

MINUTES of Meeting held on Wednesday 13<sup>th</sup> June 2018 at Copmanthorpe Methodist Church, Main Street, Copmanthorpe

PRESENT

Mr M Haigh (In the Chair)  
Mr A P Sykes  
Mr A Percy  
Mr J Bramley  
Mr C Clayton  
Mr G H Smith  
Cllr J Galvin  
Cllr D Mackay

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr S E Jackson, Mr C E Mills, Mr J B Blacker, Cllr D Carr, Mr S Wragg, Mr J Tull and Cllr K Ellis.

SUSPENSION OF STANDING ORDERS

The Clerk informed Members that with only eight Members in attendance a quorum to run a meeting of ten members was not present.

The Clerk informed Members that the Board had to consider its Governance and Accounting Statements with regards to set deadline. To meet this deadline Standing Order 27, to suspend SO 4(a), could be invoked by resolution of at least 75% of Members present. This would enable the meeting to progress with only eight Members present.

Members present UNANIMOUSLY AGREED to invoke Standing Order 27, to suspend SO 4(a).

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.

MEMBERS

The Clerk informed the Board that City of York Council has written to confirm its nominated Members in an email dated 24<sup>th</sup> May 2018. 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 14<sup>th</sup> March 2018, 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

The Clerk noted the matter raised by Mr C Clayton in relation to his concerns about the railway culvert relining works at Ulleskelf carried out by Network Rail. The issue relating to the dry weather flow smaller culvert, which requires a screen to prevent blockage and the difficulties of having the screen cleared by Network Rail and the safety of the structure. At the current time this matter had not yet been progressed.

The Clerk also reported that he was progressing a Bylaw strategy and enforcement review, which is likely to be partially funded by ADA National. However in relation to the local matter of an unconsented culvert no formal action has yet been progressed.

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. The Boards activities being constrained with its contractors not working due to the current conservation restrictions of the nesting bird season.

### **Environment Agency Access to Private Land.**

Mr C Clayton noted that the Environment Agency and appointed contractors were turning up on his land with no notice. It also being hard to find out which part of the Agency they represent. He was in the future very likely to turn people away unless prior notice is given.

### **Harewood Whin Landfill Site.**

Members discussed the issues and options at this location and the difficulties encountered with a working landfill site.

### **Bolton Percy Residents Meeting**

The Clerk reported attending this meeting and noted that the Rampart flap was due to be changed again in the near future. Residents at the meeting also noted that the work the Board had carried out on the Bolton Percy double doors appeared to improve the situation. Discussions on diverting a watercourse were also held but further work was required to consider if it was a realistic proposal.

## MAINTENANCE CONTRACTS

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.

## RATES

The Clerk reported that the total rates collected to the 12<sup>th</sup> June 2018 are as follows:

(a) Special Levy -	£135,333.90	(44%)
(b) Direct Levy -	<u>£ 48,708.37</u>	<u>(78%)</u>
	<u>£184,042.27</u>	

The Clerk reported that Harrogate have not paid the first instalment of the Special Levy, hence the sum is less than 50%. It however is expected the Council will be making a payment next week. The first reminders have been sent out and direct debit payments have been drawn.

## 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 relating to a road traffic accident, with one of the Boards Workforce, which was not his fault. The accident becoming reportable due to the time having to be taken off work by the employee.

Mr A P Sykes asking about insurance cover for such an event should it happen in this Board.

## AUDIT ISSUES OF GOVERNANCE AND ACCOUNTING STATEMENTS

The Clerk referred Members to the previous Audit Commission requirements provided a few years ago. The Clerk continues to reflect these requirements in the Agenda items for the returns for the 2017/18 year-end audit. This is to try to ensure compliance and to avoid audit prequalification. The format having been successfully used last year.

## REVIEW OF THE EXTERNAL AUDITOR CERTIFICATE 2016/17

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 2016/17.

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 31<sup>st</sup> March 2018 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.

Members discussed in detail the issues in relation to meetings and attendance by Members.

The Clerk highlighted the potential of the Consortium getting larger. This including the potential to consider increasing the number of Boards in the overall Consortium and the administration efficiency in relation to the wider resources should an appropriate opportunity arise. This requires a reasonably sized Board for efficiencies to be achieved.

APPROVAL OF  
THE ANNUAL  
GOVERNANCE  
STATEMENT

**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.

ACCOUNTING  
STATEMENTS

The Clerk informed the Audit Commissions Annual Return has been completed for 2017/18 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 Cllr J Galvin that the Board approved the Annual Governance Statement. This proposal was seconded by Mr C Clayton and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2017/18.

**Consideration of the Accounting Statements**

The Clerk reported that the Board’s External Auditors are Littlejohn LLP for the accounts being considered. The Audit Commission now having been abolished and the external Auditor are now appointed following a tendering exercise run on behalf of IDB’s and other small public bodies requiring this service.

A copy of the accounts was circulated with the meeting agenda for the year-ending 31<sup>st</sup> 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 High land water contribution.

### **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 2017/18. This proposal was seconded by Cllr D Mackay 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 Cllr J Galvin, seconded by Cllr D Mackay and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2017/18.

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.

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 previously provided a copy of the relevant section of this updated guidance.

The Board considered its content and it was proposed by Mr C Clayton , seconded by Cllr D Mackay 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 2018/19.

The Clerk reported that the Board's External Auditors are Littlejohn LLP for the accounts being considered. The Audit Commission now having been abolished and the external Auditor are now appointed following a tendering exercise run on behalf of IDB's and other small public bodies requiring this service.

