

# **BUCKINGHAM AND RIVER OUZEL INTERNAL DRAINAGE BOARD**

## **Board Meeting**

**Minutes of the Board meeting held on 30 June 2020 at 2pm held remotely via Microsoft Teams.**

**PRESENT:** P Hirons (Chairman), V McPake (Vice Chairman), P Bowsher, G Bowyer, A Brown, S Cole, A Dransfield, R Exon, N Hawes, N Miles, M Petchey & P Snelling.

**IN ATTENDANCE:** B Agass (Chief Executive & Clerk of the Boards), J Oldfield (Director of Operations), N Souter (Accountant) and A Smith (Committee Clerk)

**ALSO IN ATTENDANCE:** C Jouvray (Environment Agency)

### **1 AMENDMENTS TO STANDING ORDERS PROVISIONS FOR HOLDING MEETINGS REMOTELY**

The Chairman explained to members that due to the Covid-19 situation it is not currently possible to hold meetings in person. In view of the circumstances the Chairman of the Board requested approval from the relevant Minister to make amendments to the Board's Standing Orders by adding two additional rules to add provisions to allow for business and decision making to continue remotely. The amendments consist of adding the additional rules by way of paragraphs 28 and 29.

**Members approved the amendments to Standing Orders provisions for holding meetings remotely.**

**2 APOLOGIES FOR ABSENCE** were received from A Gurney, R Haynes and D Osborn.

### **3 DECLARATION OF MEMBERS' INTERESTS**

- Mr Bowsher declared an interest as an employee of The Parks Trust.
- Mr Bowyer declared an interest as he is imminently to be appointed as a Trustee of The Milton Keynes Parks Trust.

### **4 MINUTES OF THE BOARD MEETING HELD ON 4 February 2020**

**The minutes of the Board meeting held on 4 February 2020 were accepted as a true and accurate record for the Chairman to sign.**

## **5 MATTERS ARISING FROM THE MINUTES**

**Bedford and Milton Keynes Waterway-** A member questioned if the Board has had further correspondence since the proposed route was released as it falls within the Boards drainage district. It was explained that no further dialogue has taken place however COVID-19 has delayed meetings. The Director of Operations added officers were keeping a careful eye on the project as a whole and picking up any specific details that may impact the Board.

**Byelaws-** The Chairman requested an update regarding the position with the byelaws. DEFRA have asked to revisit the byelaws and review in due course. A timeline has been requested to understand how long this may take and when this will be passed to ministers for approval. Officers will continue to liaise with ADA on this.

**Wet Ink Signatures-** One member queried how Board minutes were to be signed due to meetings being held remotely and how future rates would be sealed if virtual meetings were to continue. Members were advised that arrangements are in place to enable to Chairman to sign any required documents while adhering to social distancing measures.

Lawyers have been consulted regarding the sealing of documents, it was advised that this could take place by observing social distancing or alternatively remotely via Microsoft Teams for all parties to witness the documents being sealed. Any sealed document will require a wet ink signature and arrangements are also in place.

## **6 CONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 21 APRIL 2020**

**The Chairman presented the confirmed minutes which were noted.**

## **7 UNCONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 19 MAY 2020**

The Chairman presented the unconfirmed minutes to the Board and explained this was an unscheduled meeting due to COVID-19.

**Members noted the unconfirmed minutes.**

***The Chairman welcomed Claire Jouvray, Environment Agency Operations Manager (West). Claire gave a presentation detailing the work her department undertake and how they link in with the Internal Drainage Board. She gave members the opportunity to ask any questions and advised she would feedback through the Chief Executive if any questions required an in-depth response.***

The Chairman thanked Ms Jouvray for the presentation (Claire Jouvray left the meeting).

The Chairman welcomed Cllr Martin Petchey (Milton Keynes Council) to his first Board meeting.

## **8 WORKS PROGRESS REPORT 2019/20 AND WORKS PROGRAMME 2020/21**

The Director of Operations presented the Progress of Works report for April 2019 to March 2020, he added due to COVID-19 the Board has faced some downtime which has left a larger percentage of uncompleted work than in previous years. The Board's programme experienced many challenges during 2019/20. It was explained that during the summer and early autumn there were period of downtime caused by fuel problems, particularly with tractor flails. This caused filter blockages and low fuel pressure problems. The autumn and winter were exceptionally wet, causing access restrictions because of saturated ground. As the weather improved at the end of the season works were affected by restrictions due to Covid-19.

