

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

## **BOARD MEETING**

**Minutes of the meeting held at 2pm on 10 November 2020 held remotely via Microsoft Teams.**

**PRESENT:** P Hirons (Chairman), P Bowsher, G Bowyer, A Brown, S Cole, S Dixon, R Exon, N Hawes, V McPake, N Miles, P Snelling, B Spurr and M Petchey.

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

The Chief Executive took the chair as Chairperson pro tem.

### **1 APOLOGIES FOR ABSENCE/REGISTER OF ATTENDANCE**

Apologies were received from A Gurney.

### **2 DECLARATION OF MEMBERS' INTEREST**

There were no declarations of interest.

### **3 ELECTION OF CHAIRPERSON**

**Mr P Hirons was elected as Chairperson, unanimously.**

### **4 ELECTION OF VICE-CHAIRPERSON**

**Mrs McPake was elected as Vice Chairperson, unanimously.**

### **5 JOINT MANAGEMENT COMMITTEE APPOINTMENTS (Chairman, Vice Chairman plus 1 members)**

**The following members were appointed to the Joint Management Committee.**

**Mr P Hirons (Chairperson) and Mrs V McPake (Vice Chairperson) and Mr N Hawes.**

### **6 MINUTES OF THE MEETING HELD ON 30 JUNE 2020**

**Members agreed that the minutes of the Board meeting held on 30 June 2020 were a true and accurate record.**

### **7 MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD 30 JUNE 2020**

**Byelaws-** The Chairman requested an update regarding the approval from ministers. The Chief Executive advised during a meeting with DEFRA at an ADA subgroup the question was raised. It was explained that due to the pandemic and BREXIT ministers would reengage with the matter in due course, however no date was provided.

## **Election -**

The Chairman questioned how many vacancies there were on the Board following the recent election, the Chief Executive explained there remains vacancies on the Board and advised these could be advertised or members could be co-opted.

## **8 UNCONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 12 OCTOBER 2020**

**The Minutes of the Joint Management Committee meeting were noted.**

Discussion took place:

**Website update-** The Chairman asked for an update as the minutes state '*This should be operational towards the end of October.*' The Chief Executive explained this transition has taken slight longer than originally anticipated however officers are working hard to ensure this is operational.

## **9 WORKS PROGRESS REPORT 2020/21**

The Director of Operations presented the Works Progress report with A3 plan which highlights work completed by the Board's workforce in black and work completed by contractors in blue.

He advised members works has been under continual review and risk assessment to seek to provide a Covid-safe working environment, as overseen by the Joint Management Committee.

Discussion took place:

The Chairman acknowledged the percentage of work completed by the Board and its appointed contractors however noted the high proportion of weed cutting still be to be completed. The Director of Operations explained this was due to the increased amount of Weedcutting being added into this years maintenance programme and this operation remaining in house.

**The Works Progress Report was accepted by the Board.**

## **10 TECHNICAL REPORT**

The Director of Operations presented the technical report. He added since the Board's solicitor put the developer at Clipstone Park 'on notice' requiring them to undertake the work, no work has been carried out. The risk assessment and method statement submitted to the Board's officers in October were insufficient. The Board's solicitor and reservoir engineer are currently in discussions with the developer to resolve the matter or escalate if unresolved.

**The Technical Report was accepted by the Board.**

Discussion took place:

**Clipstone Park, Leighton Buzzard** – The following questions were discussed –

- Members questioned who is responsible for the dam. The Director of operations explained that the developer is responsible as the landowner although the Board is the undertaker of the reservoir dam
- Members asked for a letter to be sent to developer confirming their responsibility as the landowner. It was confirmed that a thorough audit trail with the Board solicitors and the reservoir engineer has been kept and details the developer's responsibilities as the landowner and also the damaged they have caused by travelling over the dam.

- One member questioned if the HSE or local resilience authorities such as or the local fire brigade had been informed of the possible risks. The Director of Operations explained this wasn't required as the reservoir will only fill in a major flood event where flood alerts would be generated and dealt with by the Environment Agency, emergency services and local authorities.
- The wording of the Board's legal agreements was questioned by members. The Director of Operations advised members that it is normal for the reservoir undertaker to be the landowner, as this enables them to undertake any works they may be instructed to do in the interests of safety. The Eggington Brook reservoir dam was built by the Board around 30 years ago using its permissive Powers under the Land Drainage Act 1991, which provided authority for the Board to access land and to maintain/construct flood defence structures. In recent years, some Boards have taken on the ownership of the footprint of a dam structure to avoid any uncertainty. However, for the Eggington Brook dam the Board chose not to become landowner. The Board's Solicitors have drafted the recent legal agreement to protect the Boards interests based on this.

