

MINUTES of Meeting held on Monday 16th June 2014 at Copmanthorpe Methodist Church, Main Street, Copmanthorpe

Minutes - Ainsty
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PRESENT

Mr S E Jackson (In the Chair)
Mr C E Mills
Mr A P Sykes
Mr R F Hildreth
Mr S Barnes
Mr J Sanderson
Mr J B Blacker
Mr A Percy
Mr J Bramley
Mr R Burniston
Mr G H Smith
Cllr J Galvin
Mr S Wragg
Cllr D Mackay

The Clerk – Mr W Symons
Engineering Assistant – Mr N Culpan
Foreman – Mr M McNeil (first part of meeting)

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr M Haigh, Mr C Clayton, Mr A Sykes, Cllr I Gillies, Cllr G Simpson, Cllr C Lewis, Cllr J Savage, and Cllr K Ellis.

DECLARATION OF INTEREST

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

NEW MEMBERS

The Clerk informed the Board that City of York Council has written to confirm its nominated Members in its letter dated 23rd May 2014. The Nominated representatives remained the same as last year except that Mr S Wragg has now been appointed as the Councils Flood Risk Manager along with becoming one of the Councils Nominated Board Members. The Chairman welcomed Mr S Wragg to his first meeting of the Board.

The Clerk further confirmed that Selby District Council has reappointed its two Nominated members in an email dated 16th June 2014.

The Clerk introduced and welcomed Mr M McNeil (Matthew) as the Boards new Foreman to his first meeting of the Board. The Clerk reading out an email from Mr M Haigh who had helped in the recruitment process but was unable to attend this meeting. In summary the email asked all Members to help the new Foreman as much as possible to settle into his new role.

The Chairman further thanked Mr M Haigh and Cllr G Simpson for their assistance and help in the Boards recruitment of the new Foreman.

MINUTES OF LAST MEETING

It was proposed by Mr J Bramley, seconded by Mr R F Hildreth and UNANIMOUSLY RESOLVED that the Minutes of the Meeting held on the 10 March 2014, 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

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

MAINTENANCE WORKS

The Engineering Assistant circulated a maintenance report at the meeting which was considered by Members.

Widdington Ings

The Engineering Assistant reported that cattle had been paddling in the banks on a ditch at Widdington Ings. The Board had maintained the ditch on the agreement with the landowner that he would fence the ditch off to prevent it being paddled in again. The Board Members considered the situation along with any implications to other landowners if the ditch became paddled in again. Members AGREED that if the ditch is not fenced off and deteriorates as a result the work would not be carried out at the Boards expense.

Intake Lane Drain and Lyons 2 (Acaster)

The Engineering Assistant ran through the matters raised in the maintenance report regarding the problems in the old Acaster IDB District. The problems are believed to be as a result of the downstream culvert system, it having been extended as development occurred over many years.

The upstream landowner is now seeking improvements as his upstream land is not draining adequately which is likely to be linked to the downstream culvert performance.

The Engineering Assistant believes that the downstream culverts need investigation which is likely to be reasonably expensive. The responsibility for these culverts being likely to rest with a number of landowners. It is further likely to be difficult to resolve what is actually causing the problem. The Board however potentially as an alternative option could bypass the culverts with the upstream flows a map showing these arrangements being circulated at the meeting.

Mr C E Mills believes that the Board needs to establish the responsibility of the ditches and culverts downstream.

The Engineering Assistant reported reading the Boards Minutes on the history of the how the situation has developed over a significant number of years. Mr C E Mills suggested that the Engineering Assistant should ask Mr M Smith if he was aware of the more detailed responsibility for the culverts.

The Clerk noted it was quite a long time to the next meeting. It was therefore agreed that the Chairman and Vice Chairman will obtain the facts and will go and visit the landowner.