The Director of Operations advised members that a portion of this year's budget has been carried forward with the recognition of the problems the Board have faced.

### **Members accepted the Progress of Works Report for the Works Programme 2020/21.**

Discussion took place:

The Chairman questioned if work would be able to start after at the end of the bird nesting season. The Director of Operations reminded members that the workforce wasn't currently at full complement due to a phased return to work period, however once the bird nesting period is over machine works will begin subject to government guidance. In the meantime, the workforce is currently focusing on handwork and maintaining SUDS ponds.

## **9 TECHNICAL REPORT**

The Director of Operations presented the Technical Report. He highlighted to members that the Eaton Bray/Edlesborough Bank Seepage estimates are significantly more than originally envisaged. Members were advised that officers will continue to liaise with the land owner, Eaton Bray Parish Council.

**It was recommended that the Board works in partnership with the Parish Council with a suitable contribution to ensure there is safe access for watercourse maintenance. Members agreed this recommendation.**

The Director of Operations also reported himself and the Chief Executive have been in discussions with the Board solicitors regarding a Deed of Consent required as opposed to a standard consent in relation to a new Bellway Homes development along High Street, Edlesborough due to the proposed location of the development.

It was hoped that as COVID-19 restrictions are eased the Little Linford consent and associated works will be resolved with the applicant's land agent in due course.

### **Members accepted the Technical Report.**

Discussion took place:

- **Clipstone Park, Leighton Buzzard – Eggington Brook** - Members asked who would be covering our legal cost in relation to the agreement. The Director of Operations explained the Board are looking to recover both its legal and reservoir engineer costs from the developer.

One member questioned if the Board has been liaising with the relevant Central Bedfordshire council members and how aware they are of the issues faced. It was explained that although the Board doesn't liaise directly with them, some of the councillors are members of the Board therefore are aware of the situation. The member added that all councillors for Leighton Buzzard have been invited to a meeting with the developers and asked if there are any matters the Board would like them to take up directly please let them know.

- The Chief Executive added that as the Board falls within an area of high growth it is important that officers take a proactive approach at an early stage with developers and Local Planning Authorities. It is becoming increasingly apparent that although the Board comments on all planning applications within the district, developers are not always aware of the IDB and the consent required. This leaves the officers trying to accommodate and find a solution when byelaws have been encroached upon, meaning access and maintenance can prove difficult in some situations.

The Chairman and members agreed they were in support of officers taking a consistent firm stance with developers whilst maintaining reasonableness and enforcement when required.

## **10 STAFFING, GOVERNANCE & RESOURCES**

The Chief Executive presented the report. She explained during the COVID-19 outbreak in line with Government and NHS guidance and in consultation with the Chairman of each of the three Boards revised working arrangements have been established following government guidelines to maintain essential operations and protect staff:

- Employees who can do so are working remotely from home with access to systems, responding to enquiries, issuing consents and planning comments electronically.
- The main office number is operational and telephone enquiries continue to be taken during office hours.
- Operational maintenance of highest risk assets and essential activities have been prioritised and non-critical activities reduced to maximise and deploy the available workforce in the most appropriate way.

The Director of Operations has been assessing the safe return to work for both the workforce and officers. Working arrangements are continually being assessed.

ADA has been liaising with DEFRA and has advised that the Accounts and Audit (Coronavirus) Amendment Regulations 2020 that postpone audit deadlines for IDBs and other smaller authorities, have now been published and came into force on 30 April 2020. This confirms that that the statutory reporting deadlines will be extended by three months for all Category 1 and 2 public authorities including IDBs. Although the Board have been granted this extension it is hoped that the original dates will still be met.

DEFRA has stipulated that at the present time IDBs should continue to plan and prepare for elections to proceed in September with a Poll held in October if required. DEFRA will review the situation again in August considering any changes to the current Government restrictions and implications this may have for holding elections.

**Members accepted the report and noted the revised deadlines.**

## **11 INTERNAL AUDIT - TO RECEIVE THE ANNUAL INTERNAL AUDIT REPORT 2019/20**

The Chief Executive presented the report of the internal auditors, TIAA, the overall assurance assessment was **substantial assurance**.

There were 2 recommendations categorized as 'Routine' and 3 recommendations categorised as 'Operational' priority action points and which had been implemented or scheduled for implementation.