**River Ouzel Flooding & High-Water Level** – One member believed this event could have been avoided if the River Ouzel had been dredged; this lead them on to ask the principal of dredging and if the principal is still agreed with. The Director of operations explained the principal of dredging remains operationally sound and is a tool the IDB utilizes to maintain the watercourses within the district if required. This improves in-channel storage and conveyance to reduce flooding from the more frequent events, although it doesn't stop flooding from the bigger events. The member advised Milton Keynes Council are currently awaiting the flood report from the Environment Agency.

## **11 EXTERNAL AUDIT**

The Accountant presented the report of the external auditors for the year 2019/20 and reported that an unqualified opinion had been given.

The Board did receive an "Except for" matter relating to the return of the AGAR (Annual Governance and Accountability Returns).

The Auditor highlighted the significant gap between the approval of the AGAR and the start of the public rights period. Explanation was sought and provided to the external Auditor detailing that the AGAR was approved by the Board at the remote board meeting held in June however wet ink signatures are required. This therefor required the report to be posted to both the Board Chairman and Chief Executive before being returned to the office.

A three week delay was incurred between the date of the Board meeting and the start of the public rights period, this was as a result of the coronavirus restrictions

Members were provided with the External Auditors report which noted – We fully appreciate the difficulties arising as a result of coronavirus restrictions; however, please consider the requirements of the Accounts and Audit Regulations 2015, when setting the date for the approval of the AGAR in relation to the public rights period for future years.

The Accountant hoped this unprecedented event wouldn't occur for future years however noted the External Auditors comments.

The External Auditor report and notice has been put on the Boards' website and the notice posted at the Board's offices.

**Members accepted the External Auditor report for the year 2019/20.**

## **12 FINANCE REPORT for the period 1 April to 30 September 2020**

The Accountant presented the Finance Report which included:

- a) Receipts and payments through the Board's individual bank account with Lloyds from 1 April – 30 September 2020;
- b) Cheque list for 2020/21;
- c) Investment and Bank accounts balances as at 30<sup>th</sup> September 2020
- d) Income and Expenditure Account for the period ending 30<sup>th</sup> September 2020.

### **Receipts and payments through the Board's individual bank account with Lloyds from**

**1 April – 30 September 2020;** the accountant explained that the net surplus of £108,288 had arisen as a result of incomes totaling £366,356, primarily made up of Special Levy income, development contributions and drainage rate payments; and total expenditures of £258,067.

**Investment and Bank accounts balances;** the accountant stated that balances totalled £1,66,760 at 30<sup>th</sup> September 2020.

**Income and Expenditure Account for the period ending 30<sup>th</sup> September 2020.** – The accountant explained that this shows the position of the occupier's rate fund in comparison with the budgeted figure and at 30<sup>th</sup> September 2020 there was a balance of £795,701.

**Members approved the Finance report for period 1 April to 30 September 2020.**

### **Discussion took place:**

The Chairman questioned why the Board hasn't received any Highland Water contribution for the period from 1 April to 30 September 2020. The Accountant explained correspondence has been received detailing the delay in payments however was reassured payment would be received shortly.

## **13 UPDATE TO FINANCIAL REGULATIONS**

The Chief Executive presented the Financial Regulations which had been updated to enable the timely approval of orders and payment of goods and services the financial regulations should identify that payments and orders for goods and services of up to and exceeding £5,000 may be authorised by either the Responsible Finance Officer or the Chief Executive.

The changes (shown in red) had been discussed and approved by the JMC.

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

## **14 STAFFING & RESOURCES**

The Chief Executive presented the Staffing and Resources report which contained measures being taken by the Board's officers to manage the impact of the pandemic and to look to develop Covid-Secure working practices. Measures continue to be reviewed to reflect Government guidelines / requirements as they are updated and amended. Current working arrangement were detailed to members.

**Members accepted the Staffing & Resources report.**

### **Discussion took place:**

One member asked if the COVID deficit has raised and if members should be concerned. The Chief Executive advised this figure was provided to the Board for clarity and to separate out the cost from when the initial lockdown took place in March. During this time work was unable to be charged out to each Board for specific work as only essential work/checking of high-risk assets was being completed by the workforce.

Additional contractors have therefor been brought in to assist with delivery of the maintenance programme.

## **15 CONSULTATIONS, WORK UPDATES & IDB NEWS**

The Chief Executive presented the Consultations, Work Update and IDB news report. Members were advised the ADA Conference is being held remotely on 11th November 2020 and a progress update report from David Thomas ADA representative on WRE Board was enclosed for members information.

### **Members accepted the Consultations, Work Update and IDB news report.**

Discussion took place:

The Chairman questioned if the cost and time allocated to Water Resources East (WRE) was commensurate to the Boards gain. The Chief Executive advised although we were a small part of an all-encompassing group, it is beneficial to have a voice at the table and be aware of the discussions taking place. Particular interest for the Board surrounds the Milton Keynes Waterway and any future development within the district.

## **11 ANY OTHER BUSINESS**

**Future meeting dates** – These were shown and would be circulated to members following the meeting.

## **12 DATES OF NEXT MEETING – 2 February 2021**

The meeting closed at 3:30pm.