

MINUTES of Meeting held on Monday 12th June 2017 at Copmanthorpe Methodist Church, Main Street, Copmanthorpe

PRESENT

Mr S E Jackson (In the Chair)

Mr M Haigh

Mr C E Mills

Mr A P Sykes

Mr J Sanderson

Mr A Percy

Mr J Bramley

Mr C Clayton

Mr A Sykes

Mr G H Smith

Mr J Tull

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Mr R F Hildreth, Mr J B Blacker, Mr R Burniston, Cllr D Carr, Mr S Wragg, Cllr D Mackay and Cllr K Ellis.

DECLARATION OF
INTEREST

There were no 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.

MEMBERS

The Clerk informed the Board that City of York Council has written to confirm its nominated Members in an email dated 5th June 2017. The nominated representatives remained the same, the Council recognising the Board had a number of Nominated Member vacancies.

MINUTES OF LAST
MEETING

The Board UNANIMOUSLY RESOLVED that the Minutes of the Meeting held on the 13th March 2017, a 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 referred to the maintenance works report which had been circulated with the agenda.

Members discussed and considered the items in the report.

Works Foreman

The Engineering Assistant reported that the Boards Foreman had resigned which was considered by Members to be a shame. The resignation being considered to be caused by pressure and contention of some landowners/farmers in the work carried out by the Board. The Boards Foreman not wanting to work with this type of pressure. The Engineering Assistant reported that this matter had culminated with one particular landowner.

Mr C E Mills asked if the Board could write to this particular landowner to highlight the position the Board finds itself in which it believes has been influenced by his actions.

Mr A Sykes highlighted the competitive nature of the agricultural market and the pay scales say like being compared to driving a wagon which could be less stressful. The Board hence needs to consider the rate of pay being offered.

The Chairman supporting the view of Mr A Sykes.

The Clerk noted that two other Boards of the York Consortium were currently reviewing the rates of pay for the workforce. In reviewing the rates paid the cost of pension provision to the Boards is also being considered because of the benefits provided.

Recruitment of a New Foreman

The Engineering Assistant reported he had engaged a recruitment consultant and he had interviewed six candidates. At this time he had made an offer of appointment based on a six month trial to fill the post. He will be starting on 19th June.

Informing Members

Mr C Clayton asked if the Board could set up an email mailing list to inform Members of significant items like the resignation of the Boards Foreman when it occurs.

The Clerk agreed to set this up and to use the email addresses provided previously to the Board.

Grab for Machine for Piling

Mr C Clayton raised that one of the Boards drivers had requested the Board consider progressing purchasing a grab for the machine to handle moving piles and wood and asked about the progress in purchasing a new ditching bucket.

The Engineering Assistant confirmed that a ditching bucket was being made and the Board will progress purchasing the grab in the near future.

Relined Culvert at Ulleskelf

Mr C Clayton raised his concerns about the railway culvert relining works and screen at Ulleskelf.

The Clerk noted that Network Rail had undertaken, in relation to the consent granted, to clear the screens using its trackside maintenance teams. In view of this the Clerk would provide the number so that they can be contacted when clearance is required.

The Clerk had the return Tender documents for opening at the meeting. It was AGREED that these would be opened after the meeting and the rates recorded with Members in attendance.

Members AGREED to delegate the decisions on utilising the tendered rates to the Engineering Assistant. This is on the basis of the Board seeking the best value along with utilising the available plant and equipment when required from the contractors to deliver its programme.

The Clerk reported that the total rates collected to the 12th June 2017 are as follows:

(a) Special Levy -	£152,140.50	(50%)
(b) Direct Levy -	<u>£ 51,296.87</u>	<u>(83%)</u>
	<u>£203,437.37</u>	

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

MAINTENANCE CONTRACTS

RATES

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.

The Chairman 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. The policy containing boxes for the workforce to sign when they had been made aware of the policy content.

