

COWICK AND SNAITH INTERNAL DRAINAGE BOARD

MINUTES OF THE FULL BOARD MEETING

TUESDAY 31ST JULY

THE INSTITUTE, WEST COWICK

PRESENT:

Ratepayer Members: Mr Cooper(C) Mr E Mr S Wood
Mr I Wood Bayston(VC) Mr A Wood
Mr W Bayston

Appointed Members:

Co-opted Members:

Members Present: 6

APOLOGIES:

Ratepayer Members: Mr Kealey Mr Thompson Mr T Bayston

Appointed Members: Cllr Barrett

Co-opted Members:

ABSENT:

Ratepayer Members:

Appointed Members: Mrs Saxelby

Co-Opted Members:

IN ATTENDANCE:

Officers: Mr McLachlan – Chief Executive
Mr Allen – Chief Engineer
Miss Cowen – Corporate Strategy Manager
Mrs O’Driscoll – Board Secretary (Minutes)

Others:



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451 Welcome, Introductions and Apologies

- 451.1 The Chair gave apologies from Mr Kealey, Mr Thompson, Mr Bayston and Cllr Barrett. No Apologies were received from Mrs Saxelby but this was possibly not due to receiving meeting papers.
- 451.2 The Chief Executive (CEO), Corporate Strategy Manager (CSM) and Chief Engineer (CEng) introduced themselves and their roles in the organisation. The CEO also informed that Russ Towse will be taking up post as the new Asset Manager (AMgr) on the 6th August.
- 451.3 The Chair went on to introduce the Board Members present.

452 Declarations of Interest

- 452.1 None were given.

453 Additional Agenda Items

- 453.1 The CEO asked Board Members if they had any additional items they thought should be on the agenda.
- 453.2 Mr I Wood commented that he had sent a letter into the Board's offices beginning of May but had not had a response. The CEO explained that no response had been sent as the letter was addressed to Environment Agency copied to the Drainage Board. The CEO asked for subject of the letter to be discussed in full under CEng report – item 14 on the agenda.

454 Minutes of the previous Full Board Meeting, 20th March 2018

- 454.1 Mr I Wood noted that the most up to date minutes had not been provided.
- 454.2 The CEO checked his records and confirmed that the last set of minutes prepared by ERYC had not been received.
- 454.3 The Chair explained that Mrs Saxelby had taken the minutes at an interim meeting of the Board that was not supported by officers in March and he had not yet received a copy.
- 454.4 The Chair explained that a copy of the Minutes from the meeting in January is needed as this is when the rate was set. **ACTION CSM**
- 454.5 Board Members were advised that the previous minutes cannot be approved as a copy is not present at the meeting. An action noted for the CEO to obtain copies of the official minutes and the Chair is to obtain a copy of the interim meeting minutes, there will therefore be 3 sets of minutes to approve at the next meeting. **ACTION CHAIR**

455 Matters Arising

- 455.1 No matters arising from the last two meetings but from previous minutes.
- 455.2 The CEO advised that both points in previous minute 427 is still ongoing.

- 455.3 Mr I Wood informed that there had been an agreement and funds paid regarding the YW Borehole Wash-water discharge into Ings Drain, this caused problems further down-stream. He added; this had taken place under Snaith IDB, before joining with Cowick IDB. The CEO considered that although YW have a statutory right of connection to a watercourse, they have no right to cause injury to that watercourse and therefore consent is required to secure a derogation to the bylaws. Mr A Wood advised that the opposite bank had been reinforced. The Chair pointed out that this is something that will need to be monitored.
- 455.4 The Chair enquired about the restrictions on discharging untreated sewage storm overflows into a watercourse explaining there is a sewage works outfall at Carlton Bridge. The CEO advised that he look at the issue but that this may fall within the Environment Agency purview. He added there may be an opportunity to request a contribution towards cleaning the watercourse. **ACTION CEO**
- 455.5 The CEO advised Board Members that he is to meet Highways England representatives. The Chair advised that this subject needed handling with care as they previously gave 90% money back on capital investment. Mr A Wood commented that Highways England had done nothing on drain maintenance and questioned if OHDB could recharge for maintenance costs. The CEO is to look at the agreement. **ACTION CEO**
- 455.6 The Chair informed the Board that a copy of the minutes taken by Mrs Saxelby was needed as it would include maintenance programme for the Contractors Mr Colwill and Mr Sykes. CEng took contact details for Mr Sykes and will contact him. He is to meet with Mr Colwill. The CEO will ring the ERYC to confirm details of what has been agreed with the contractors. Maintenance works need to be confirmed in writing with the contractors. **ACTION CEng**
- 455.7 The CEO suggested that with the absence of up to date minutes and to keep matters in order a resolution on the appointment of contractors is reaffirmed at this meeting.
- 455.8 It was PROPOSED by MR W BAYSTON and SECONDED by MR A WOOD and UNANIMOUSLY RESOLVED that the Board lets this year's maintenance contracts to Mr Sykes (Contractors) and Mr Colwill (Contractors).

