

MINUTES of Meeting held on Wednesday 16<sup>th</sup> September 2019 at St Andrews Parish Church, Church Lane, Bishopthorpe, York

PRESENT

Mr S E Jackson (In the Chair)

Mr C E Mills

Mr A P Sykes

Mr R F Hildreth

Mr J Sanderson

Mr J B Blacker

Mr J Bramley

Mr G H Smith

Cllr J Galvin

Cllr D Carr

Cllr D Mackay

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr M Haigh, Mr S Barnes, Mr A Percy, Mr C Clayton, Mr R Burniston, Mr S Wragg, Cllr A Myatt, Cllr N Waller and Cllr K Ellis.

MEMBERSHIP

The Clerk informed Mr J Tull had resigned as a York Council Nominated Member.

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.

MEETING VENUE

The Clerk apologised for the change of venue which occurred due to the Buckles pub closing down since the last meeting so the room was no longer available.

MINUTES OF LAST MEETING

It was proposed by Cllr D Mackay, seconded by Mr R F Hildreth and RESOLVED that the Minutes of the Meeting held on the 17<sup>th</sup> June 2019, 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

The Clerk reported that time and resources had not permitted advancing the proposals at the Carr Drain in Acomb. He had further shown a copy of the Boards insurance covers to Mr C Mills in relation to any liability claim for financial liability of the Board. The Clerk having copies of the extent of the insurance cover provided.

There were no further matters arising from the Minutes that 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 reported he and the Engineering Assistant have had a meeting with the Boards Health and Safety Advisor, this including discussions on training requirements and refresher courses for the Boards workforce.

The Engineering Assistant reported that he had organised training for manual handling for the workforce. This being developed specifically for drainage board maintenance work and shared with other Boards who are members of the Consortium. This training was intended to have a greater realism of the training which was taken well. It was hoped it would create a better understanding of the management of the risk of manual handling resulting in less injuries.

## RATES

The Clerk reported that the rates collected up to the 7<sup>th</sup> September 2019 are as follows:

- (a) Special Levy - £154,679.73 (50%)
  - (b) Direct Levy - £ 59,974.49 (95 %)
- £214,654.22

The Clerk also advised that a sum of £6,554.37 had been collected in drainage rates since the report of the last meeting.

The Clerk further reported that second reminders have been sent out and final reminders will be sent out shortly, if required court actions will be progressed. The Clerk providing a list of the outstanding rates which was viewed by the Chairman at the Meeting.

## STAFF

The Clerk informed that the new excavator was on order but had not yet arrived and at the moment the circumstances of the workforce had not changed.

## MAINTENANCE WORKS

The Chairman reported that he had met the workforce and Foreman last Tuesday. The workforce wish to know how the purchasing of the excavators are going and when the Board will be selling the Spearhead flail. This along with if the Board will be providing facilities to be able to conduct in house welding which he informed will be considered at this meeting.

The Clerk informed Members a report had been circulated with the Agenda.

The Engineering Assistant had also produced a number of maps on each of the old five districts of the Board for Members reference at the Meeting. These showing the progress with delivering the Boards maintenance programme.

### Foss Flailing Work

Mr J Bramley noted that only one flail breed had been cut on the far side of the Foss. This sometimes needing more on the far particularly if a hedge is present.

The Engineering Assistant reported that the channel was wide and probably the machine doing the work was constrained by its reach. The Board can contract in a longer reach machine as and when required.

### Works Progress

The Engineering Assistant reported that some works had been constrained by poor weather conditions both with harvesting of crops and wet ground in particular with sludging. The Board however had caught up with its work.

The Chairman noted that the Foreman had highlighted that the Boards contractors may not be always available due to having other work. It was asked if it could be considered for the contract to be more flexible to provide manpower when required rather than when available.

The Engineering Assistant believed it could be managed but more local contracts would give greater security if they could be found.

Mr A P Sykes raised about drain outlets and informing contracts about them so they do not become damaged.

The Engineering Assistant and Members discussed this matter about how they are better recessed and how they should be marked up.

Mr A P Sykes asked if the Foreman could give him a call to make him aware of work on his land in the future.

## **Purchase of a New 8 Ton Excavator**

The Engineering Assistant reported he had recently had quotes in for an 8 ton machine. A Kubota machine which could be delivered in roughly four weeks is the favoured option at a cost of roughly £69,000.

Members **UNANIMOUSLY AGREED** that the Engineering Assistant should provide the Chairman with the quotations and he could be delegated Authority to approve the machine purchase as proposed in the Boards budgets.

## **Sale of Boards Spearhead Flailing Machine and Accessories**

The Engineering Assistant reported that the machine which is a 2013 has investigated its sale. He has asked Spearhead and they would offer £35,000. To date the Board has been seeking offers over £40,000 and an offer has been made of £43,000 + VAT from Mr A Bowman. This being on the basis of it being sold when the 8 ton excavator arrives and can be used.

Members discussed how this will change the Boards operation. The problems of service and repair with an ageing specialised machine were discussed.

Members **UNANIMOUSLY AGREED** to the sale of the machine for £43,000 plus VAT to Mr A Bowman.

## **Welding Facilities**

The Engineering Assistant discussed the difficulties of having fabrication done with contractors and the time it can take to have it carried out. It had been concluded that the workforce can carry this work out but need training. The equipment had been established to cost about £1,800 for the work to be carried out safely.

Members **UNANIMOUSLY AGREED** for the equipment to be purchased and installed so that welding can be carried out in the depot workshop along with the correct insurance being put into place.

