

MINUTES of Meeting held on Monday 4th September 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 Cockerill

Mr S Stark

Mr M Kemp

Mr I Ridsdale

Mr R J Burnett

Cllr Mrs S Wiseman

Mr D M Crossley

Mr C Chambers

Cllr Mr M Warters

Mr C Perrett

Cllr Mrs D Craghill

Cllr A Strangeway

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Cllr A S Richardson, Mr P E Clark, Mr R A Armitage and Mr S Wragg.

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.

MINUTES OF LAST
MEETING

It was RESOLVED that the Minutes of the Meeting held on the 5th June 2017, 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

Insurance Cover for Members

The Clerk informed Members that Officer and Members Liability Insurance was provided. The document highlighting the scope of the cover being made available at the meeting.

MINUTES OF SUB
COMMITTEE
MEETING

It was RESOLVED that the Private and Confidential Minutes of the Meeting held on the 4th July 2017, copy of which had been sent to all Members, be taken as read as proposed by the Chairman, seconded by Cllr A Strangeway and AGREED by the Members present who had attended the Sub Committee Meeting that they are forthwith signed by the Chairman as a correct record.

MATTERS ARISING

The Boards decision on the recommendation of the Sub Committee being recorded as a Private and Confidential matter as it relates to individual rates of pay.

There were no further matters arising from the Minutes of the Sub Committee which were not covered in the main agenda.

HEALTH & SAFETY

The Clerk confirmed that no reportable incidents had occurred since the date of the last Meeting which required reporting to the Health and Safety Executive (RIDDOR).

The Clerk had further circulated with the Agenda details released from the Health and Safety Executive of recent fatal accidents which had occurred in farming. This being of interest to the Members as much of the Boards maintenance work is tied into and associated with the agricultural community. The incidents occurring sometimes could be common to the work of the Board such as accidents utilising farming equipment.

RATES

The Clerk reported that the total rates collected to the 25th August 2017 are as follows:

(a) Special Levy -	£151,180.95	(52.6%)
(b) Direct Levy -	<u>£ 43,314.96</u>	(95%)
	<u>£194,495.91</u>	

The Clerk reported that East Riding of Yorkshire Council had made a full payment of its Special Levy to the Board which is why the Special Levy payment is in excess of 50%.

The Clerk also advised that a sum of £12,260.93 had been collected in drainage rates since the report at the last meeting.

The Clerk reported that second reminders have been sent out and if required court actions will be progressed. A list of outstanding rate accounts was shown to the Chairman at the meeting.

MAINTENANCE
WORKS

The Engineering Assistant circulated a report with the Agenda and also displayed maps of the work carried out at the meeting.

Mr M Kemp raised how pleased he was with the piling work carried on the Hopplecar Drain (W19).

The Engineering Assistant noted the difficulties the Board is having in purchasing the appropriate timber to carry out piling works.

Mr D J E Sherry raised his concerns regarding the Vanguard developed lagoons at Monks Cross. His concerns are that following recent storms the lagoons do not appear to fill and flows run away rather than being stored.

The Engineering Assistant reported that the tanks are intended to be drained by a flow control device which discharges through a highway drain eventually running to the Pigeon Cote Dyke. It was not apparent following any recent storms that any significant discharges were reported in relation to the discharge of this facility. The workforce however will investigate further after future heavy rainfall.

Mr I Ridsdale provided photographs at the meeting of the extensive weed growth in Bielby Beck in its middle section (Main River). He asked that the Board sustain pressure on the Environment Agency to maintain the watercourse because of its importance in the locality particularly in the Wilberfoss village.

The Engineering Assistant reported that flailing maintenance was planned but this is subject to land drying out. The work being planned from Sails Lane to Church Road Bridge when ground conditions improve.

(SEE APPENDIX TO MINUTES)

BYELAWS AND ENFORCEMENT

Draft Letter of Initial Action

The Clerk had circulated a draft letter which the Board could send as the first stage (template) in advancing the enforcement process. This being prepared with assistance from a solicitor to ensure the matter could be progressed on the basis of the letter content. This being advanced if the Boards internal letter request process has been exhausted and no action taken by the offender. The letter being intended to enforce the Boards position.

Mr C Chambers raised that some of the locations on the potential Byelaw infringements list had put in a retrospective planning application.