456 Appointment of Officers

- 456.1 The CEO explained that although contracts have been signed, the appointment of officers still needed to be formally made by Board Members.
- 456.2 The Chair recommended that Board Members appoint Mr Andrew McLachlan, Chief Executive and Clerk to the Board (CEO); Miss Angela Cowen, Corporate Strategy Manager (CSM) and Assistant CEO; Mr Edward Allen, Chief Engineer (CEng); Mr Russ Towse, Asset Manager (AMgr)
- 456.3 He also noted that for the purposes of the administration of the financial provisions set out in Part IV of the Land Drainage Act 1991, pecuniary matters in other relevant acts and oversight of the Boards other financial matters, the Chief Financial Officer to the Board shall be Andrew McLachlan.

456.4 It was PROPOSED by MR W BAYSTON and SECONDED by MR A WOOD and UNANIMOUSLY RESOLVED that the Board appoints the above officers to the Board.

457 Professional Services

457.1 The Boards Accountants shall be Hunter G Holroyd, Chartered Accountants, Club Chambers, Museum Street, York, YO1 7DN

457.2 The Boards Internal Auditors shall be Yorkshire Audit Services, 26 Stockwell Road, Knaresborough, North Yorkshire, HG5 0JZ.

457.3 The Boards Solicitor and legal advisors shall be Wilkin Chapman LLP, Cartergate House, 26 Chantry Lane, Grimsby, North East Lincolnshire, DN31 2LJ.

457.4 The CEO went on to explain that separate to the Internal Audit there is an External Audit carried out once a year by PFK Littlejohn who then report back to Defra/NAO. He explained that this is a strict process to ensure that the Board is being run as it should be.

457.5 Mr W Bayston queried if the Board could go to the above solicitors. The CEO advised that these would be the Board's Solicitors.

457.6 It was PROPOSED by MR W BAYSTON and SECONDED by MR I WOOD and UNANIMOUSLY RESOLVED that the Board appoints the above professional Suppliers to the Board.

458 Accounting Statements and Annual Return

458.1 The CEO informed members that these are usually done in May but he sought an extension. He added that there will be 4 internal audits and 1 external audit undertaken each year. He directed Board Members to the Annual Governance statement found in Appendix B of the meeting papers.

458.2 The CEO explained that an Annual Governance Statement with Internal Controls has been prepared by East Yorkshire Council (ERYC) for approval by the Board. This must be approved by the Board in advance of approving the Accounting Statements.

458.3 He added that as the statements had been prepared under the supervision of the previous Clerk and he would therefore not be able to make a recommendation.

458.4 Mr W Bayston enquired who had signed as the Financial Officer on the Statements, the CEO informed that this had been an ERYC officer.

458.5 It was PROPOSED by MR W BAYSTON and SECONDED by MR A WOOD and UNANIMOUSLY RESOLVED that the Board APPROVE the Annual Governance Statement for 2017/2018.

458.6 The CEO went on to inform that Accounting Statements had also been prepared by ERYC for approval by the Board, he again advised he could therefore not make any recommendations.

458.7 It was PROPOSED by MR E BAYSTON and SECONDED by MR A WOOD and UNANIMOUSLY RESOLVED that the Board APPROVE the Accounting Statements for 2017/2018.

459 Invoices Paid and Accounts Settled

- 459.1 The CEO gave an overview of how procedures will work, explaining invoices and accounts shall be settled using OHDB bank accounts and recharged on a quarterly basis. A summary shall be provided to the Chairman to inspect on a quarterly basis. He went on to say that quarterly reports shall be provided at subsequent Board meetings, in line with government guidance, payments under £250 will be aggregated for Board Reports. The current quarter will finish in June.
- 459.2 The CSM informed that there had only been a few invoices paid so far on behalf of C&S IDB.
- 459.3 The CEO went on to advise that all transactions (normally made through BACS) are completely transparent and will be kept for inspection on requests from Board Members. He explained that the Board's invoice management procedure consists of a multi-authority workflow procedure, which is both paper based and through a highly secure banking payments system. He explained that his managers will initially check the invoice and that all work has been carried out before it is signed off and input onto the system for bulk payment using a specific Cowick & Snaith IDB cost code. He also informed that all transactions are recorded on the Board's accounting package, Sage50.
- 459.4 He explained the Chair/Vice chair will have the opportunity to inspect the invoices paid before recharge.
- 459.5 The CEO also informed members that the Board's Internal Auditors undertake sample invoice and payment testing 3 to 4 times per year.
- 459.6 The Chair asked if the CEng would bring up any issues on with work undertaken [Quality]. The CEng explained he would deal directly with the contractor in question. [Ensuring value for money].
- 459.7 It was PROPOSED by MR W BAYSTON and SECONDED by MR A WOOD and UNANIMOUSLY RESOLVED that The Chairman or Vice-Chairman be given delegated authority to inspect and consent to payment of the sum of recharged accounts on a quarterly basis.

