

MINUTES of Meeting held on Monday 15th June 2020 via WebEx Online Meeting due to Global Pandemic. No attendance at St Andrews Parish Church.

PRESENT

Mr S E Jackson (In the Chair)
Mr C E Mills
Mr R F Hildreth
Mr J Sanderson
Mr J B Blacker
Mr A Percy
Mr C Clayton
Mr A Sykes
Mr G H Smith
Cllr J Galvin (problems with connection)
Cllr A Myatt

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

CONSIDERATION
OF STANDING
ORDERS TO
INCLUDE ONLINE
REMOTE
MEETING
ATTENDANCE

The Clerk had included with the Agenda a copy of the draft of the proposed revised Standing Orders for Members Consideration. The draft also having a copy of a certificate from the Secretary of State for Environment, Food and Rural Affairs approving the proposed draft. The changes allow for remote meeting attendance up to 7th May 2021 because of the special circumstances caused by the Coronavirus Pandemic and the need for social distancing.

Members reviewed the documentation and recognised the importance at the current time to conduct Board meetings in this way.

Mr C E Mills proposed the draft document is formally adopted.

Mr C Clayton seconding the proposal of Mr C E Mills which was UNANIMOUSLY AGREED by the Board that the Board adopts the Draft Standing Orders in particular so that formal meetings can be held remotely due to the current virus pandemic.

APOLOGIES FOR
ABSENCE

Apologies for absence were received from Cllr D Carr as he had tried but was unable to electronically join the meeting.

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 for inspection and update as required.

ELECTION OF VICE CHAIRMAN

The Chairman informed that Mr M Haigh had resigned as a Board Member as he had moved away to Northumberland. He further informed Members how grateful he was for the help Mr M Haigh had given the Board. This resignation however has created a vacancy for the Board's Vice Chairman. In view of this it was asked if anyone wished to be Nominated.

Members AGREED that the appointment of a new Vice Chairman should be given further consideration at a later meeting. As potentially it would be more appropriate when a larger amount of Members were in attendance after the current Pandemic when a meeting is held in a formal venue.

Members asked the Clerk to write to Mr M Haigh to thank him for his help and support and to wish him all the best for the future in Northumberland.

MINUTES OF LAST MEETING

Mr C Clayton proposed that the Minutes of the Meeting held on the 20th January, 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. The meeting of 16th March having been cancelled due to the Global Pandemic all matters for the last meeting being included under the current agenda for this meeting.

Mr J B Blacker seconded the proposal of Mr C Clayton which was UNANIMOUSLY AGREED by the Board.

MATTERS ARISING

There were no matters arising from the Minutes which were not covered under the Agenda items.

MAINTENANCE WORKS

The Engineering Assistant reported on the maintenance work carried out since the date of the last meeting of the Board. A maintenance report was circulated to Members with the Agenda which he made reference to highlighting the work carried out. He also informed that the progress of maintenance works was still being mapped but he was unable to display it easily in this form of meeting. However, details if requested could be sent after the meeting.

Members discussed and considered the items in the report. The Boards activities being constrained with both the Global Pandemic and the Boards contractors not working due to the current conservation restrictions of the nesting bird season.

Appleton Roebuck Village Ditches

Mr C E Mills asked if the ditches in Appleton Roebuck village could be cut some-time soon as weed growth was extensive.

Ouse Gill Beck Works

The Chairman asked about work on the Ouse Gill Beck.

The Engineering Assistant informed that these required some tree removal work so will be carried out later in July. It being hoped that access can be improved with the works.

The Chairman asked about sand depositing in the Ouse Gill Beck and how this could be addressed. He asked if perhaps he could attend a meeting to consider this further.

The Engineering Assistant offering to set this up.

(APPENDICES TO FOLLOW)

MAINTENANCE CONTRACTS

Maintenance Flailing Contracts 2020/21

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 for under the linear metre rate.

The Clerk informed that four tenders had been returned.