Mr J Tull raised that he had reviewed the documents and had concerns in relation to references such as 'should' and believed that the policy should be more specific to the practice to be carried out e.g. 'will.'

The Clerk undertook to ask the Boards Safety Advisor to review the document with a focus on this matter and prepare an updated version for consideration at the next meeting of the Board.

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

AUDIT ISSUES OF GOVERNANCE AND ACCOUNTING STATEMENTS

The Clerk referred Members to a letter from the Audit Commission (page 2). The letter clearly highlighting 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.

REVIEW OF THE 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 quotes '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.' Thus it does not include any qualifications regarding the Boards audit. In the second box 'Other Matters Not Affecting the External Auditors Opinion' no comment is made.

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

REPORT ON THE 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 which 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 Mr G H Smith that the Board accepted the letters content. This proposal was seconded Mr C Clayton 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 M Haigh that the Board approved the Annual Governance Statement. This proposal was seconded by Mr J Bramley and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2016/17.

ACCOUNTING STATEMENTS

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 31st 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.

Members discussed the Boards accounts which highlight the change in the Boards workforce numbers and an increase in the Boards contracted works.

Approval of the Accounting Statements by Resolution

The Committee considered Section 2 of the Annual Return and it was proposed by Mr A Percy that the Board approved the Annual Accounting Statement for 2016/17. This proposal was seconded Mr M Haigh 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 proposed by Mr M Haigh, seconded by Mr C E Mills and 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.

TERMS OF REFERENCE FOR NEXT INTERNAL AUDIT 2017/18

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.

It is noted that the guidance from ADA on the Governance and Accountabilities in Internal Drainage Boards in England A Practitioners Guide (2006) has been updated more recently (updated 2007) but this now puts the onus on the Board to define the scope of its own internal audit. The Clerk having provided a copy of the relevant section of this recently updated guidance to Sub Committee Members with the Agenda.

The Board considered its content and it was proposed by Mr M Haigh, seconded by Mr C E Mills and UNANIMOUSLY AGREED by 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.

INSURANCE

The Clerk reported that the Boards Insurance had renewed on 1st April 2017. He had further circulated the following chart showing the previous year's costs and invoiced costs for this year's cover from the Boards Insurance Brokers, Towergate with the Agenda. The figures include Insurance Premium Tax and VAT. It was noted that Insurance Premium Tax had increased to 12%.

Cover	2014	2015	2016	2017
Commercial Combined	£4,746.56	£4,834.00	£5,105.62	£5,005.23
Engineering Inspection	£527.20	£577.99	£599.82	£598.56
Engineering Insurance	£137.68	£132.68	£136.26	£145.16
Hired in Plant	Shared Policy in Consortium	Shared Policy in Consortium	Shared Policy in Consortium	Shared Policy in Consortium
Directors & Officers Liability	£839.63	£809.63	£834.71	£773.50
Motor Fleet	£4,868.96	£4,851.80	£5,090.19	£3,853.50
Motor Legal Expenses	£63.00	£ 95.40	£98.55	£93.50
Legal Expenses	£53.00	£ 53.00	£54.75	£55.00
Loss Recovery Service	£169.60	£ 169.60	£174.11	£174.90
Personal Accident	Included in combined	Included in combined	Included in combined	£176.00
Total	£11,405.63	£11,524.10	£12,094.01	£10,875.35

The Clerk further informed that some of the commercial combined insurance increases are relative to the Boards increasing financial turnover. Costs are also likely to increase with the purchase of new equipment.

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

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.

Precept Appeals and 'Main River' Maintenance Works

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

PRECEPT

ADA NORTHERN
BRANCH
CONFERENCE

The Clerk reported to Members on the ADA Northern Branch Conference, which he attended, held on Friday 2nd June 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 Bransholme Yorkshire Water Surface Water Pumping Station.

It was also AGREED at the Branch Meeting at the Conference that Northern Branch Boards again would each continue to contribute to the Branch expenses the sum of £150. This including promoting ADA in activities such as attending the Great Yorkshire Show.