460 Financial Scheme of Delegation

- 460.1 The CEO directed Board Members to the meeting papers and explained the difference between this and the Banking Mandate.
- 460.2 The CEO advised members that scheme for Financial delegation as laid out in the meeting papers is recommended for approval. He informed that where these differ or are contrary to the financial regulations of the Board these shall take precedence.
- 460.3 The CEO stated that for the time being his delegates are the appointed officers, the CEng, CSM and AMgr.

460.4 The CEO explained the financial scheme of delegation as laid out in the meeting papers. He informed the Board that he and his delegates may order goods or services per item without prior authority of the board up to £2,500. Other procurement limits were explained in detail.

460.5 It was PROPOSED by MR I WOOD and SECONDED by MR E BAYSTON and UNANIMOUSLY RESOLVED to APPROVE financial scheme of delegation.

461 Banking Mandates

461.1 The CEO directed members to page 6 of the meeting papers, he explained that he had put in as much information as possible to cover every eventuality as in his experience changing banking mandates had proved to be somewhat challenging.

461.2 He went on to say that the Board's authority is required to allow certain members and appointed officers of the Board to operate its bank accounts. Due to the contractual arrangements and where these differ or are contrary to the Financial Regulations these shall take precedence.

461.3 The CEO informed members, the operation of accounts is not to be confused with the Financial Delegations. He explained his officers cannot spend money that has not been authorised through the financial scheme of delegation (above item), as to do so with intent would be acting ultra vires and considered fraudulent. He advised that the OHDB carries substantial fidelity insurance to protect against fraud or error in such circumstances.

461.4 The CEO ran through the banking mandate, set out in the meeting papers which is to be passed to the Boards bank, the HSBC. He explained this allows for the operation of accounts when payments or transfers need to be made. The checks and balances in the mandate are designed to prevent accidental error.

461.5 The CEO advised that the East Riding of Yorkshire Council members previously authorised to operate the accounts would be confirmed with the bank and removed. The new operators would be Andrew McLachlan (CEO), Angela Cowen (CSM) and Russ Towse (AMgr), with the Chair and Vice Chair as signatories. He explained although it is unlikely cheques will be issued in the future.

461.6 It was PROPOSED by MR W BAYSTON and SECONDED by MR I WOOD and UNANIMOUSLY RESOLVED that the Board authorise its Bankers to amend its existing banking mandate in line with the authorisations set out above and that the CEO be allowed to apply such reasonable moderation as may be necessary to accord with the Banks systems.

462 Website, Email and Corporate Identify

462.1 The CEO informed Board Members that there is a legal obligation to publish certain information such as minutes and a website is the [most efficient] way to do this.

462.2 The CEO advised it had been agreed that the Board will continue to operate under the previously adopted Aire, Don and Ouse Consortium or ADOC brand. He added this has, on

approval of the 4 Chairmen been updated to include the word “*independent*” making it clear to the common observer that the Board remains an independent legal entity.

- 462.3 He went on to say that for the time being the website is being hosted by the ERYC after which this will be signposted to the new website.
- 462.4 The CEO informed members that he had obtained the domain name “adoc.org.uk”. He added that a website designer has been to the Boards offices and he is happy with the designs so far and a new website should be operational in a few weeks hosting information for Cowick & Snaith IDB.
- 462.5 He went on to say that email addresses are now set up, any officer of the Board can be contacted using the adoc.org.uk suffix and emails will go directly into the OHDBs user inbox. It was encouraged for members to give out enquiries@adoc.org.uk – for general enquiries and accounts@adoc.org.uk for invoices and remittances.
- 462.6 The CEO spoke of the corporate identity programme that is planned for this year, which will promote the work of Drainage Boards. Where possible Board vehicles will include the words “Drainage Board”.

