

MINUTES of Meeting held on Monday 3<sup>rd</sup> June 2019 at the Strensall and Towthorpe Village Hall, Northfields, Strensall, York.

PRESENT

Mr J P Coverdale (In the Chair)

Mr S Stark

Mr D R Brotherton

Mr D J E Sherry

Mr M Cockerill

Mr M Kemp

Mr I Ridsdale

Mr R J Burnett

Mr A S Richardson

Mrs S Wiseman

Mr D M Crossley

Mr C Chambers

Cllr M Warters

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR  
ABSENCE

Apologies for absence were received from Mr R A Armitage, Mr P E Clark, Mr C Perrett 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 UNANIMOUSLY RESOLVED that the Minutes of the Meeting held on the 25<sup>th</sup> February 2019, 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.

The Clerk informed that the Tang Hall Beck matters of failing bank structures had not yet been progressed.

HEALTH & SAFETY

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

The Clerk informed in June the Board will be meeting the Health and Safety Advisor to review Health and Safety.

The Engineering Assistant reported that he was organising training for manual handling for the workforce. This being developed specifically for drainage board maintenance work. It is hoped that a greater realism of the training will create a better understanding of the management of the risk of manual handling resulting in less injuries.

## RATES

The Clerk reported that the total rates collected up to the 1<sup>st</sup> June 2019 are as follows:

(a) Special Levy -	£152,433.93	(50.0%)
(b) Direct Levy -	<u>£37,352.31</u>	(77.2 %)
	<u>£189,786.24</u>	

The Clerk further reported that the first direct debit payments have already been drawn and the first rate reminders will be sent out shortly.

## MAINTENANCE WORKS

The Clerk had circulated a maintenance report with the Agenda. The Engineering Assistant ran through the report along with providing maps of the work carried out to date for member's reference at the meeting.

### Westfield Beck Pumping Station – Board Unable to Clear Screens

The Clerk reported that he had raised this matter in his report to the York and North Yorkshire Flood Partnership Meeting as a matter which needs addressing with Yorkshire Water.

Mr A S Richardson reported he had met the Environment Agency and he was informed that the pumping station should perhaps be part of the Environment Agency infrastructure. He further noted he had concerns about York City Council's time schedule for reporting on the risks of flooding in this location. This along with having found the original planning application for the pumping station from historical Council documents. He further raised a number of matters in relation to drainage upstream of the pumping station which had been highlighted in recent flood events.

The Clerk understands that York City Council are preparing a flood report following the floods.

### Ifor Williams Trailer

Members reviewed the Engineering Assistant's proposal to purchase a replacement Ifor Williams Trailer LH12 which will take ten weeks to deliver. The cheapest being £2,720 with a part exchange of £900 both sums excluding VAT from Ripon Trailer Centre. The price for the trailer was the cheapest of three quotes.

Members UNANIMOUSLY AGREEING to this purchase and part exchange.

## **Harewood Whin Closure and The Boards Disposal of Watercourse Waste**

Mr A S Richardson suggested that the Board should approach the Council at a higher level with Mr Neil Ferris as Director and/or Mr James Gilchrist as the Council's Head of Waste respectively to establish if a solution can be achieved.

### **REVIEW OF EXTERNAL AUDITOR CERTIFICATE 2017/18**

The Clerk reminded Members of a letter from the Audit Commission which was circulated previously. The letter clearly highlighted the requirements, which the Clerk has reflected in the Agenda items, for the returns for the 2018/19 year-end audit. This is to try to ensure compliance and to avoid audit prequalification.

The Clerk had circulated with the Agenda a copy of the External Auditor comments of 2017/18 (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 Affecting the External Auditors Opinion' no comments are made.

The Clerk reported that no comments were made by the Internal Auditor in Section 4 of the Form for Financial Year 2018/19.

### **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 31<sup>st</sup> March 2019 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 Mrs S Wiseman that the Board accepted the letters content. This proposal was seconded by Mr S Stark and **UNANIMOUSLY AGREED** by the Board.

**APPROVAL OF THE  
ANNUAL  
GOVERNANCE  
STATEMENT**

**ACCOUNTING  
STATEMENTS  
2018/2019**

The Clerk informed the Audit Commissions Annual Return has been completed for 2018/19 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 Mrs S Wiseman that the Board approved the Annual Governance Statement. This proposal was seconded by Mr I Ridsdale and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2018/19.