**(SEE APPENDIX TO MINUTES)**

## **AUDIT**

The Clerk referred to a copy of the External Auditors certificate and opinion for the accounts for financial year 2018/19. 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.

The Clerk informed Members that the return from the External Auditor does not raise any matters under Section 3 External Auditor certificate and opinion 2018/19.

## **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 2019/20 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 £1,650 plus VAT. However the cost could increase depending on the requirements of the audit.

The Clerk noted that the external audit will be for the third 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 these arrangements.

Members **UNANIMOUSLY AGREED** that the Board re-appoint the Internal Auditors, Brodericks (Doncaster) for the 2019/20 financial year.

## **Review of the Effectiveness of Internal Control**

The Clerk referenced the historical 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 2019/20 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.

Mr A P Sykes proposed that the Board adopted this approach.

Mr G H Smith seconding the Proposal of Mr A P Sykes which was 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 2018/19.

#### UPLAND WATER CONTRIBUTION

The Clerk advised that claims had been made to the Environment Agency for the 2018/19 upland water ditch maintenance works. This was made on the basis of the sum of £57,509.08. An overall payment has potentially been agreed of 100% but subject to being confirmed. This being a larger percentage than paid last year at £55,244.99 in the sum of 93.67% and the year before £48,842.99 at 89%.

#### BUSINESS RISK ASSESMENT 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. To Aid Members identification the changes from last year were highlighted in bold and underlined.

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 Boards Internal Auditor's Report/Letter. It now also includes the Public Sector Cooperation Agreement (PSCA). This has been seen to be an important factor to be able to progress IDB Main River maintenance work such as on the Old Fleet Foss.

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 2019/2020.

Mr A P Sykes proposed that the Board adopts and approves this policy for financial year 2019/20.

Mr G H Smith seconding the proposal which was UNANIMOUSLY AGREED by the Board.

#### 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 13<sup>th</sup> November.

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

ADA NORTHERN  
BRANCH

**ADA Northern Branch Meeting – 5<sup>th</sup> March at Howden**

The Clerk informed this meeting was being organised as a think tank. This proposed to seek two representatives from each Board in the Northern Branch Area. The aim is to discuss a coordinated approach to IDB matters and local problems relevant to the Northern Branch area.

**ADA Northern Branch Summer Conference**

The Clerk informed a Summer Conference and trip is also planned on 5<sup>th</sup> June 2020. This includes a visit to the Vale of Pickering to view the ‘slowing the flow’ Natural Flood Management Project.

MINISTERIAL  
LETTER IDB1  
SUBMISSIONS

The Clerk had included with the Agenda a letter from the Minister and a summary of Internal Drainage Boards IDB1 forms returns and an analysis Defra had carried out.

Members noting its content and conclusions drawn.

BYELAWS AND  
ENFORCEMENT

The Clerk informed about the work he has progressing in relation to Byelaws to inform ADA about byelaws and how they are implemented. He is heading a work stream on the ADA Policy and Finance Committee to progress this matter. It is hoped this will result in a review of the model documents. ADA are shortly going to be meeting with Defra to discuss this material after this we will see how this is progressed.

CORRESPONDENCE

**York Five Year Plan For Flood Risk Management**

The Clerk informed that the York Five Year Plan was progressing following the flooding in York in 2014. If Members have any particular interests details are available on the Environment Agency’s website. A copy of a recent update was provided at the meeting.

The Clerk advised Members that there has been no further 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 also highlighting that the Miscellaneous and Outside the Board’s Drainage District Plans Report has been provided.

## **Planning Appeals**

Cllr D Carr asked about the Boards approach to planning appeals.

The Clerk explained the Board can respond or attend if required but usually the Boards response to the initial application covers the Boards requirements which is ten usually considered in the planning appeal.

## **Sports Field Development near York College**

Mr C E Mills asked about sports field development at off Sim Balk Lane near York College as this development drains through his land.

The Engineering Assistant reporting that the development is outside the Boards Drainage District. The Board however does try to respond to developments like this draining into the Boards District. He will have a look into the outcome.

The Board approved the comments.

**(SEE APPENDIX TO MINUTES)**

## **CONSENTS**

The Clerk referred to the list of Consents Applications granted 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 £605,281.87 with Barclays Bank as at the 23<sup>rd</sup> August 2019.

The Yorkshire Bank account has an additional credit balance of £150,000.00. The Board placing funds into a twelve month deposit account which is achieving 1.75% gross per annum.

The Nationwide Building Society account has an additional credit balance of £73,153.48. The Board placing funds into a 95 day saver which is achieving 1.05% gross per annum.

The total balance of the Boards funds held in these accounts is £828,435.35.

## **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. The list was considered by Members and a number of questions asked.

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 St Andrews Parish Church, Church Lane, Bishopthorpe, York subject to the hall being available on **Monday 18<sup>th</sup> November 2019** commencing at **6.30pm**. This was confirmed at the meeting.

FUTURE MEETINGS

The Clerk informed if the Boards meetings are sustained on Monday at this new venue the following dates were proposed and agreed:

Monday 20<sup>th</sup> January 2020 Annual General Meeting  
Monday 16<sup>th</sup> March 2020  
Monday 15<sup>th</sup> June 2020

Members discussed the option of electronic mailing of the Boards meeting agendas and supporting documents.

ANY OTHER BUSINESS

There was no other business and the Meeting was closed.

**(APPENDICES TO FOLLOW)**