**TERMS OF  
REFERENCE FOR  
NEXT INTERNAL  
AUDIT 2017/18**

NEW ANNUAL  
REPORT TO  
DEFRA IDB 1

The Clerk had circulated a draft document of the new 'Annual Report to Defra (IDB1) a copy of which had been included with the Agenda. The report circulated had been completed in draft for the likely information to be provided by the Board. It however did not include the figures which summarised the Boards accounts which would be included later. The information provided will be used to develop a national picture of the position of IDBs.

The Clerk explained the reasons for the report being circulated to the Committee. This includes the provision of much more information than had been required previously. This along with data and information about the Boards activities and matters which directly relate to Members such as records of meeting attendance and Members requirements for training.

Members also discussed the Bio Diversity Action Plans developed across the Consortium Boards Districts and Water Level Management Plans and how they needed progressing and reporting upon.

The Clerk further asked members, as it was raised in the form, if they believed any further training was required in line with the proposed response in the form.

Members supporting the response provided

The Clerk noting if any Members training needs are identified then this can be organised if required.

Members noted the draft IDB 1 report and recommended supporting the Clerk in preparing the report on the basis proposed for submission to Defra.

DRAFT BOARDS  
POLICY

The Clerk had circulated a draft document. The template for the report having been agreed by Defra following extensive consultations with various organisations. The report also had been populated with the details and data specific to the Board.

The Committee considered the document and recognised it was a high level policy statement and recommended approval for adoption by the Board. It however was noted that the Board may require more detailed policies in relation to local delivery in areas such as maintenance work which are not included in much detail in this document.

It was proposed by Mr G H Smith and seconded by Mr C Clayton and UNANIMOUSLY agreed to adopt the policy.

ELECTION

The Clerk informed the Board that approval of the Register of Electors has been advertised on the Boards website. The Clerk will be issuing nomination forms in August to existing elected members and any other nomination forms as required. The closing date for submission of nomination forms is 28<sup>th</sup> September 2018. If an election is then required this will be on 24<sup>th</sup> October 2018 and the new Board will be in place on 1<sup>st</sup> November 2018. Nomination Forms will also be available for Members to complete at the next Board meeting on 12<sup>th</sup> September 2018.

## INSURANCE

The Clerk informed Members that the Board was moving its insurance renewal date from 1<sup>st</sup> April to early June. This is to align insurance policies renewal dates to other Consortium Boards. This giving the opportunity to negotiate insurance policies as a package. Plus it will also reduce the work dealing with the overall package. In view of this varying lengths of policy cover have been provided to make this transition.

The Clerk having provided a table of the covers which includes the costs and periods of cover which has been renewed from 1st April was circulated with the Agenda prior to the meeting. The sums in the table include Insurance Premium at the current rate of 12% which is an increase from last year and VAT if applied. The table showing the previous year's costs and invoiced costs for this year's cover from the Boards Insurance Brokers Towergate.

Cover	2015	2016	2017	2018	End period
Commercial Combined	£4,834.00	£5,105.62	£5,005.23	£5,070.68	April 2019
Engineering Inspection	£577.99	£599.82	£598.56	£604.00	April 2019
Engineering Insurance	£132.68	£136.26	£145.16	£200.32	April 2019
Hired in Plant	Shared Policy in Consortium	Shared Policy in Consortium	Shared Policy in Consortium	Shared Policy in Consortium	
Management Liability	£809.63	£834.71	£773.50	£897.63	June 2019
Motor Fleet	£4,851.80	£5,090.19	£3,853.50	£652.24 + £3,326.40	June 2018 June 2019
Motor Legal expenses	£95.40	£98.55	£93.50	£117.50	June 2019
Legal Expenses	£53.00	£54.75	£55.00	£98.00	June 2019
Loss Recovery Service	£169.60	£174.11	£174.90	£173.51	June 2019
Personal Accident	Included in combined	Included in combined	£176.00	£213.20	April 2019
<b>Total</b>	<b>£11,524.10</b>	<b>£12,094.01</b>	<b>£10,875.35</b>	<b>£8,027.08</b>	

The Clerk further informed that some of the commercial combined insurance increases are relative to the Boards increasing financial turnover.

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. The Clerk was asked to look into potentially providing cover for any of the Boards workforce if they became unable to work and an alternative resource being required.

ADA NORTHERN  
BRANCH  
CONFERENCE

The Clerk reported to Members on the ADA Northern Branch Conference, which was held on Friday 8<sup>th</sup> June 2018 at the Cave Castle Hotel, South Cave, Brough. This was attended by the Clerk. The Conference included a site trip to see the Foss Barrier in York which is in the process of being upgraded.

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 14<sup>th</sup> November 2018. 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.

The Clerk further informed that the Rail HS2 project were making an appointment to discuss the proposals

Mr C Clayton informed that very recently information had been provided on the projects web site including details of working compounds and other arrangements.

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 Consents granted.

**(SEE APPENDIX TO MINUTES)**

BANK  
STATEMENTS

The Clerk produced the Bank Statements for the Board's Current Account ha credit balance of £669,282.05 with Barclays Bank as at 1st June 2018.

The Yorkshire Bank account has an additional credit balance of £85,416.89. The Board placing funds into a twelve month deposit account which is achieving 1.2% gross per annum.

The Nationwide Building Society account has an additional credit balance of £72,296.97. The Board placing funds into a 95 day saver account which is achieving 0.65% gross per annum.



The total balance of the Boards funds held in these accounts is £826,995.91

The Clerk further informing that Barclays Bank is charging the Board for banking services.

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 **Wednesday 12<sup>th</sup> September 2018** commencing at **6.30pm**.

FUTURE MEETINGS

Wednesday 7<sup>th</sup> November 2018

Wednesday 16<sup>th</sup> January 2019 Annual General Meeting

ANY OTHER BUSINESS

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

**(APPENDICES TO FOLLOW)**