenuation pond rather than to discharge into the Board's district.

- 166.4. The DO confirmed that the Board's development control officer reviews all planning applications that the Board is consulted on, and where necessary recommends conditions to be attached to the planning permission.

- 166.5. The DO next drew attention to the Solar farm / battery storage proposal near Old Malton. He advised that no objection had been submitted as planning guidance was being followed, adding that the proposal would be subject to access requirements and Land Drainage Consent.

- 166.6. Regarding enforcement, the DO advised that a letter had been sent in relation to a fence erected within a maintenance strip. He confirmed that enforcement action may be taken against the landowner if it was not removed.

**167. Maintenance Update**

- 167.1. The DO notified the Board that the operational team now had an appropriate welfare facility, with plant also being stored securely and safely.

- 167.2. He commented that a dry winter had allowed good progress to be made, adding that planned maintenance in the West part of the catchment (Area 3) was complete. He advised that many of the smaller roadside ditches had undergone maintenance via the hire of a three-tonne

machine, therefore, maintenance stood in a good position, and it was anticipated that the serviceability plan would be fulfilled as planned.

167.3. Mr Morley asked if the Board's contractor would be flailing this year; the DO confirmed that they would be, and that the Mecalac would be used for both flailing works and de-weeding works.

167.4. The DO commented that there was substantial maintenance required in the Muston area, to bring watercourses back into a serviceable condition.

#### **168. Petition**

168.1. The DO drew attention to a petition received from a ratepayer in Sinnington, referring to a watercourse at Butterwick.

168.2. The DO advised that there were access issues which would be a barrier to maintenance works. The senior liaison officer had investigated this and concluded that the section takes little water and was also culverted. Although the watercourse removes water from the village, there would be substantial remedial works required to enable the Board to maintain it.

168.3. It was **PROPOSED** by Mr Wainwright and **SECONDED** by Cllr Cussons and **UNANIMOUSLY RESOLVED** that the Board delegate authority to the Chair and Vice-Chair to consider Mr Bell's petition for a watercourse to be included on the Board's maintenance map.

#### **169. Electoral Register, Electoral Sub-Districts and Board Membership**

169.1. The DPF advised that the current term of office for the Board's elected members was coming to an end and that an election should be held in accordance with the Land Drainage (Election of Drainage Boards) Regulations 1938, to elect eight members to serve on the Board for the next 3-year term.

169.2. A copy of the Electoral Register for the Vale of Pickering Drainage District, as per 1<sup>st</sup> April 2023, was circulated at the meeting. The DPF advised that this would be advertised to allow for any amendments and that the election would be advertised on 7<sup>th</sup> September.

169.3. The CEO explained the nomination process to the Board members.

169.4. It was **PROPOSED** by Mr Wainwright and **SECONDED** by Cllr Cussons and **UNANIMOUSLY RESOLVED** that the Board approve the Electoral Register (1<sup>st</sup> April 2023).

169.5. The CEO presented a plan of eight electoral sub-districts for the Vale of Pickering drainage district. He explained that these had been aligned with Council Ward boundaries and parish boundaries as far as possible. The intention was to have one member for each sub-district, ensuring representation from across the whole district. He commented that currently, there was more representation from the eastern, than the western part of the district, and that having electoral sub-districts would help to redress the balance.

- 169.6. The CEO advised that the legislation specifically allows the board to determine sub-districts, however it also required that approval be obtained from the 'water authority', now the Environment Agency.
- 169.7. Mr Wainright suggested that 4 districts, each with 2 members be created.
- 169.8. IT WAS **PROPOSED** BY MR WAINWRIGHT AND **SECONDED** BY CLLR CUSSONS AND **UNANIMOUSLY RESOLVED** that the Board divide the Internal Drainage District into four electoral districts with each district having two elected members.
- 169.9. The CEO referred to the new unitary authority and advised that he had spoken to the democratic services officer in relation to how local authority-appointed members would be appointed to the Board. A formal response was pending.

**170. Date of Next Meeting (s)**

- 170.1. Next Full Board meeting – 8<sup>th</sup> November 2023
- 170.2. Joint Consortium Committee Meeting – 29<sup>th</sup> November 2023