**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 having been abolished but the Auditors are now contracted directly to audit IDB accounts. This being established through a framework contract open to small local public organisations such as parish councils and IDBs.

A copy of the accounts was circulated with the meeting agenda for the year-ending 31 March 2019. The accounts having been internally audited, with the Auditor having completed and signed off Section 3 Annual Internal Auditor Report 2018/19 of the IDB return.

The Clerk ran through the details of the Board's accounts. Mr S Stark asked about the increase in miscellaneous income.

The Clerk believing that the additional miscellaneous income had occurred because of PSCA work carried out in relation to Bielby Beck from the Environment Agency (confirmed after the meeting as requested).

**Approval of the Accounting Statements by Resolution**

The Committee considered Section 2 of the Annual Return and it was proposed by Mr D R Brotherton that the Board approve the Annual Accounting Statement for 2018/19. This proposal was seconded by Mr D J E Sherry 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 A S Richardson, seconded by Mr S Stark and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2018/19.

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

TERMS OF  
REFERENCE FOR  
INTERNAL AUDIT

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 the acceptance of the Board for the Scope of the Internal Audit to be able to formally review the Effectiveness of the Internal Audit for financial year 2019/20.

STAFF AND  
WORKFORCE

**Planning Officer**

The Clerk reported the Boards New Planning Officer, Mrs C Gill, was in post and making good progress with the Boards planning and consent responses.

**Pay Award 2019/2020**

The Clerk advised the Board that the ADA Lincolnshire Branch have had pay negotiations for 2019/2020 and a 2.70% increase on all grades has been agreed as from the 1<sup>st</sup> April 2019. The Union has balloted its members and they have accepted this pay award. This increase in pay has been applied to the Board's workforce and staff members from 1<sup>st</sup> April 2019. The mileage rates paid to staff have remained the same.

INSURANCE

The Clerk informed Members that the Board had moved its insurance renewal date from 1<sup>st</sup> April to early June last year. This is to align insurance policy renewal dates to other Consortium Boards. This giving the opportunity to negotiate insurance policies as a package. This also is hoped to reduce the work dealing with the overall package.

<b>Cover</b>	<b>2018</b>	<b>2019</b>
Business Combined	£4,461.51	£4,406.58
Engineering Inspection	£264.00	£264.00
Engineering Insurance	£116.27	£58.80
Management Liability	£406.92	£406.92
Professional Indemnity	£2,255.82	£2,195.82
Motor Fleet	£3,039.20	£3,052.00
Motor Legal expenses	£70.00	£75.60
Legal Expenses	£56.00	£101.82
Loss Recovery Service	£115.50	£117.60
Personal Accident	£179.20	£178.65
<b>Total</b>	<b>£10,952.06</b>	<b>£10,857.79</b>

The Clerk provided a table of the covers at the meeting which includes the annual costs. The sums in the table include Insurance Premium Tax and VAT. It was noted that Insurance Premium Tax remains at 12%.

Mr D R Brotherton asked about the difference between Engineering Insurance and Engineering Inspection.

The Clerk and Assistant Engineer explained each of the covers provided and the details of the inspections carried out.

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 will be renewed for continuity of cover on this basis, However if any changes are required later 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 on 24<sup>th</sup> May at Willerby Manor Hotel. This was attended by the Clerk and Chairman. The Conference included a site trip by bus to see the Humber Estuary bank protection works at Paull along with the proposed works on the Hessle Foreshore and to also view the operation of the River Hull Barrier on the River Hull. The Board's Staff assisted in organising the visit and making the arrangements.

## National Conference

The Clerk reported this will be held on 13<sup>th</sup> November 2019 at the Institute of Civil Engineers in London and informed the Board that he can make travel arrangements and book places for Members wishing to attend.

The Board AGREEING to pay for reasonable travelling costs and conference fees for any Members wishing to attend.

The Clerk reported he will be attending on behalf of the York Consortium of Drainage Boards Member Boards.