The Chairman and Clerk had opened the tender envelopes prior to the meeting, numbering the submissions as Contractor 1 to 4. Copies of all the Contractors Schedule of Rates (1 to 4) are attached to these minutes. This covering the requirements of the Boards Financial Regulations to have a Member present at the opening.

The Clerk reported that the work package was for all the Boards flailing work to be contracted out where as last year was designed to share the workload with the Boards workforce and equipment. The Board however now has a small tractor mounted flail which it can use occasionally if required.

Review of the Tenders:

Contractor 1

Tender with a rate of 39p 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 30p per metre.

Contractor 4

Tender with rates for flailing 30p 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 1 are slightly higher than the other submissions. Two have rates of 30p and one has a range from 29p to 30p and one contractor has only one machine.

Members considered the tender returns. They suggested delegating the decision on awarding the work to the Engineering Assistant. This is so that a view on best value and available resources can be taken to deliver the maintenance programme.

Mr C E Mills proposed this approach which was seconded by Mr R F Hildreth and UNANIMOUSLY AGREED by the Board.

(APPENDICES TO FOLLOW)

RATES

The Clerk reported that the total rates collected to the 15th June 2020 are as follows:

- (a) Special Levy - £277,431.49 (93.6%)
 - (b) Direct Levy - £ 53,187.23 (82%)
- £330,618.72

The Clerk reported that the Board had managed to send its rate demands out for 1st April despite the global pandemic and lockdown. Drainage rate income overall not being far behind the percentage raised last year in June. The first direct debit payments have also been drawn and the first rate reminders will be sent out shortly.

The Clerk further reported that the City of York Council had paid 100% of the Special Levy rather than 50% as required to 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.

Pandemic and Boards Workforce

The Clerk informed that following the initial Pandemic Lockdown the Boards workforce had restarted working. This has been on the basis of each workforce member using an individual vehicle and machine and avoiding contact with others. Work further being restricted to normal working hours. The Engineering Assistant reporting having reviewed and put in place safe working practice risk assessments. This along with giving guidance to the workforce in an uncertain and changing environment. The Board further managing the workforce taking holidays so excess holidays are not built up.

Contractors and the Global Pandemic

The Clerk reported that the Engineering Assistant will be considering the tender returns from the flailing contractors. Before awarding any of this work he will be considering the contractors health and safety provisions as usual but this will be extended to consider arrangements proposed to be made for working with the constraints imposed by the Global Pandemic.

The Clerk informed that the Boards office is not open but is opening as required with much of the Boards administration work being carried out remotely.

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 2019/20 year-end audit. This is to try to ensure compliance and to avoid audit prequalification. The format having been successfully used last year.

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 2019/20.

AUDIT ISSUES OF GOVERNANCE AND ACCOUNTING STATEMENTS

REVIEW OF THE EXTERNAL AUDITOR CERTIFICATE 2018/19

**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 31st March 2020 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.

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 reports content. This proposal was seconded by Mr A Percy and **UNANIMOUSLY AGREED** by the Board.

The Clerk informed the Audit Commissions Annual Return has been completed for 2019/20 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 Mr R F Hildreth that the Board approved the Annual Governance Statement. This proposal was seconded by Mr A Percy and **UNANIMOUSLY AGREED** by the Board for the Chairman and Clerk to sign Section 1 – Annual Governance Statement 2019/20.

**APPROVAL OF
THE ANNUAL
GOVERNANCE
STATEMENT**

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 Auditors are now appointed following a tendering exercise run on behalf of IDBs and other small public bodies requiring this service.

The Clerk reported that the Board's accounts have now been internally audited with the Board's Internal Auditor signing off the Board's Annual Internal Audit Report 2019/20 of the IDB Return.

The Clerk ran through the details of the Board's accounts which had been prepared for the year-end 2019/20. A copy had been circulated to the Commissioners prior to the meeting with the Agenda.

