

MINUTES of Meeting held on Monday 5th June 2017 at the Memorial Hall, Huntington.

PRESENT

Mr J P Coverdale (In the Chair)
Mr D R Brotherton

Mr D J E Sherry
Mr M Kemp
Mr I Ridsdale
Mr R J Burnett
Cllr A S Richardson
Mr D M Crossley
Mr C Chambers
Cllr M Waters
Mr S Wragg
Cllr A Strangeway

The Clerk – Mr W Symons
Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr C Perrett, Mr R A Armitage, Mr P E Clark and Cllr Mrs S Wiseman.

MEMBERSHIP

The Chairman informed the Board that York City Council had sent an email to the Board on 30th May confirming its nominated members. The Council in addition nominating Cllr D Craghill who is a Councillor from the Guildhall Ward of York.

DECLARATION OF INTEREST

Mr D R Brotherton declared that he had an interest in one of the items on the agenda as it was near to his land.

There were no further declarations of interest related to the items listed on the Agenda.

The Clerk further informed Members that the Register of Members Interests was available at the meeting for inspection and update as required.

The Clerk noted that the Boards External Auditor had requested copies of all Members 'Register of Interest' sheets as part of the Board's Audit return for 2016/17.

MINUTES OF LAST MEETING

Cllr A S Richardson noted that he had attended this meeting but was not included as an attendee. The Clerk informing this had probably occurred if the attendance sheet had not been signed. It was then UNANIMOUSLY RESOLVED that the Minutes of the Meeting held on the 27th February 2017, a copy of which had been sent to all Members with the Agenda, be taken as read and approved and that they are forthwith signed by the Chairman as a correct record.

MATTERS ARISING

There were no further matters arising from the Minutes that were not covered in the main agenda.

MINUTES OF
TENDER OPENING
MEETING

It was RESOLVED by the Members who attended the meeting that the Minutes of the Meeting held on the 22nd May 2017, a copy of which had been sent to all Members with the Agenda, be taken as read and approved and that they are forthwith signed by the Chairman as a correct record.

MATTERS ARISING

There were no further matters arising from the Minutes that were not covered in the main agenda.

HEALTH & SAFETY

The Clerk confirmed that no reportable incidents to the Health and Safety Executive (RIDDOR) have occurred since the last Meeting.

The Clerk made Members aware of an accident which had occurred with another Board of the Consortium and the actions taken. This becoming reportable due to the time having to be taken off work by the employee.

HEALTH AND
SAFETY POLICY

The Clerk had circulated with the Agenda a draft Health and Safety Policy for Members consideration. This is in the same format as the existing policy and is divided into two parts. The two parts consist of

- Part 1) Responsibilities and local arrangements and
- Part 2) Health and Safety Policy and Guidance.

The Boards Health and Safety Consultant had helped to update the documents and it is recognised as circumstances change the document will continue to need updating. However the document as tabled reflects the current position and the Board is being asked if it wishes (subject to minor amendment) to adopt the enclosed document as its current Health and Safety policy.

Mr I Ridsdale asked if the workforce were aware of the policy and informed of its content.

The Engineering Assistant confirmed that they were and clearly they would be informed about this new update of the policy if adopted by the Board.

Cllr A S Richardson proposed that the Board adopts the policy and the Chairman was authorised to sign the document.

Mr C Chambers seconded the Proposal and the Board UNANIMOUSLY agreed to accept the draft Health and Safety document as its Health and Safety Policy replacing the current document Authorising the Chairman to sign the document in the relevant section.

Members discussed a number of Health and Safety matters in relation to the Boards procedures which were answered by the Engineering Assistant along with the requirements of training.

The Chairman asked if Members see either any good or bad practice of the workforce they should report the matter to the Clerk or the Engineering Assistant.

The Clerk made reference to an Institute of Directors document which highlights the responsibility of company and Board Directors.

Cllr A S Richardson asked if individual Members of the Board had any personal insurance cover provided.

The Clerk informed that the Board has business liability cover and professional indemnity cover; however the Board may not have cover directly for individual Board Members but will check.

Mr D R Brotherton asked if Health and Safety can continue to be kept at the top of the Boards Agenda with a full discussion held at each meeting. This action being Unanimously agreed by the Board.

The Clerk reported that the total rates collected up to the 2nd June 2017 are as follows:

(a) Special Levy -	£151,180.95	(52.6%)
(b) Direct Levy -	£31,054.03	(67.8%)
	<u>£182,234.98</u>	

The Clerk reported that East Riding of Yorkshire Council had made a full payment of its Special Levy to the Board.

The Clerk further reported to the Board that the first direct debit payments will be drawn this Friday and the first rate reminders will be sent out shortly.

The Clerk had circulated a maintenance report with the Agenda.

The Engineering Assistant ran through the report, page by page, at the meeting. It was reported the Board has been carrying out piling works and with a dry start to spring channel growth has been prolific so the Board has been advancing the application of herbicides.

Byelaw Infringements

The Engineering Assistant informed about a number of byelaw infringements which are leading to access constraints. In some cases this impacts on long term access leading to completely restricting access to the watercourse.