Culverting

The Engineering Assistant noted in his report that a couple of culvert installations are required in the summer. This work was required at quite a busy time for the Boards workforce following crop harvesting, so he was going to engage contractors to carry the work out. This action was AGREED by the Board

Front Flail Spearhead SPV3

The Engineering Assistant reported that following the last meeting the Board had ordered the new front flail. This will be a Spearhead Q2500 purchased directly from Spearhead in the sum of £7,080 plus VAT. The Chairman agreeing the purchase as the cheapest out of three quotes. It is anticipated it will be delivered in mid-June.

Flailing

The Clerk advised the Board that tenders had been sent out for the Boards flailing work to be used as required. The contracts have been prepared on a linear and hourly basis. It is intended for the contract work to augment the work being carried out by the Boards workforce.

The Clerk noted that two sealed tenders had been received for the work.

The Tenders were opened at the meeting by the Chairman and witnessed by Members, this following the procedure in the Board's Financial Regulations.

The following table highlighting the main rates tendered.

Contractor	Rate/Metre	Hourly Rate
AAT Bowman	23.0p per metre	£30 per hour for the tractor and flail £35 per hour for the Mechalec with the greater reach
Mr I Farrah	37.0p per metre	£37.50 per hour

MAINTENANCE CONTRACTS

NETWORK RAIL CULVERT WORK

The Members reviewed the Boards experience with its contractors last year.

The Chairman proposed that the Board delegates to the Engineering Assistant and Foreman the decision to utilise the most appropriate contractors. These being from AAT Bowman and Mr I Farrah using the rates provided in the tenders the action being UNANIMOUSLY AGREED by the Board.

The Clerk informed Members that across the Consortium Boards drainage districts a number of railway culverts were being progressed by Network Rail for lining to improve structural strength. In the Boards area this has included two which are:

Culverts near Ulleskelf

These consist of a primary culvert which conveys the Boards maintained Dorts Dyke under the railway embankment. The area surrounding is also Ings land which the River Wharfe in high flows overtops into to provide flood relief and water storage. The Dorts Dyke drains the area down as the flow level in the River Wharfe recedes. The storage volume retained in the Ings makes it a structure under the Reservoir Act and the responsibility of the Environment Agency which includes compliance with the Act. As the railway embankment crosses this flood storage area flows are balanced under the embankment through a number of culverts all of which are being installed with structural liners to prevent potential collapse.

The Board has consented this work relating to the Dorts Dyke and this work is underway. The Environment Agency is currently considering the position with the balancing pipes and a study is being progressed. The study being intended to evaluate if additional flow balancing is required for storm events with the loss of flow capacity in lining the culverts.

Culverts at Bolton Percy

These are twin culverts under the railway culvert on the River Foss and the area has flooding problems both upstream and downstream of the railway embankment. The culvert pipes under the embankment are the primary route of transferring water. Any change to the current arrangements needs careful consideration to establish the consequences.

In summary Network Rail Consultants have tried to convince the Board that with a lined culvert with a smaller diameter smoother flow profiles the culverts will have a similar operational performance. The Board has questioned the technical proposal and engaged Consultants Arups (The Clerk agreeing this with the Chairman) to verify the position. This has required modelling of the situation because of the complexity of the drainage arrangements. The outcome has shown that the proposed solution in flood conditions holds more water upstream. Network Rail Consultants (Amey) have now submitted an alternative proposal to the Board which will require further consideration. Network Rail has agreed to fund the Boards Consultants costs through the contractors carrying out the work.

The Board Members noted and discussed the position with Network Rail on this matter. The Clerk will continue to progress the matter with Network Rail.

Mr C E Mills raised that the Board should try to get in writing an undertaking to maintain whatever structure is consented.

The Old Fleet Foss

The Clerk explained the Board continues to withhold 20% of the Boards precept contribution to the Agency. The Agency deadline for a response to the Minister had passed. It also being noted Agency revenue budget has now increased from £4.2 million to £6 million. The Clerk believing that the Board could frustrate the situation by expending funds on the Fleet Foss. The Board still being liable to pay the outstanding precept and not being internally funded to carry out 'main river' work. The Board Members supporting the Clerk.

Mr C E Mills noted he had recently met the Minister Mr D Rodgeron who was aware of the Boards position regarding revenue maintenance reductions in the Environment Agency along with the flooding situation which had happened in various parts of the country.