The Clerk explained that the figures from the accounts had been taken and applied to Section 2 Accounting Statements 2019/20. A copy of which had been enclosed with the Agenda which was reviewed by the Commissioners at the meeting. This along with reviewing the Accounting Statements provided.

Mr C E Mills asked about the increase in the bank interest which the Clerk explained.

Approval of the Accounting Statements by Resolution

The Committee considered Section 2 of the Annual Return and it was proposed by Mr C E Mills that the Board approved the Annual Accounting Statement for 2019/20. This proposal was seconded by Mr C Clayton 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 C Clayton, seconded by Mr A Percy and UNANIMOUSLY AGREED by the Board for the Chairman and Clerk to sign and date Section 2 – Accounting Statements 2019/20.

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). The latest guidance 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 old guidance to the Board. This continues to be used as the basis of the terms of reference for an internal audit which the Board continues to use.

The Board considered its content and it was 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 2020/21.

INSURANCE

The Clerk informed Members that the Boards insurance renewal had recently occurred in early June.

The Clerk having provided a table of the covers which includes the costs, which have been renewed, was circulated with the Agenda prior to the meeting. The sums in the table include Insurance Premium at the current rate of 12% 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	2019	2020
Contractors Combined	£5,474.54	£6,009.74
Loss Recovery Service	£117.60	£128.80
Engineering Inspection	£710.22	£807.14
Engineering and Construction	£166.32	£172.97
Hired in Plant	Shared Policy in Consortium	Shared Policy in Consortium
Management Liability	£728.00	£728.00
Personal Accident	£179.20	£268.83
Motor Fleet	£3,091.58	£2,296.00
Motor Legal expenses	£75.60	£78.40
Legal Expenses	£56.00	£56.00
Total	£10,599.06	£10,545.88

The Clerk further informed that some of the Contractors combined insurance increases are relative to the Boards increasing financial turnover. The Board also noting the Boards historical claims and potential cost increases with the purchase of new equipment.

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.

ADA NATIONAL CONFERENCE

National Conference

The Clerk reported to Members the ADA National Conference in November is cancelled but may be held as a virtual meeting.

ADA NORTHERN BRANCH CONFERENCE

ADA Northern Branch Conference

The Clerk reported that a meeting was held on 5th March in Howden as a round table meeting to collect together the views of Drainage Boards who are Members of the Northern Branch. At this meeting four key topic areas were established. In particular highlighting the problems of 'Main River' watercourse channel maintenance and leaking banks of high level watercourses.

ADA Northern Branch Summer Meeting

The Clerk further informed that the summer Northern Branch meeting and site visit to the Vale of Pickering has been cancelled due to the current Pandemic.

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, this including the list of the previous meeting which was cancelled which had been circulated to all Members with the Agenda.

The Clerk noted a significant number of planning applications are still being progressed through the planning system. The Board is responding as required.

Mr C Clayton asked about discharges of flows into 'ordinary watercourses' which was impacting on his land.

The Clerk explaining the approach taken and advice given.

British Sugar Site

The Clerk informed that the developer was looking at a possible culvert realignment to develop the site. This however may take the culvert and its easements outside the Boards Drainage District. The Clerk was seeking advice on how this matter could be addressed.

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, this including the list of the previous meeting which was cancelled 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 that has a credit balance of £783,214.14 with Barclays Bank as at 29th May 2020.

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 which expires in August 2020.

The Nationwide Building Society account has an additional credit balance of £73,665.53. The Board placing funds into a 95 day saver account which is achieving 0.4% gross per annum.

The total balance of the Boards funds held in these accounts is £1,006,879.67.

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, this including the list of the previous meeting accounts paid which was cancelled 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 the format of the meetings to be decided on **Monday 14th September 2020** commencing at **6.30pm**.

FUTURE
MEETINGS

Monday 16th November 2020

Monday 18th January 2021 Annual General Meeting

ANY OTHER
BUSINESS

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

(APPENDICÈS TO FOLLOW)