ADA NATIONAL
CONFERENCE

The Clerk reported that ADA had informed the Board that its Annual Conference will again be held in London on 16th November 2017. The Board AGREED to pay Members travelling costs and conference fees if any Members wish to attend.

CORRESPONDENCE

The Clerk advised Members that 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.

Mr C E Mills raised that he had made a planning application for an agricultural building and the Board had responded in the consultation period referencing the wrong drainage ditch. He was also concerned that the Board had sought the planning authority to consider the run off rates of surface water from the development and believed that the Board should consider the merits of each site individually.

The Board approved the comments.

(SEE APPENDIX TO MINUTES)

BRITISH SUGAR
SITE

The Clerk referred to a recent application response which he has circulated with the Agenda. The Boards drainage area only relating to part of the site of the former British Sugar site. The Board raising an 'objection' response in regard to four on-going Planning Applications in relation to the surface water drainage proposals along with other matters as covered in the recent application response letter for the overall development of this large site.

The Board following the consultation response has had an Application for Discharge Consent for an attenuated flow from the entire site to the Carr Lane Drain. It being noted that a significant amount of the site is not in the Boards Drainage District and when the site was operational a large amount of the site was drained directly to the River Ouse by a drainage system (combined with effluent) which was outside the Boards Drainage District.

The Clerk informing Members that the Board needed to be reasonable in considering consents to discharge. If an applicant considers the Board is being unreasonable in withholding consent they can take the Board to arbitration. The option being contained in the Boards Byelaws.

Members supporting the advice being given by the Clerk and the content of the attached letter. The Clerk further informing that he had all the documentation concerning the application at the Meeting.

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.

Mr A P Sykes asked what had happened concerning the un-consented culverting on a farmers land.

The Engineering Assistant responding that the farmer to date has not made a consent application to the Board.

The Clerk asked the Board what action would they like the Board to take. The Board having an option to employ a consultant to consider the flooding implications of the work carried out. It was noted at this stage the farmer has not covered the pipes over yet. The piped route bypassing an existing route so the increased flood risk may not be significant at this stage. However if the culvert is filled in along with the existing route then the circumstances will clearly change.

Members were happy to continue to wait for the farmer's response.

The Clerk suggesting that a further letter could be sent in relation to providing an application for consent or legal action will follow.

(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 £538,695.91 with Barclays Bank as at 2nd June 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 Nationwide Building Society account has an additional credit balance of £71,882.70. 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 £695,149.79

The Clerk further informing that Barclays Bank were likely to start charging bank charges from 1st July.

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 RESOLVED that payment of these accounts be confirmed.

(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 18th September 2017** commencing at **6.30pm**.

FUTURE MEETINGS

Monday 6th November 2017

Monday 15th January 2018 Annual General Meeting

ANY OTHER
BUSINESS

Sale of the Komatsu Excavator

Mr A P Sykes asked about the sale of the Komatsu. The Engineering Assistant being asked to seek what offers could be made on the machine.

Publicity Regarding Byelaws

Mr A Percy raised that the Board needed more publicity for ratepayers about the Boards work and requirements of its Byelaws.

The Clerk informing that the Board already includes these details with the rate bills.

Maintenance Works

Mr A Sykes asked Members if they believed the Board was cleaning enough ditches out every year. He has been informed that every dyke in the Selby Board district is de-silted every three years.

The Engineering Assistant believes that the work should only be carried out when required and it was important to do the correct amount of work needed and achieve value for money for the Board. He further noted some of the Boards maintained ditches have gravel beds and only occasionally require clearing. The Board is also constrained by conservation restrictions such as nesting birds. However an opportunity exists when ground conditions are good but the resources and funds are required.

Mr A Sykes also believes the Board should be advancing to progressing more sludging works and contracting flailing out.

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

(APPENDICES TO FOLLOW)