RATES

MAINTENANCE WORKS

The Board has written to the relevant landowners informing and highlighting the Boards Byelaw requirements but made little progress.

The Engineering Assistant suggested that to further these matters the Board would need to fund legal advice and support to progress.

Cllr M Waters raised that with the first two items in the Engineers report, could the Board not work more closely with the Planning Authority to enforce these matters together.

Cllr A S Richardson summarised the previous issues the Board has had with enforcement.

Mr S Wragg asked if the Board was considering and managing byelaw infringements correctly.

The Chairman was concerned that the Board was losing long term maintenance access and this needs addressing.

Mr C Chambers believed the Board should be prepared to advance infringements to prosecution should it be necessary.

Members asked the Clerk to consider how to advance this matter. This can include getting legal advice on how to progress policies on bylaw enforcement and progression of criminal prosecution. To also consider if the experience of the Council in enforcement and planning or legal support can help.

Cllr M Waters asked if the Clerk and Mr S Wragg could produce a press release on the importance of watercourse maintenance and how the Boards Byelaws are important to continue this work in the future.

Mr D R Brotherton asked if this press release could be circulated to Parish Councils.

Foston and Thornton-Le-Clay Parish Council

Mr D R Brotherton left the meeting for the following item as he potentially had an interest in it.

The Engineering Assistant had circulated a letter from a Mr B Pillow on behalf of the residents of Thornton-Le-Clay and Foston. The letter is offering the cleaning out of old ditches at Fox Cover to a standard that the Board may adopt the ditches and potentially maintain them in the future. This proposal to help alleviate local flooding.

Members were in favour of considering this matter at the meeting although the matter was not tabled in time to be included on the Agenda for the meeting.

The Engineering Assistant explained that the Board maintains Standing Beck. This particular watercourse being considered is about 300m and flows into Standing Beck. The adoption and maintenance of this watercourse would probably increase the workforce time by about an average three hours each year. It was proposed by the Parish Council that the Board would clear the ditch out at a proposed charge of £3,134.40 and if the ditch was then in a perceived good condition adopted to be maintained by the Board.

Mr D J E Sherry asked that on completion of the works prior to adoption the Board was sure no other works were required such as piling and if it is it should be carried out at the Parish Councils expense.

The Engineering Assistant agreed this would be checked.

Mr C Chambers proposed the adoption of the watercourse once the Engineering Assistant was sure the watercourse had been maintained to the required standard as proposed in Mr B Pillow's letter.

Cllr A S Richardson seconding the proposal of Mr C Chambers which was UNANIMOUSLY agreed by the Board.

Mr D R Brotherton returning to the meeting.

Tranby Avenue Garden Flooding

Mr S Wragg updated Members on the progress being made to address the issues at Tranby Avenue and the Councils proposal to drain the area by directional drilling.

The Clerk referred Members to a letter from the Audit Commission (page 2) which had been circulated with the Agenda. The letter clearly highlights the requirements, which the Clerk has reflected in the Agenda items, for the returns for the 2016/17 year end audit. This is to try to ensure compliance and to avoid audit prequalification.

AUDIT ISSUES OF GOVERNANCE AND ACCOUNTING STATEMENTS

REVIEW OF EXTERNAL AUDITOR CERTIFICATE 2015/16

The Clerk had circulated with the Agenda a copy of the External Auditor comments (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 Not Affecting the External Auditors Opinion' the External Auditor notes that boxes 3 and 6 had both been understated by £99 for the current year. The correct figures should read £268,744 and £178,862 respectively. Please ensure that the corrected figures are used in the comparative on next year's Annual Return.

The Clerk reported that no comments were made by the Internal Auditor in Section 4 of the Form for Financial Year 2015/16.

REPORT ON THE
INTERNAL SYSTEM
OF INTERNAL
CONTROLS

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 Boards System of Internal Control. The Clerk had circulated a copy of the report for the year ending 31st March 2017 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

The Clerk will consider the matters raised and incorporate in the Boards Business Risk Assessment for the current financial year. The document will be included for review at the next meeting of the Board.

The Committee considered the report and it was proposed by Cllr A S Richardson that the Board accepted the letters content. This proposal was seconded Mr D M Crossley and UNANIMOUSLY AGREED by the Board.

APPROVAL OF THE
ANNUAL
GOVERNANCE
STATEMENT

The Clerk informed the Audit Commissions Annual Return has been completed for 2016/17 which includes the Governance Statement Section 1. A copy of the Statement was circulated with the meeting agenda.

The Committee considered Section 1 of the Annual Return and it was proposed by Mr S Wragg that the Board approved the Annual Governance Statement. This proposal was seconded Cllr A S Richardson and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2016/17.

ACCOUNTING
STATEMENTS
2016/2017

Consideration of the Accounting Statements

The Clerk reported that the Board's External Auditors are Littlejohn LLP for the accounts being considered.

A copy of the accounts was circulated with the meeting agenda for the year-ending 31 March 2017. The accounts having been internally audited with the Auditor having completed and signed off Section 3 Annual Internal Auditor Report 2016/17 of the IDB return.