Mr C Chambers asked in taking this action does this not count as admittance to carrying the work out which would help in any prosecution. He asked also if the Board could not progress the enforcement themselves writing directly, highlighting the Boards powers and the consequences of non-compliance.

The Boards position on its policy for Byelaw enforcement was discussed. The Clerk having circulated a draft proposal and estimated cost for developing a Policy for Byelaw enforcement. The proposal being prepared by a local solicitor. This being a policy which would be applicable to other drainage boards. Members considered this proposal and suggesting it was the type of work required nationally for Drainage Boards.

In view of this the Clerk was asked if the proposal could be tabled and considered for funding by the Association of Drainage Authorities (ADA).

Members requested in relation to policy development of Byelaw infringements if the other Boards party to the Consortium Agreement would be prepared to contribute to the proposal to fund this work.

The Clerk will seek the position on part funding this work with the other Members party to the Consortium Agreement.

Mr M Cockerill believed that the Board could advance Byelaw infringement prosecutions on a case by case basis taking professional advice.

The Board asked if the Clerk could advance progressing Byelaw enforcement with professional legal support currently on the infringements which are preventing current required maintenance. To then further establish if policy development funding would be available either from other York Consortium Board Members or ADA.

PLANT AND EQUIPMENT

New Mowing Head for Excavator

The Engineering Assistant reported that the Foreman has asked if Members could consider if it was appropriate to purchase a heavy duty flail head to put on the excavator. This could potentially reduce the time spent on tree and bush works with regular maintenance trimming the cost being something of the order of £5,000. To date the Board has not had any estimates.

The Engineering Assistant also confirming the Boards excavator has the required hydraulic system to run it when asked by Mr I Ridsdale.

Members UNANIMOUSLY AGREED that the decision on the purchase of a mowing flail head could be delegated to the Chairman as advised by the Engineering Assistant and Clerk. The procurement and purchase to be in line with the Boards Financial Regulations.

UPLAND WATER CONTRIBUTIONS

The Clerk advised that claims had been made to the Environment Agency for the 2016/17 Upland Water Ditch Maintenance Works. This was made on the basis of the sum of £41,837.51. An overall payment has been agreed of £37,235.38 which is a percentage of 89.0% of the Board's claim. This being the same percentage paid last year at 89% in the sum of £46,135.85.

STAFF

New Contracts and Staff Handbook

The Clerk reported that that a Staff Handbook was being developed for the Boards Workforce which ties into the Boards Contracts of Employment.

Mr M Cockerill asked how the document had been developed.

The Clerk reporting this was developed on a wider template which had been populated in house.

Foundation Degree Trainee

The Clerk reported he had made a bid for a Trainee for the Board. The period of training to start in the office in the next financial year for six months. The study period starts in October and is funded by Defra. However the Board is required to pay a training allowance when the trainee attends in the office. The Course is for two years with two six month office based training periods and two six month University based periods.

The Clerk reported that the Board has been allocated a trainee on this scheme.

Members UNANIMOUSLY in support of the Clerk progressing this action.

BUSINESS RISK ASSESSMENT POLICY

The Clerk informed the Board that the Association of Drainage Authorities have issued a Model Policy Document for the Board's Risk Assessment. The format is in the form of a 3 x 3 matrix which evaluates the likelihood of an event happening against the consequence of the event happening. A draft updated risk assessment for the Board on this basis has been prepared which Members considered at the meeting.

It was noted that the Risk Assessment can be updated as new risks are established and mitigated. The Risk Assessment has been updated with the comments following the report of the Board's Internal Auditors Report/Letter.

The Board Members reviewed this document and considered the higher risk matters, which were highlighted in the report.

The Clerk informed the Board that the Audit required the Board to formally consider and approve its Risk Assessment for 2017/2018.

AUDIT

Cllr Mrs S Wiseman proposed that the Board adopts and approves this policy for financial year 2017/18.

Mr D R Brotherton seconding the Proposal which was **UNANIMOUSLY AGREED** by the Board.

The Clerk referred to a copy of the External Auditors certificate and opinion for the accounts for financial year 2016/17. A copy of the External Auditors certificate and opinion has been circulated (Section 3 and 4) to Committee Members prior to the meeting with the Agenda.

