

MINUTES of Meeting held on Monday 10th
November 2014 at Copmanthorpe Methodist Church, Main
Street, Copmanthorpe.

Ainsty IOB

PRESENT

Mr S E Jackson
Mr C E Mills
Mr A P Sykes
Mr R F Hildreth
Mr S Barnes
Mr M Haigh
Mr J B Blacker
Mr A Percy
Mr J Bramley
Mr C Clayton
Mr A Sykes
Mr R Burniston
Mr G H Smith
Cllr J Savage

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Mr J
Sanderson, Cllr I Gillies, Cllr C Lewis and Mr S Wragg.

DECLARATION OF
INTEREST

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

MINUTES OF LAST
MEETING

Mr R F Hildreth raised that he had noted that
pollution was occurring from the location of Oaklands Farm
at the last meeting which was not recorded in the Minutes.

It was RESOLVED including the above amendment
that the Minutes of the Meeting held on the 15th September
2014, a copy of which had been sent to all Members, be
taken as read and approved and that they be forthwith signed
by the Chairman as a correct record.

MATTERS ARISING

Environment Agency Reducing Revenue Maintenance

The Boards position on progressing work on the old
Fleet Foss on behalf of the Environment Agency was raised
which was noted from the last meeting. To date no progress
has been made on carrying any work out from the retained
precept payment.

Land Tribunal Hearing

The Clerk informed the Board on its position regarding drainage on an ordinary watercourse dispute between Mr Knowles and Prof Khan. The Board becoming a plaintiff in the case. The hearing is due to be held shortly and it is possible the Board could be considered to be the enforcing authority if required.

The Clerk confirmed that no reportable incidents had occurred since the last meeting which would require reporting to the health and safety executive (RIDDOR).

The Clerk reported that the rates collected up to the 10th October 2014 are as follows:

(a) Special Levy -	£296,531.73	(100%)
(b) Direct Levy -	£56,020.85	(92.1%)
	<u>£352,552.58</u>	

The Clerk also advised that the rates collected since the date of the last meeting was the sum of £1,046.79.

The Clerk reported that final reminders had been sent out. A list of outstanding rate accounts was shown to the Chairman at the meeting. It was noted that one ratepayer had an account with a sum outstanding in excess of £2,500.

Members AGREED the Clerk and Chairman would visit the landowner to discuss his concerns should the drainage rate not be paid shortly to give consideration of what action should be taken.

The Clerk reported a few rates were outstanding and if payment is not made shortly court action will be progressed in line with the Boards policy for sums outstanding over £15. This following the final reminders if no queries or land transfers are outstanding.

The Board APPROVED for the Clerk to take this proposed course of action and progress court action if required.

The Clerk reported that a maintenance report had been circulated by post prior to the meeting.

The Engineering Assistant ran through the report on the maintenance work the Board had carried out.

New Requirements for Single Farm Payments

The Engineering Assistant raised the matter in his report regarding the changes.

HEALTH AND SAFETY

RATES

MAINTENANCE WORKS

Mr C E Mills was concerned about the changes to the Single Farm Payment scheme with requirements which could restrict hedge and tree cutting until 1st September from next year.

The Engineering Assistant reported he was following this matter up to confirm the position for the Boards maintenance work.

The Clerk will ensure that the matter is given consideration at the ADA Finance and Policy Meeting to see if any derogation can be given to the Boards work.

Potential Defra Delegation Of Main River Designation to the Environment Agency

The Clerk reported that Defra were rewriting guidance on Main River classification. This having implications with 'main river' that the Agency no longer wished to maintain. The Clerk had asked ADA to ask Defra to include de-maining if the local operating authority wished to maintain a watercourse to a higher standard than proposed by the Environment Agency.

Boards Precept Appeal

The Clerk has been asked to have a meeting with Mr P Holmes the Agency's Operations Manager and Mr J Noake on Wednesday 19th November. The meeting is to be held to explore the Environment Agency position on this matter to see if any local arrangements could be put in place. The object of which is to see if the Board could consider withdrawing its precept appeal and making the outstanding precept payments. The Clerk will report back on this meeting at the next meeting of the Board.

The Board Members AGREED as the Precept appeal had not been resolved and work had not yet advanced on the Old Fleet Foss the Clerk was to retain 20% of the second instalment of the precept payment.

Intake Lane Culverts

The Engineering Assistant had circulated a report, estimates and map (Engineers Report Part 2) regarding the potential routes for a bypass route to resolve the culvert issues at Intake Lane. The issues, details and cost were discussed in detail by Members regarding the bypass culvert proposals. The idea was to obtain the cost and then consider what contribution was required. A number of services exist and it has been difficult to locate the position of the services.

Mr C E Mills noted the work on the green line on the map had been carried out but had not been put in deep enough to take the bypass water.

Members considered the estimates and potential contributions regarding the work and the benefits to be achieved from the work. This along with the potential options the Board could have to contribute towards the work.