One of the recommendations included a review of the Risk Management Strategy and Policy which was due to take place on 21<sup>st</sup> April however due to COVID-19 had to be postponed. The Chief Executive confirmed this was due to be rescheduled and the internal auditor would be in attendance to assist with this process.

Board members praised the work of the Boards officers and congratulated them on an excellent result.

**Members accepted the Annual Internal Audit Report 2019/20.**

## **12 TO APPROVE THE REVISED FINANCIAL REGULATIONS**

The Chief Executive presented the Financial Regulations which had been revised to reflect new roles within the organisation. The changes (shown in red) had been discussed and approved by the JMC.

**Members approved the revised Financial Regulations with changes outlined.**

Discussion took place:

One member expressed concern when using preferred suppliers and suggested this list should be reviewed every couple of years to ensure best value for money. The member asked for a review period to be added to the financial regulations for preferred suppliers. The Chief Executive advised this would be taken back to the JMC for discussion and approval.

*Post meeting note- The financial regulations state- A full review of the Financial Regulations is carried out by the Joint Management Committee at five-year intervals and Appendices A and B will be included in these reviews.*

## **13 TO APPROVE THE REVISED RISK REGISTER**

The Chief Executive presented the Revised Risk Register which had been reviewed by the JMC at its meeting on 21 April 2020. The changes to the Risk Register, already approved by the JMC, were shown in red.

**Members approved the updated Risk Register dated April 2020.**

## **14 FINANCE**

### **(i) To approve the Finance Report as at 31 March 2020**

The Accountant presented the finance report which showed receipts and payments through the Board's individual bank account, a cheque/direct debit list showing payments and investment and bank accounts balances.

**Members approved the Finance Report as at 31 March 2020.**

Discussion took place:

The Chairman asked if it was possible to move some funds from the 32 Day account into the trade account or an alternative account to take advantage of a higher interest rate. The Accountant agreed this would be investigated and would report back at the next JMC meeting for further discussion.

### **(ii) To approve the Financial Statements for the year ended 31 March 2020**

#### **Income and Expenditure Statement as at 31 March 2020**

The Accountant presented the Financial Statements for the year ended 31<sup>st</sup> March 2020.

#### **Balance Sheet as at 31 March 2020**

The Occupiers Rate Fund was currently £768,719 and the Board were holding Capital development funds of £850,575.

**Members approved the Financial Statements for the year ended 31 March 2020.**

### **(iii) To approve the Annual Governance and Accountability Return 2019/20 Annual Governance Statement**

**Members approved the Annual Governance Statement 2019/20 (answering questions 1-8 in the affirmative) for the Chairman and Clerk to sign.**

### **(iv) To approve the Annual Governance and Accountability Return 2019/20 Accounting Statements**

**Members approved the Accounting Statements 2019/20 for the Chairman to sign.**

## **15 TRANSFER / OWNERSHIP OF ASSETS**

The Chief Executive presented the report and explained to members the Boards have historically taken on ownership of assets to enable effective maintenance however as we see

increased growth and development within the Board's district it is timely to review if this can be achieved without the Board accepting ownership and the liabilities that come with it.

She highlighted the importance of having a clear laid out policy that the Board can consider and if implemented officers are able to follow when it is or isn't appropriate to take on ownership; rather than it being our default position.

The Director of Operations added these would be looked at on a case by case basis.

**Members agreed for a paper to be drafted for consideration by the Joint Management Committee at a future meeting.**

Discussion took place:

One member felt that this should be based upon the risk associated with owning the land and the balance of the commuted sum received for doing so. However, as a Drainage Board we must appreciate there is a risk with all the Boards assets.

## **16 ELECTION**

- i) TO APPROVE THE REGISTER OF ELECTORS**  
Copies of the Register of Electors were tabled.

**Members approved the Register of Electors.**

- ii) THE ELECTION PROCESS**  
The election process was outlined to members.

## **17 CONSULTATIONS, WORK UPDATES, IDB NEWS**

The Chief Executive presented the report. The progress of the Environment Bill 2020 will be monitored and assessed with the input of the Board's retained ecologist and updates provided.

**Members noted the report.**

## **18 ANY OTHER BUSINESS**

One member asked for the Board thanks to be passed to the Committee Clerk for her work in arranging the electronic Board meeting.

## **19 DATE OF NEXT BOARD MEETING – 10 NOVEMBER 2020**

The meeting closed at 4:52pm.