External Auditors Certificate and Opinion

The Clerk informed Members that the return from the External Auditor does not raise any matters under Section 3 External Auditor certificate and opinion 2016/17.

Completion of the Audit

The Completion of the Audit has been advertised, as required. The Board acknowledged this outcome.

Appointment of Internal Auditors

The Clerk advised the Board that the audit of the Board's accounts is reasonably complex. In view of this any new auditor would require some time to understand the working arrangements currently in place.

The current Internal Auditors, Brodericks (Doncaster), who have carried out audits for a number of other Boards, are familiar with the Consortium arrangements along with the Audit Commission and the requirements of the external audit.

In view of this the Clerk proposed that our existing Auditor is retained for the 2017/18 financial year audit because of the familiarity of our current systems. The cost of last year's audit, support and production of the required reports for the Board was £1,350 plus VAT. However the cost could increase depending on the requirements of the audit.

The Clerk noted that the External Audit was the first year of a contracted in External Audit following the abolition of the Audit Commission. In this sustaining continuity of Internal Audit is likely to help if any problems arise with the new arrangements.

Members **UNANIMOUSLY AGREED** that the Board re-appoint the Internal Auditors, Brodericks (Doncaster) for the 2017/18 financial year.

REVIEW OF THE
EFFECTIVENESS
OF INTERNAL
CONTROL

The Clerk further referenced the concerns of the External Auditor regarding the review of the effectiveness of internal control.

The Clerk asked if the Board would wish to continue to review its effectiveness of internal control in financial year 2017/18 with the report being prepared by the Internal Auditor. This is because the internal auditor is believed to be impartial to the interests of Members and the Boards Consortium staff. This therefore avoids any potential conflict of interest. However the Board's Clerk should review the documentation and scope of this report to ensure that the audit compliance requirements are fully covered.

Members UNANIMOUSLY AGREED for the Boards Internal Auditors work to additionally include the review of the effectiveness of internal control as carried out in the previous financial year 2016/17.

CORRESPONDENCE

Condition of Bridges – Old Foss Beck, Stockton Lane

The Clerk referred to a letter from Mr Wilson dated 20th July and the Clerks response. A copy of both letters being included with the Agenda for Members consideration. Mr Wilson asking if Members would wish to have a site visit and inspection of the bridges on his property.

Mr D M Crossley highlighted Mr Wilson's concerns regarding bridges on his land. The Boards position being highlighted in the Clerks letter.

Members were in support of the response of the Clerk.

Members decided that it was not the Boards policy to replace bridges used for private purposes and also did not believe a site inspection was required at this stage.

Members noted the Board's Consent will be required under the Boards Byelaws before replacing.

ADA Conference

The Clerk had circulated a copy of the ADA Conference details with the meeting Agenda and informed the Board that he was making travel arrangements and booking for Members wishing to attend the London ADA Conference on Thursday 16th November. The Board AGREEING to pay for the travelling costs and conference fees for any Members wishing to attend.

The Clerk will be attending on behalf of the York Consortium.

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 also highlighting the Miscellaneous and Outside the Board's Drainage District Plans Report which Members considered.

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.

Cllr Mr M Warters noted that the Board needs to keep an eye on Consent 667C and the Consent not being approved.

(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 £340,341.05 with Barclays Bank as at the 25th August 2017.

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 £61,665.24. The Board placing funds in 95 day business saver account which is achieving 0.5% gross per annum.

The total balance of the Boards funds held in these accounts is £487,423.18.

The Clerk further informing Members that Barclays will be introducing bank fees in the near future.

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 directed that the next Meeting of the Board is due to be held at the Memorial Hall, Huntington, York on **Monday 30th October 2017** commencing at **1.30pm**.

FUTURE MEETINGS

Monday 8th January 2018 Annual General Meeting
Monday 26th February 2018
Monday 4th June 2018

ANY OTHER
BUSINESS

CLOSE OF
MEETING

**York Flood Defences Investment – 5 Year Plan and 100
Year Plan**

The Clerk informed the Board that the Consultants conducting the York Flood Study engaged by the Environment Agency were holding a meeting along with the Clerk and others shortly to discuss how the study is progressing.

The Clerk being asked to see if it is possible to organise a presentation to the Board on the proposals being advanced.

There was no other business and the meeting was closed at 3.11 pm.

(APPENDICÈS TO FOLLOW)