Mr M Haigh was concerned about the levels and the practicalities of carrying the work out.

Board Proposal to Landowner to Advance the Work

Mr A P Sykes proposed that the Board could contribute £5,000 to the overall scheme to facilitate carrying all the work out. This being subject to the Boards consent being given to the proposal. The Engineering Assistant having an overview of the work to ensure it is carried out so the bypass would function as intended. The Board would also require some sort of reassurance of payment beyond its contribution towards the work. This along with payment for any additional costs which may be encountered in progressing the work. The proposal includes the landowners becoming responsible for any culverts installed and any new ordinary watercourses put in place. Mr C E Mills considering the proposal should also include that the Boards maintained watercourses should not be changed as a result of this work. This overall Proposal was seconded by Mr R F Hildreth and UNANIMOUSLY AGREED by the Board.

The Engineering Assistant was asked to make this offer to the landowner and to see if he wished for the work to be progressed on this basis.

Wharfe District Works

Mr C Clayton asked if the double doors had recently been inspected and also noted that some flailing works were still outstanding.

The Engineering Assistant informed that he will be organising further inspections of the doors and also asking the Boards Contractor to complete the flailing works still outstanding.

TOCK WITH ROAD
FLOODING

The Clerk reported that North Yorkshire County Council as the Lead Local Authority had identified the Board as the responsible Authority for producing a report on flooding which had occurred. The responsibility being identified in the Floods and Water Management Act Section 19 (1). The Boards duties to investigate and in Section 19(2) 'Where an authority carries out an investigation under subsection (1) it must publish the results of its investigation, and notify any relevant risk management authorities.'

The Engineering Assistant had provided an initial report and map which was discussed at the meeting along with describing the location and situation. The flooding occurring on a ditch which was not maintained by the Board.

Cllr J Savage explained the local position with roughly five houses at risk of flooding.

The Clerk explained that the Boards duty was to investigate the matter. If a solution is established then funding would then be required. If a solution is not apparent then a study may be required which also would require funding to find an overall scope to the works to reduce flood risk. It was however noted that it was likely that the system is becoming overwhelmed in the recent storm events. It is however uncertain without hydraulic modelling exactly which parts of the system are becoming overwhelmed to cause the flooding.

The Engineering Assistant estimates to bypass the lower reach culverts under the fields would cost about £9,000. However other restrictions in the system may also be contributing to the flooding.

The Clerk will progress the Boards report and table it at a future meeting for the Boards consideration of publication as required under the Floods and Water Management Act.

STAFF

Boards Foreman

The Clerk reported the Boards Foreman was approaching six months service having been recruited on 2nd June. The Clerk informed the Board he will be making the Foreman position full time employment with the Board. This follows the completion of a satisfactory probation period of employment.

Workforce Holiday Application

The Clerk reported that the Boards flail mower driver had applied to the Board to take a two week holiday in August. The time being a critical time for conducting flail mowing work because of the seasonal constraints and land availability to carry the work out.

The Clerk had sought guidance on this matter with ACAS and had been advised that the Board could refuse the request as it was a critical time for flail mowing works. In view of this the holiday application had been declined.

Assistant Rating Officer

The Clerk informed the Board the new Assistant Rating Officer Toni Simpson was now in post and making good progress in the position.

Planning and Asset Officer

The Clerk informed the Board the post had been advertised following Mr P Hey informing he wished to leave and had tendered his resignation

The Clerk has re-advertised the position and asked two employment agencies to seek appropriate candidates for interview with a number provided already. The Clerk will be conducting further interviews shortly to try to fill the post.

COMPLETION OF AUDIT 2013/2014

The Clerk advised the Board that the Board's External Auditors have now completed the audit of accounts for the year ending 31st March 2013/2014 for Ainsty (2008) IDB.

The Clerk referred to a copy of the External Auditors certificate and opinion for the accounts for financial year 2013/14. 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 2013/14.

In other matters not affecting our opinion, we draw to the attention of the Board the comments from the External Auditor: "Revised guidance in respect of the treatment of fixed assets will be communicated on behalf of the Association of Drainage Authorities to all Internal Drainage Boards in 2014. The guidance indicates that assets should be recorded at their original cost (or a proxy, such as insurance value where this is not known) and no adjustment is required until disposal. Please ensure the figures on the 2014/15 Annual Return in respect of 2014/15 and 2013/14 are amended accordingly."

The Clerk will ensure this requirement is complied with in the 2014/15 Annual Return.

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. This is because a number of Internal Drainage Boards have received an audit pre-qualification regarding this matter in the External Audit Report.

The Clerk explained that the Boards Internal Auditor has historically provided a report entitled 'Effectiveness of Internal Control' which the Board Meeting has considered. This had met the criteria required by the External Auditor as the Board had not received any pre-qualification on this item on the audit return.

In regard to managing the review of internal control the Board has a number of options. This could be in the way this work has been covered previously with the Board reviewing the Internal Auditors report and taking appropriate action as required. An alternative approach could be that the Board sets up a sub-committee to carry out the work being done currently by the Internal Auditor. This matter was considered in detail and it was concluded that it was not appropriate for the Boards staff to carry out the work.