The Clerk ran through the details of the Board's accounts.

Approval of the Accounting Statements by Resolution

The Committee considered Section 2 of the Annual Return and it was proposed by Mr C Chambers that the Board approve the Annual Accounting Statement for 2016/17. This proposal was seconded Mr D M Crossley and UNANIMOUSLY AGREED by the Board.

Authorise the Chairman to Sign and Date the Statements

The Committee having considered Section 2 of the Annual Return with the accounting statements and it was UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2016/17.

The Board further authorised the Chairman and Clerk to sign and date the balance sheet of the accounts.

The Clerk had circulated a draft document for 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 its content and UNANIMOUSLY AGREED to recommend the acceptance to the Board for the Scope of the Internal Audit to be able to formally review the Effectiveness of the Internal Audit for financial year 2017/18.

Green Commute

The Clerk had circulated with the Agenda a brochure highlighting a scheme for employees of the Board if they wished to purchase a bicycle. This being aimed at promoting a green commute to work. In summary either the Board can forward fund the purchase of the bicycle for the individual or underwrites the purchase with the supplier. The employee authorises the Board to take salary payments towards the purchase of the bicycle towards its final purchase. The employee receiving a tax incentive in relation to the monthly payments made.

Members discussed the problems which could arise and it was agreed that appropriate documentation and controls were put in place.

TERMS OF
REFERENCE FOR
INTERNAL AUDIT

STAFF

Members Agreed that the Board could participate in such a scheme providing the appropriate documentation is put in place to protect the Boards interests.

Mr S Wragg leaving the meeting at this stage.

Private and confidential Matter

The Engineering Assistant left the Meeting for the following item.

Members agreed that the Board could hold a private session to consider this matter concerning employment terms.

The Engineering Assistant returning to Meeting at the end of this item.

The Clerk noted the chart below which was circulated with the Agenda prior to the meeting. The sums in the table include Insurance Premium Tax and VAT. It was noted that Insurance Premium Tax had now increased to 12%. This along with the Boards proposed turnover increasing. It was reported that the Boards costs will increase further when the new excavator arrives.

INSURANCE

Cover	2014	2015	2016	2017
Commercial Combined	£2,481.34	£2,524.04	£2,750.27	£3,474.74
Engineering Inspection	£719.38	£518.19	£541.60	£550.10
Engineering Insurance	£110.12	£105.12	£107.51	£116.27
Hired in Plant	£580 Consortium policy	£580 Consortium policy	£821.25 Consortium policy	Included in Combined Premium
Management Liability	Reviewed	£384.12	£397.84	£399.65
Professional Indemnity	£1,628.18	£1,548.18	£2,196.80	£2,215.11
Motor Fleet	£4,679.75	£5,885.30	£6,550.14	£5,223.11
Motor Legal expenses	£53.00	£95.40	£112.24	£101.75
Legal Expenses	£53.00	£53.00	£54.75	£55.00
Loss Recovery Service	£169.60	£169.60	£114.98	£115.50
Personal Accident				£176.00
Total	£10,474.37	£11,862.95	£13,647.38	£12,427.23

**Financial Year 2017/18 Insurance Tax increased from 9% to 12%
Commercial increased because of increased turnover
Engineering Insurance Inspection includes 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 to others.

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

ADA

Northern Branch Conference

The Clerk informed Members the ADA Northern Branch Conference, was held last Friday 2nd June 2017 at the Cave Castle Hotel, South Cave, Brough. This was attended by the Clerk and Chairman. The Conference included a site trip to the recently completed Yorkshire Water Bransholme Pumping Station.

National Conference

The Clerk reported this will be held on 16th November 2017 at the ICE in London

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 Board approved the comments.

(SEE APPENDIX TO MINUTES)

CONSENTS

The Clerk referred to the list of Consent Applications commented upon since the last Meeting of the Board, which had been circulated to all Members with the Agenda.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account and Business Premium Account showing an aggregate credit balance of £471,361.99 with Barclays Bank as at the 19th May 2017.

The Yorkshire Bank account has an additional credit balance of £84,571.18. The Board placing funds into a twelve month deposit account which is achieving 1.0% gross per annum. The money is due to come off deposit in August.

The Nationwide Building Society account has an additional credit balance of £61,587.59. The Board placing funds into a 95 day saver account which is achieving 0.5 % gross per annum.

The total balance of the Boards funds held in these accounts is £617,520.76.

CORRESPONDANCE

The Clerk had circulated a copy of a letter from Dr T Coffee which had been circulated with the agenda concerning the Boards of the York Consortium precept appeals.

Members gave this matter consideration.

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 UNIMOUSLY AGREED 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 Memorial Hall, Huntington, York on Monday 4th September 2017 commencing at 1.30pm.

FUTURE MEETINGS

Monday 30th October 2017
Monday 9th January 2018 (AGM)

ANY OTHER BUSINESS

Cllr A S Richardson apologised that he was unable to attend the next meeting.

There was no other business and therefore the Meeting was closed at 3.34 pm.

(APPENDICES TO FOLLOW)