

MINUTES of Meeting held on Monday 17th June 2019 at the Buckles Inn, Off A64

PRESENT

Mr S E Jackson (In the Chair)
Mr M Haigh
Mr C E Mills
Mr A P Sykes
Mr R F Hildreth
Mr J Sanderson
Mr A Percy
Mr J Bramley
Mr C Clayton
Cllr J Galvin
Cllr D Carr
Mr J Tull
Cllr A Myatt
Cllr D Mackay

The Clerk – Mr W Symons
Engineering Assistant – Mr N Culpan
Members of the Public – Mr and Mrs Beadnell
(for the first part of the meeting)

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J B Blacker, Mr A Sykes, Mr G H Smith, Mr S Wragg, Cllr N Waller and Cllr K Ellis.

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

Cllr D Mackay proposed that the Minutes of the Meeting held on the 18th March 2019, 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.

Mr J Tull seconded the proposal of Cllr D Mackay which was UNANIMOUSLY AGREED by the Board.

MATTERS ARISING

Electricity Costs

The Clerk informed that a question had been asked about the price of electricity at the Boards Pumping Station at Moor Lane. This was reported as 14.2p per unit of electricity with 24.15p per day standing charge plus a £50 one off loyalty credit with N Power renewal on a 24 month contract. The Board obtaining three quotes from electricity suppliers EDF, EON and Npower.

There were no further matters arising from the Minutes that were not covered in the main agenda.

Property Extension on Boards Byelaw Maintenance Access Strip

The Clerk informed that two Members of the Public were present at the meeting, Mr and Mrs Beadnell, in relation to a consent they were seeking.

The Clerk asked if this matter could be considered at this stage of the meeting which Members AGREED.

The Clerk circulated details of the consent application which to date the Board had declined. The applicant wishing to construct an extension within 9m of the bank top of Holgate Beck. The extension having had planning permission already granted by the Council.

The Engineering Assistant reported that the Board maintains the watercourse at Hob Moor from the other side to the houses which is open land and a footpath. The restriction on the proposed extension side is limited for maintenance activities.

The Clerk confirmed the Board to date had declined prior consent for the extension. The applicant however had now provided bank stabilisation proposals for consideration, utilising rock filled gabion baskets to retain the bank.

Mr C Clayton proposed that the Board could grant consent on the basis of the revised details to include the gabion baskets as provided at the meeting provided by the applicant.

Mr J Tull seconded the proposal of Mr C Clayton which was UNANIMOUSLY AGREED by the Board to consent the works.

MEMBERSHIP

Cllr A Myatt introduced herself as a Harrogate Borough Council Nominated Member.

York City Council Nominated Members

The Clerk reported that York City Council had confirmed its Membership was remaining the same following the local elections in an email dated 3rd June 2019. The Council recognising the Board had a number of Nominated Member vacancies.

Selby District Council Nominated Members

The Clerk reported that Selby District Council had confirmed its Membership was remaining the same following the local elections.

MAINTENANCE WORKS

The Engineering Assistant referred to the maintenance works report which had been circulated with the agenda.

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

Spraying

Mr J Bramley believed that the Boards new flail mower with spray equipment was very good but it would be better if it could be just a little wider in its spraying application. It being particularly noted on the Foss possibly to include another spray nozzle.

Mr J Bramley noted he had also helped with some recent maintenance work at Thornton Bridge clearing the ditch out with a machine which he had in the locality.

Ouse Gill Beck

Members discussed this Beck and noted concerns about higher than expected water levels.

The Engineering Assistant offering to have a look now the area is sprayed out to see if any further work is required with weed blockage or slips.

Tidal River Banks and Repair

Mr M Haigh noted the weakness in the tidal bank in the Bolton Percy area on the River Wharfe which is potentially at risk of failure.

The Engineering Assistant reported he was not aware of any further proposals to repair or replace since Mr M Fuller (local Agency representative) had gone on secondment. It was also believed Mr M Gemmall was also gone so potentially the work was not being progressed. He however will remind the Agency of this matter at his next meeting with the appropriate person.