The Clerk recommended that the Board should continue to review its effectiveness of internal control 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 Boards Clerk should review the documentation and scope of this report to ensure that the audit compliance requirements are fully covered.

The outcome of this report will be included for consideration as an Agenda item and a copy sent to Members prior to the meeting. This should allow Members the opportunity to be able to consider any action required to amend the Boards processes and procedures. This along with updating the Boards Business Risk Assessment.

Board Members UNANMOUSLY AGREED that the Boards Internal Auditor should review the effectiveness of the Boards internal control as tabled by the Clerk.

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.

(SEE APPENDIX TO MINUTES)

The Clerk reported a further meeting has been held with the Board and Network Rail regarding the works at Bolton Percy.

Network Rail remain concerned about the structural strength of the Bolton Percy Culverts and are concerned that a solution to resolve the issue has not yet been established.

The Clerk has further written to Network Rail following the meeting last week in regard to the screen which has been installed on the lower culvert at Ulleskelf. The letter suggesting possible improvements and seeking the screen to be maintained.

NETWORK RAIL CULVERT IMPROVEMENTS

BANK ACCOUNTS

Yorkshire Bank and the Bank of Australia

The Clerk reported that he had become aware that the Bank of Australia has reported plans to sell the Yorkshire Bank. This has caused concerns about the Boards investment plans of depositing funds for 12 month periods with the Yorkshire Bank. The Clerk having only just transferred funds to put further cash on long term deposit. In view of the uncertainty the Clerk has stopped the cheque and the further funds will remain with Barclays. As the Boards other deposits reach the end of the 12th month deposit commitment with Yorkshire Bank the Clerk will not put the funds back on committed deposit.

Barclays Bank and Bank Charges

The Clerk informed the Board that Barclays were requesting a meeting and it was believed that the Bank wished to discuss introducing bank charges or at least reducing its costs with the Boards banking.

Setting Up Bank Accounts

The Clerk informed the Board that flexibility was required in managing the Boards accounts at the current time. This firstly to be able to manage the Boards funds with the Yorkshire Bank should the bank status deteriorate. To also be able to progress putting in place alternative banking arrangements should the arrangements with Barclays be changing.

It was proposed by Mr G H Smith that the Board should give delegated authority to the Chairman and Vice Chairman to authorise setting up bank mandates for a new bank account with an alternative bank should it be required prior to the next meeting. This proposal was seconded by Mr R F Hildreth and was UNANIMOUSLY AGREED by the Board.

Bank Statements

The Clerk produced the Bank Statements for the Board's Current Account and Business Premium Account showing an aggregate credit balance of £316,878.25 with Barclays Bank as at the 31st October 2014.

The Yorkshire Bank account has an additional credit balance of £155,766.78 on Deposit.

The Board placing £120,000 funds into 12-month deposit account which is achieving 1.2% gross per annum. The remainder in a 95 day notice account achieving 0.4% gross per annum with the Yorkshire Bank. The 12-month investment being staggered at £40,000 at roughly quarterly intervals.

The total balance of the two accounts is £472,645.03.

ADA

Incorporation of the Association of Drainage Authorities (ADA)

The Clerk informed Members that ADA as an organisation was restructuring to become incorporated. This is likely to change the status of ADA's executive from Members to Directors. It is hoped that this change will lead to less corporate risk to future executive. It is also anticipated that a greater amount of ADA work will be carried out in ADA's Branches.

The Clerk informed the Board that ADA are recruiting a new Chief Executive and Assistant. It is intended for the changes of staff to be put in place for the start of the next financial year. ADA also has now moved from being a membership organisation to a company status.

CORRESPONDENCE

York Flood Risk Management Strategy out for Consultation

The Clerk reported that York City Council are consulting on the Councils Flood Risk Management Strategy. The Consortiums Planning Officer will be responding on behalf of the Board.

ADA Conference

The Clerk reported that the ADA London Conference will be held on 12th November 2014 at the Institution of Civil Engineers in London. The conference will be attended by the Clerk.

ACCOUNTS FOR CONFIRMATION

The Clerk referred to the list of accounts paid since the date of the last Meeting which has 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 Annual General Meeting of the Board is due to be held at the **Copmanthorpe Methodist Church, Main Street, Copmanthorpe, York** on **Monday 26th January 2015 at 6.30pm.**

FUTURE MEETINGS

Possible future dates for meetings:

Monday 9th March 2015

Monday 15th June 2015

Monday 14th September 2015

Monday 9th November 2015

ANY OTHER BUSINESS

Little Ouseburn Bridge

The Chairman raised that the Board was going to progress a meeting with North Yorkshire Highways. This is to see if the flow through the bridge could be improved perhaps with the installation of pipes.

Closure of Meeting

There was no other business and the meeting was closed.

(APPENDICES TO FOLLOW)