## CONSORTIUM BOARDS COMPUTER STRATEGY

The Clerk had circulated a document 'for consideration' on the scope for the replacement of the Boards computer systems with the Agenda. This including both the main file server and also the individual workstations. This document explained that Microsoft were no longer going to be supporting Windows 7 and the current operating system the Boards file server worked upon. When this happens the Boards systems will no longer be updated by Microsoft. This would not necessarily have an impact on the software's function but would not upgrade and protect the Boards data information and statutory databases from new virus and software attacks. In view of this these systems become non-compliant under the General Data and Protection Regulations Act (GDPR) because of the increased risk of attack.

It was therefore planned to update the Boards systems as per the circulated document. The Clerk noting that the Board had conducted a cost comparison of various suppliers for the scope required. This concluding that the proposals of NYCOM based in York at Clifton Moor appeared to provide the best scope for the Board. It being noted that the Boards office systems are constrained by slow broadband speeds because of the office location. This having consequences for utilising online systems and data backup which increase the complexity of the office system requirements.

The Clerk therefore seeks the Board approval to implement the work in two phases which overall will have a cost of £11,000 plus VAT. This being a shared consortium cost. This Boards contribution is estimated as £2,365 with other Boards of the Consortium being recharged the remainder. The cost may be less if some of our existing software which will still be supported can be reused. The Board also would then transfer its monthly paid computer support to the providing company NYCOM.

The Clerk therefore seeks the Boards Approval to progress replacing and supporting the Boards computer systems to sustain GDPR compliance and update the computer systems in place within these budgets. GDPR non-compliance having potentially a number of problems which need avoiding as a public authority in particular protecting the data held on behalf of both this Board and the other Member Boards of the Consortium.

The Board considered the report tabled by the Clerk and the Boards position with its computer and software provision. This along with the budgets proposed by the Clerk and the award of this work to NYCOM. This additionally then requiring the future monthly costs for the system support which is an additional cost.

The Board considered the report tabled by the Clerk and the Boards position with its computer and software provision. This along with the budgets

The Board UNANIMOUSLY AGREED and AUTHORISED the Clerk to progress the purchase and implementation of the new computers and software with NYCOM with in the budget sum not exceeding £11,000 plus VAT.

## 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.

### Manor Park

Mrs S Wiseman asked about Manor Park although the application tabled related to Manor Farm (4205). Her concern related to Manor Park, Sheriff Hutton Road which had seen numerous planning applications and she is concerned about the discharge of drainage conditions and coordination between all the applications (Ref 18/01414/FUL).

### Development Drainage Strategies

The Clerk noted that if a planning application does not provide adequate information in relation to drainage the Board in its response can seek conditions to address the matter. The planning authorities do not favour the Board objecting due to insufficient information being provided and usually results in consent being granted with conditions. In relation to soakaways York City Council's Engineer seeks to witness soakaway tests.

Mr A S Richardson believes applicants should confirm drainage arrangements prior to application.

The Clerk informed that the Board is not a statutory consultee but seeks to inform the planning authority as the approving authority to test and be sure that soakaways will work. If drainage details are not satisfactory in an application then the Board requests that any planning granted should be conditioned.

Cllr M Warters asked if the Board could write to York City Council to seek robust drainage plans for developments prior to planning determination. This is because Members were concerned that some developments drainage arrangement conditions may not be being discharged. It is also noted that developments progressed on the basis of soakaways may not be viable which prior to determination could be established by appropriate testing.



## Open Farm Slurry Lagoons

The Clerk noted concerns about the Boards position in regard to planning applications for open slurry animal waste lagoons (Reference 4360). This in relation to providing freeboard and managing the waste and removal to protect following heavy rainfall it does not overflow with resultant run off. It being uncertain how this can be controlled but highlighted in the Boards response to the planning authority.

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 £559,696.47 with Barclays Bank as at the 17<sup>th</sup> May 2019.

The Yorkshire Bank account has an additional credit balance of £86,441.90. The Board placing funds into a twelve month deposit account which is achieving 1.2% gross per annum. The money is due to come off deposit in August.

The Nationwide Building Society account has an additional credit balance of £62,481.61. The Board placing funds into a 95 day saver account which is achieving 1.05 % gross per annum.

The total balance of the Boards funds held in these accounts is £708,619.98.

## BANKING CHARGES

Barclays Bank is charging the Board for its banking service. The Board is recharging some of its electronic banking transfer costs to other Boards in the Consortium.