Bolton Percy Rampart Flap

The Engineering Assistant noted the problems the Environment Agency continued to have with this structure which was discussed by Members.

14 Ton Tracked Excavator Purchase

The Engineering Assistant noted that a slight change had occurred as per the Engineer's Report on the purchase of the excavator. This being aimed at obtaining the required extension boom and matching hydraulics as explained in the report which Members accepted.

Carr Drain, Acomb

The Engineering Assistant noted the problems of the structures and lack of maintenance access which had not been available for a long time. This impacting on about 20 properties on each side of the watercourse

The Chairman would like to see a joint letter from the Council and the Board seeking the matter to be addressed.

Members being in agreement to this approach.

Mr J Tull noted that sending any letter needs considering how the householder who receives it will be able to react possibly organising a meeting.

Cllr D Mackay suggesting perhaps a local meeting would need to be organised.

Unconsented Culverting Works

The Clerk reported that circumstances are changing with the landowner and this matter will be progressed in the near future.

Dorts Dyke Defence Work

Mr C Clayton reported that the Environment Agency is hoping to progress a scheme to improve flood defences in a garden near the Dorts Dyke and hoping to start work on 1st July 2019. This potentially being work to improve the defence which may be currently reliant on the wall of a garage.

The Engineering Assistant offering to find out further details.

Welding by the Workforce

The Engineering Assistant raised how difficult it was to obtain a welding service for fabrication and repairs and asked Members views on if this could be carried out by the Workforce.

The Clerk highlighted that the Board was not insured to conduct this work and associated with it significant health and safety issues existed for both depot work and out in the field in view of this the Board was required to contract the work out.

Members asked the Clerk to highlight what these issues consist of and how they could be addressed so a future decision can be made on this matter.

MAINTENANCE
CONTRACTS

The Clerk reported that the Board had received three tender returns for its flail mowing contracts for opening at the meeting. It was AGREED that these would be opened after the meeting and the rates recorded.

RATES

The Clerk reported that the total rates collected to the 14th June 2019 are as follows:

(a) Special Levy -	£154,679.73	(50%)
(b) Direct Levy -	<u>£ 53,420.12</u>	<u>(85%)</u>
	<u>£208,099.85</u>	

The first reminders have been sent out and direct debit payments 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.

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

AUDIT ISSUES OF
GOVERNANCE
AND
ACCOUNTING
STATEMENTS

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 2018/19 year-end audit. This is to try to ensure compliance and to avoid audit prequalification. The format having been successfully used last year.

REVIEW OF THE
EXTERNAL
AUDITOR
CERTIFICATE
2017/18

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 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 2019 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.

Mr C E Mills noted the wider concerns about the attendance and appointment of Council ‘nominated’ Members in the Boards Governance.

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

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 Cllr D Carr that the Board approved the Annual Governance Statement. This proposal was seconded by Cllr D Mackay 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 now having been abolished and the external Auditor are now appointed following a tendering exercise run on behalf of IDB’s and other small public bodies requiring this service.

APPROVAL OF THE ANNUAL GOVERNANCE STATEMENT

ACCOUNTING STATEMENTS

A copy of the accounts was circulated with the meeting agenda for the year-ending 31st 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.

Members discussed the Boards accounts which highlight the change in the Boards workforce numbers and an increase in the high land water contribution.

Mr C Clayton asked about the payment of salary costs and the variation in payments between the two years in the table in the accounts.

The Clerk explaining that the Boards salary costs were internally audited and recorded in detail in sage software. The variation in payments being attributed to the changes in staff increasing wage rates and increasing pension costs.

Mr A P Sykes asked about the recharge for consortium administration support costs and the Boards specific administration charges 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 A P Sykes that the Board approved the Annual Accounting Statement for 2018/19. 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 Cllr D Mackay 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.

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.

**TERMS OF
REFERENCE FOR
NEXT INTERNAL
AUDIT 2019/20**

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 2019/20.