The Engineering Assistant noted it was not a significant sum to flail from one end to the other of the Old Fleet Foss. A sum of £2,000 being required. If this work was not carried out the opportunity would be lost. The Engineering Assistant was asked by Board Members if this work might be funded by the Environment Agency with the increased revenue funds which are now available. If this was to happen then the Board might consider releasing some of the precept funds which are being withheld. However if no progress is made it was agreed by Members to continue to withhold 20% of this year's precept until the precept appeal for both the current financial year and the last are addressed.

The Boards Foreman left the meeting at this stage.

RATES

The Clerk reported that the total rates collected to the 6th June 2014 are as follows:

(a) Special Levy	-	£148,265.80	(50%)
(b) Direct Levy	-	£ 45,038.63	(73.5%)
		<u>£193,304.43</u>	

The Clerk reported that the first reminders have been sent out and direct debit payments have been drawn.

Audit Partnership

The Clerk reported that some land historically had been transferred to the Audit Partnership who had paid drainage rates on this land for two years.

However it was found out that the land overall had been transferred to three parties and not only the Audit Partnership. The Audit Partnership are therefore seeking a credit or refund for the rates on the land which they were not liable.

It was proposed by Mr R Burniston and seconded by Mr J Bramley that the Board should give a credit/refund to the Audit Partnership which is estimated to be in the region of £80 and the sum written off from the Boards account. The proposal was UNANIMOUSLY CARRIED by the Board.

HEALTH & SAFETY

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

The Clerk reported that the Boards Health and Safety process has been reviewed with Mr R Shepherd the Boards and Consortiums Safety Advisor.

AUDIT COMMENTS ON ACCOUNTS 2012/13

The Clerk had circulated with the Agenda a copy of Section 3 of the External Auditors Certificate and Opinion 2012/13 'other matters not affecting our opinion which we draw to the attention of the Council.' The Board having no comments in this section.

The Clerk noted however that other Boards of the York Consortium have had the comment 'the Body should ensure Section 4 is signed by the internal auditor who carried out the work. The name of the internal auditor as well as the firm should be inserted.' The Clerk noting that this matter has been addressed on the audit return for financial year 2013/14.

AUDIT OF ACCOUNTS 2013/2014

The Clerk informed the Board that the accounts for the year-ending 31 March 2014 had been internally audited and the Audit Commissions Annual Return for the same period has been completed.

A copy of the accounts was circulated with the meeting agenda. The Clerk running through the details of the Boards accounts in summary at the meeting and answering Members questions.

The Clerk reported that the Boards external auditors are Littlejohn LLP for the accounts being considered.

The Board considered these documents and it was proposed by Mr C E Mills, seconded by Mr G H Smith and UNANIMOUSLY AGREED to AUTHORISE the Chairman and Clerk to sign:

- 1) The balance sheet of the accounts
- 2) The Audit Commissions Annual Return which includes Section 1 - Statement of Accounts and Section 2 - Annual Governance Statement

The Clerk read out and made reference to the Internal Auditors Report letter which had also been enclosed with the Agenda.

This in summary has identified that:

- The auditor had recognised the new system of risk assessment put in place last year;
- The Auditor is concerned about business continuity should key members of staff be not available in the Consortium;
- The Boards workforce timesheets need formally signing as payments are being made on the information provided;
- The Auditor has highlighted at Board meetings the number of elected members regularly exceeds the members appointed. The Auditor noting that the appointed members should out number elected members by at least one to ensure appropriate consideration of what could be 'contentious' matters.

The Board Members considered the report and accepted the letters content.

The Clerk had circulated with the Agenda a copy of the Terms of Reference for the Boards Internal Audit. This documentation being based on the scope of an internal audit from the Governance and Accountability in Drainage Boards in England a practitioners guide. The Board UNANIMOUSLY AGREEING to accept the terms of reference for the Boards Internal Audit for 2014/15.