## 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 UNANIMOUSLY 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 **Strensall and Towthorpe Village Hall, York** on **Monday 2<sup>nd</sup> September 2019** commencing at **1.30pm**.

## FUTURE MEETINGS

Monday 28<sup>th</sup> October 2019  
Monday 6<sup>th</sup> January 2020 (AGM)

## ANY OTHER BUSINESS

### River Foss Old Lock Walls Adjacent to New Bridge, Strensall

Mr C Chambers noted he had sent an Email on behalf of Strensall Parish Council to the Clerk regarding two matters. One of which concerns the banks of the River Foss, which close to the New Bridge are the remaining structure of an old lock, which currently has trees growing near and through the structure which are increasing in size. The Email asking if work to remove these trees could be included on this meeting's Agenda.

The Clerk informing that it had not but could be at the next meeting.

The Clerk informed that the removal of the trees and killing the roots may make matters worse as the tree roots may be holding the bank together and may damage the walls in removing the trees.

Mr C Chambers offered to obtain an appropriate disclaimer to cover the above.

Mr Richardson noted that Haxby Weir also needs tidying up but funding may be able to be found from various sources in relation to the navigation history.

Mr D M Crossley highlighted that he was uncertain what these proposals were about and believed information was required to help Members make a decision.

The Engineering Assistant believes the work is to top the trees.

The Chairman informed that for a decision to be made on this item it needed to be included on the agenda.

Cllr M Warters suggested these two items were included in the next agenda with appropriate information so a decision can be made in relation to Haxby Weir and old lock bridge area tree removal.

There was no other business and therefore the Meeting was closed at 3.15 pm.

**(APPENDICES TO FOLLOW)**

## **Flail Mowing Tenders**

The Clerk explained that the Board had sent tenders out seeking tender returns for flail mowing work on the basis of a rate per linear metre. The tender also including hourly rates which are used as required. However most of the contracted work is paid under the linear metre rate.

The Clerk informed that five tenders had been returned.

The Chairman opened and dated the envelopes, numbering the submissions as Contractor 1 to 5. Copies of all the Contractors Schedule of Rates (1 to 5) are attached to these minutes. This covering the requirements of the Boards Financial Regulations to have Members present at the opening.

The Clerk reported that the work package as last year was designed to share with the Boards workforce and equipment. The Board therefore allocates more local work to the Boards depot to the Boards workforce. The work further away is contracted out. The contracted package includes the Wilberfoss and Thornton Level part of the district along with other work. However a balance is drawn so the Boards work is productive for the equipment being sustained and resources provided.

The Engineering Assistant having considered the allocation of work to the Boards workforce with advice from the Boards Foreman.

### **Review of the Tenders:**

#### **Contractor 1**

Tender with a rate of 30p per metre.

#### **Contractor 2**

Tender with rates for flailing from 29p (Regular) to 33p per metre (Herder flail).

#### **Contractor 3**

Tender with rates for flailing 44p per metre.

#### **Contractor 4**

Tender with rates for flailing from 24.5p per metre. Contractor who has previously conducted flailing work in the Wilberfoss and Thornton Level District for the Board (25p for extra work).

#### **Contractor 5**

Tender with rates for flailing 35p per metre.

## **Summary of Rates Tendered**

The Clerk reported that the lower rates in the tender returns were in the region forecast in the Boards estimates for the current year's maintenance works. The tendered rates of Contractor 5 and 3 were notably higher than the other submissions so discounted.

Members remaining considered the rates returned. It was noted that the rates of Contractor 2 and Contractor 4 were much closer and in the range of Contractor 1 however it was believed the equipment available was limited.

The Clerk from the tender returns recommended that the Board should award the work to Contractor 4 as the cheapest. Contractor 4 having previously conducted the work for the Board. This proposal being linked to the resources the Contractors have available and the workload being awarded by other Boards of the York Consortium. If problems in delivery of the work occur then the Board can consider awarding some of the work to Contractor 1 or 2. This being intended to balance best value for money and delivering the required flail mowing programme.

Members remaining AGREEING to this approach awarding the work to Contractor 4 as the lowest tender.

**(APPENDICES TO FOLLOW)**