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	2018	2019
Business Combined	£4,834.00	£5,105.62
Loss Recovery Service	£117.60	£117.60
Engineering Inspection	£630.00	£710.22
Engineering Insurance	£202.00	£148.50
Hired in Plant	Shared Policy in Consortium	Shared Policy in Consortium
Management Liability	£788.00	£728.00
Personal Accident	£179.20	£179.20
Motor Fleet	£3,386.40	£4,048.80
Motor Legal expenses	£70.00	£75.80
Legal Expenses	£70.00	£56.00
Total	£10,839.89	£11,400.82

The Clerk further informed that some of the business combined insurance increases are relative to the Boards increasing financial turnover. The Board also noting the Boards recent claims and potential cost increases with the purchase of new equipment. This will also increase when the new excavator arrives with increased cover required.

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 NORTHERN BRANCH CONFERENCE

ADA Northern Branch Conference

The Clerk reported to Members on the ADA Northern Branch Conference, which he attended, held on Friday 24th May at the Willerby Manor Hotel. The Conference included a site trip to the Humber Estuary flood defences and the River Hull flood Barrier.

It was also agreed at the Branch Meeting at the Conference that ADA Northern Branch Boards would each contribute to the Branch expenses the sum of £150. This is used for promoting ADA Branch activities such as attending the Great Yorkshire and Drifffield Shows.

ADA NATIONAL CONFERENCE

ADA National Conference

The Clerk reported that ADA had informed the Board that its Annual Conference will again be held in London on 13th November 2019. The Board AGREED to pay Members travelling costs and conference fees if any Members wish to attend. The Clerk will be attending to represent the Boards who are Members of the York Consortium.

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, 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. He further explained an example of a development seeking reduced maintenance access and how the Board is responding.

Cllr D Carr asking about the Boards concerns about the larger developments in the York City Council area and in particular the York Central Site.

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 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 £766,500.21 with Barclays Bank as at 31st 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 which expires in August 2019.

The Nationwide Building Society account has an additional credit balance of £72,960.22. 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 £925,902.33

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, which had been circulated, to all Members with the Agenda.

It was RESOLVED that payment of these accounts be confirmed.

(SEE APPENDIX TO MINUTES)

Members Liability

Mr C E Mills asked if any potential circumstances could occur if a Member could have any financial liability for the Board.

The Clerk noted this was a reasonably open ended question but will seek to see how the Board could respond in relation to risks and covers provided by insurance.

ANY OTHER BUSINESS

The Chairman noted he had recently met the Workforce and they were questioning the Boards position on future rates of pay in relation to excavator driving

Mr R F Hildreth also noted he had been contacted twice by the Workforce on this matter but had informed he was not in a position to comment.

The Clerk informed and Members discussed the rates the Board were paying and the hours being worked and pension paid.

Members decided that this matter will be reconsidered when the new excavators have arrived and they were both being operated.

DATE OF NEXT MEETING

It was AGREED that the next Meeting of the Board will be held at the Copmanthorpe Methodist Church, Main Street, Copmanthorpe (**post meeting note venue now changed**) on **Monday 16th September 2019** commencing at **6.30pm**.

FUTURE MEETINGS

Monday 18th November 2019

Monday 20th January 2020 Annual General Meeting

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

(APPENDICES TO FOLLOW)

MAINTENANCE CONTRACTS

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 for under the linear metre rate.

The Clerk informed that three tenders had been returned.

The Chairman opened and dated the envelopes, numbering the submissions as Contractor 1 to 3. Copies of all the Contractors Schedule of Rates (1 to 3) 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. 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 for the work tendered.

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.

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 is slightly higher than the other submissions.

Members remaining AGREED to delegate the decisions on utilising the Contractors and tendered rates to the Engineering Assistant. This is on the basis of the Board seeking the best value along with utilising the available plant and equipment when required from the contractors to deliver its programme.

(APPENDICES TO FOLLOW)