463 Corporate Strategy Managers Report

- 463.1 The CSM informed Members that there are around 60 ratepayers in Cowick and Snaith IDB area and that work is currently being undertaken to digitise the records for Cowick & Snaith IDB. These will then be entered onto the electronic Drainage Rating System (DRS) and that she is currently looking into clarifying land parcel information. The CSM added it is likely rate demands for the current year will be sent out in September. However, in coming years that these should be sent out in April.
- 463.2 The CSM then explained the (to be adopted) procedure for collecting rates, advising that Drainage Rate Notices are issued in April each year, this is then followed by a reminder in June. At the end of August, a Final Reminder is issued advising that legal proceedings have commenced and informing the ratepayer that if Drainage Rates are not settled in full by the date provided, administrative and recovery costs will be added (these are usually £100). If payment is not received by the end of August, officers attend court to seek Liability Orders against the ratepayer. These are passed to the Debt Collection Agency, Rundells for the debt to be recovered.
- 463.3 Mr W Bayston commented that this debt collection may not be an issue as there are some old debts outstanding but not much owed.
- 463.4 The CSM informed that insurance had been transferred from NFU to Towergate as they provided a better deal, adding that the policy is the same.
- 463.5 The CSM went onto inform Board Members that there will be an exercise undertaken to look at land that now needs to be transferred to special levy and that new development will be looked at.

463.6 The CEO explained that land that is no longer agricultural and is used for domestic or business purposes has drainage rates met by domestic ratepayers and collected on behalf of the Board by the Council. There is a legal requirement to undertake these transfers every December.

463.7 The Chair advised there had been a new housing estate in Snaith. Mr W Bayston informed a commuted sum had been given by Harron and Ben Bailey Homes for improvements to the drain.

464 Chief Engineers Report

464.1 The CEng enquired who looked after the pump stations. Mr I Wood confirmed he looked after one and Mr Paul Ross looked after the other two – Finley Lane & New Bridge. The CEO queried if Mr Wood looked after one of the pumping stations as it was on his land. Mr I Wood explained that it is on his land he confirmed there is right of access to the Board.

464.2 The CEng informed the Board he will be looking at Health & Safety at the Pump stations. He also advised he will be visiting the pump stations with a representative from Towergate for insurance purposes and this will take place in the next few weeks.

464.3 The CEng advised regarding planned maintenance, now he has contact details he will be contacting Mr Sykes to start flailing works as formal notification is needed.

464.4 He went on to say that the Board that the OHDB has been paid to carry out grass cutting on the Humber Banks for the Environment Agency. They are currently undertaking this task and are looking to see if this could be repeated the Cowick & Snaith area as this will offer good value for the public purse.

464.5 The CEO asked when maintenance work had started, the Chair confirmed that work started 1st July.

464.6 The CEO commented he thought it would be a good idea for the CEng and the Chairman to take the new contractor, Mr Sykes around the area.

464.7 The CEng informed that he would go out with Mr I Wood to have a look at the area concerned in the letter mentioned previously in the minutest to try and understand if the EA are fulfilling their obligations.

465 Capital Programme

465.1 The CEO briefly explained that most of the capital funding is for the repair or replacement of an assets; adding that although there is no Capital Programme now there will be.

465.2 The Board has 3 Pump Stations and a number of structures. He advised that capital funding for IDB's is hard to secure as points are gained by mostly counting residential properties that are at flood risk and therefore IDBs struggle in rural areas, however he was keen to establish alternative funding. He went on to say evidence will be gathered and he is looking to secure

funding for the investment period 2021, possibly grants to improve pumping stations, health and safety improvements and regulatory works, including the eel regulations.

465.3 The Chairman informed that the Board employs someone to inspect the pump stations once a year and that this may need to be stopped. Mr I Wood explained this was to give maintenance recommendations. The CEng advised that will now be carried out by Board staff and Contractors, adding an inspection will take place by Towergate once a year for insurance purposes.

465.4 The CEO advised that he had started to put together the Humber Head Capital Maintenance Strategy to apply for capital funding from central government. Discussions took place on how a capital maintenance strategy operates.

466 ADOC Partner Arrangements

466.1 Discussions took place on meeting frequency and set up.

466.2 The Chair proposed 2 meetings a year. Mr I Wood thought that this wouldn't be enough. The CEO confirmed that the contractual allowance was for 2 meetings a year, Mr E Bayston enquired if Board Members could meet informally without OHDB staff.

466.3 The CEO advised that although he would not encourage meetings without an officer present this could be done. 2 formal meetings were required by law; to set the rate, elect chairs and approve accounts and governance, he added future meetings would possibly not require all management staff to attend.

466.4 It was noted that there would need to be an extra meeting this year for elections. The CEO confirmed his staff would support this.

467 Chairman's Remarks

467.1 The Chairman remarked that there had been a good start to the arrangement and hopes it continues.

468 Any Other Business

468.1 None.

469 Date of Next Meeting

469.1 To be confirmed, it was agreed this would be at the Boards Offices, 91, Bridgegate, Howden