Pay Award 2014/2015

The Clerk advised the Board that the ADA Lincolnshire Branch have concluded the pay negotiations for 2014/2015 and a 1.00% increase on all grades has been agreed as from the 1 April 2014. This increase in pay has been applied to the Board's Workforce Members from 1st April 2014.

INTERNAL AUDIT REPORT LETTER 2013/14

TERMS OF REFERENCE OF THE INTERNAL AUDIT 2014/15

STAFF

INSURANCE

The Clerk reported that the Boards Insurance had renewed on 1st April 2014. The Clerk circulated the following chart showing the previous year's costs and invoiced costs for this years cover from the Boards Insurance Brokers Towergate.

Cover	2013	2014
Commercial Combined	£4671.14	£4,746.56
Engineering Inspection	£512.20	£527.20
Engineering Insurance	£119.50	£137.68
Hired in Plant		Shared Policy in Consortium
Directors & Officers Liability	£799.63	£839.63
Motor Fleet	£3,806.26	£4,868.96
Motor Legal Expenses	£152.64	£63.00
Legal Expenses	£53.00	£53.00
Loss Recovery Service	£159.00	£169.60
Total	£10,273.37	£11,406.23

The chart includes insurance premium tax and VAT. The Boards commercial combined insurance increasing in regard to the Boards increasing turnover. The Boards motor fleet policy increasing because of the increase because of the additional cover required for the Boards Spearhead machine.

The Clerk informed the Board that the Boards of the Consortium now have a shared hired in plant and equipment policy which this Board contributes towards additionally.

The Clerk informed Members that the Boards Insurance Brokers had asked if the Board wished to increase its insurance cover for commercial combined from £1 million to £2 million. Members considered this matter and decided to keep the Boards professional indemnity cover at £1 million.

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 reported on the ADA Northern Branch Conference, which was held on 16th May at the Cave Castle Hotel, South Cave, Brough. This being attended by the Clerk and Cllr C Lewis. The conference included a presentation on the proposed carbon capture pipeline scheme transferring liquefied carbon dioxide from Drax power station to Barmston Sea End to be stored in the sea bed off shore.

It was also AGREED at the Branch meeting at the conference that Northern Branch Boards would each contribute to the Branch expenses the sum of £100. This including promoting ADA in activities such as attending the Great Yorkshire Show.

CORRESPONDENCE

The Clerk reported that ADA had informed the Board that its annual conference will again be held in London on 12th November 2014. The Board AGREED to pay Members travelling costs and conference fees if any Members wish to attend.

The Clerk advised Members that beyond the letters from the above there had been 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 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.

The Board approved the comments.

(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 £392,773.88 with Barclays Bank as at the 6th June 2014.

The Yorkshire Bank account has an additional credit balance of £145,622.36 on Deposit. The Board placing £40,000 funds into a twelve month deposit account which is achieving 1.2% gross per annum. The remainder in a 95 day notice account achieving 0.7% gross per annum with the Yorkshire Bank.

It being intended to stagger 12 month investments to balance the Boards cash flow and be able to draw funds off more frequently than once a year.

The total balance of the Boards funds held in these accounts is £548,396.24.

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.

The Engineering Assistant explained the circumstances regarding the payments for fuel on the fuel card.

It was RESOLVED that payment of these accounts be confirmed.

The Board discussed the current problems of purchasing timber piles.

(SEE APPENDIX TO MINUTES)

DATE OF NEXT
MEETING

It was AGREED that the next Meeting of the Board will be held at the Copmanthorpe Methodist Church, Main Street, Copmanthorpe on **Monday 15th September 2014** commencing at **6.30pm**.

FUTURE MEETINGS

Monday 10th November 2014

Monday 12th January 2015 Annual General Meeting

ANY OTHER
BUSINESS

Dorts Dyke Pollution

The Engineering Assistant had been asked by Mr C Clayton about pollution which he had seen on the Dorts Dyke. The Board being aware will report apparent pollution to the Environment Agency.

CLOSE OF
MEETING

There was no other business and therefore the Meeting was closed.

(APPENDICES TO FOLLOW)