



Ouse and Humber Drainage Board

An independent public body delivering flood risk, water level and habitat management in Yorkshire and the Humber

MINUTES OF THE FULL BOARD MEETING HELD 9.00AM WEDNESDAY 7th FEBRUARY 2018

AT ST CUTHBERTS MASONIC HALL, SELBY ROAD, HOWDEN DN14 7JW

PRESENT:

Ratepayer Members:	Mr Featherby(VC)	Mr Henley Mr Hick	Mr Falkingham	Mr Sweeting
Appointed Members:	Cllr West (C)	Cllr Aitken Mr Martin	Mr Atkinson Cllr Wilkinson	Cllr Bayram
Co-opted Members:	Mr Scutt			
Members Present:	12			

APOLOGIES:

Ratepayer Members:	Mr Screeton	Mr Wright	Mr Nicholls	Mr Mowforth
Appointed Members:	Cllr Galbraith	Cllr Stathers	Mr Patchett Mr Traill	Cllr Roberts
Co-opted Members:				

ABSENT:

Ratepayer Members:		
Appointed Members:	Cllr Pollard	Cllr Marwood
Co-Opted Members:		

IN ATTENDANCE:

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

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120. Welcome and Introduction of New Member

- 120.1. Cllr West (Vice Chairman) took the Chair in the absence of Mr Patchett. She welcomed the new Board member Cllr Richard Meredith, commenting that he will be a good asset to the Board.
- 120.2. The CEO introduced Cllr Meredith as the new EYRC Appointed Member. Commenting that he joins Cllr Galbraith as the second Board Member to represent Dale Ward on the local authority. The CEO explained, although appointed members are not formally related to geographical representation, 17% and 45% of the Dale Ward is in the OHDB district and wider OHDB catchment area respectively.

121. Apologies

- 121.1. Apologies were noted from Mr Mowforth, Mr Nicholls, Mr Patchett, Mr Screeton, Cllr Galbraith, Cllr Roberts, Cllr Stathers, Mr Wright and Mr Traill.

122. Declarations of Interest

- 122.1. The chair asked for declarations of interest, none were given.

123. Additional Agenda Items for AOB

- 123.1. The CEO explained that there had been a minor adjustment to the paper for item 10 and directed the Board to the handout provided. This is due to land moving from agricultural use to business or domestic (Special Levy).

124. Capital Scheme Update

- 124.1. The Chair explained due to the expected late arrival of two Members and the meeting not being quorum, formal matters would be delayed until later in the meeting.
- 124.2. The CEO presented a slide show to Board Members showing the extent of the progress on the Howdenshire Pumping Station Schemes.
- 124.3. Mr Hick and Cllr Atkin arrive at 9:15 am making the meeting quorate.
- 124.4. The CEO advised that the schemes are on budget and on programme. At Cotness all delivery pipework and the cofferdam are now in place; he added the new tidal doors are to be fitted in the next couple of days as the tide levels will be right. The Laxton new cut village drain has been completed thanks to an early access arrangement with the landowner.
- 124.5. He went on to give an update on the Blacktoft site, informing that work on the Delivery pipework has now commenced and that the road closure needed to undertake the works will be in place from Tuesday. The Chief Engineer (CEng) explained that as with Cotness, low tides are needed to replace the flood banks and construct the wall; he went on to say everything is to plan.

- 124.6. The CEO explained that following negotiations with the Highways Agency, it has now been confirmed that they will contribute £250,000 to the scheme, recognising that it will benefit the M62. He went on to add that this reduces the borrowing need to £301,340 meaning the borrowing requirement had reduced considerably.
- 124.7. Mr Featherby asked what contingency was in place for any additional costs that may be encountered. The Chief Engineer (CEng) commented that there was £90k left as part of the approved budget.
- 124.8. Mr Featherby also asked how far along the schemes were and if £90,000 would be enough to see them through. The CEO answered that the schemes are currently $\frac{3}{4}$ of the way through, underground risk factors had been largely dealt with.
- 124.9. Mr Henley asked if it is a fixed price contract for the schemes; the CEng advised that it is an NEC option A contract.
- 124.10. Cllr Bayram enquired if the same level of protection as at Cotness would be in place when replacing the flood bank at Blacktoft. The CEng went on to explain that the flood banks would be reinstated along with other technical details.
- 124.11. Mr Hick asked if the scheme will take water away from the Newport tip; Cllr Atkin replied that it would as it reaches a long way.
- 124.12. Mr Henley enquired if silt going into the pumps would have an impact. The CEng explained that the fish friendly screens being used would be regularly raked. The CEO went on to advise that as of 2021, a statutory regulation is to be brought in to ensure fish friendly apparatus must be used.

125. Minutes from the Previous Full Board Meeting, 1st November 2017

- 125.1. It was PROPOSED by Cllr Bayram and SECONDED by Mr Falkingham and UNANIMOUSLY RESOLVED that the minutes be adopted as a true record.

126. Matters Arising

- 126.1. The CEO summarised his report on the resolved and ongoing actions from previous meetings
- 126.2. No other matters were raised.

127. Executive Committee Meeting

- 127.1. The CEO explained that there had been two Executive Committee meetings since the last Full Board Meeting, advising that both sets of minutes could be found in Appendix B of the Meeting Papers.
- 127.2. Cllr Wilkinson asked what effect GDPR (General Data Protection Regulation) would have on the Board's operations. The CEO advised that ADA are looking into this however the

timescales are quite short, and that the solution may be providing information in the Rate Demands advising ratepayers what information the OHDB holds on them and inviting them to view it. **Action CEO**

127.3. Cllr Wilkinson enquired if insurance cover was in place as penalties could run into millions of pounds and that there are three types of insurance cover to protect against this. Cllr Bayram stated he only knew of one case so far and that if the Board is sensible it shouldn't be a problem. Cllr Wilkinson reported he knew of many more cases. The CEO reported that he is awaiting further advice from the Board's insurance brokers. **Action CEO**

127.4. The Board noted the minutes of the meeting of the Executive Committee and accepted them to as true record.

128. Financial Report

128.1. The CEO asked members to refer to the supplementary papers (Appendix C) which sets out the financial report for Quarter 3. These were summarised by the CEO.

128.2. Cllr Wilkinson stated that in Debtors, bad debts will have an impact. The CEO informed that he would explain later in the meeting the auditors' advice to write off the Icelandic Debt.

128.3. It was PROPOSED by CLLR WILKINSON and SECONDED by MR SCUTT and UNANIMOUSLY RESOLVED that the Financial Reports to Quarter 3 be approved.

129. Invoices Paid, and Accounts Settled

129.1. The CEO presented the Accounts paid for the last quarter.

129.2. The CEng explained that we currently have 13 accounts with Woldmarsh buying group and more are to be moved by mid-2018, when accounts come up for renewal.

129.3. Mr Falkingham enquired if the fuel account will be moved to the Woldmarsh buying group. The CEng advised that it wouldn't as it remains cheaper with Rix.

129.4. Mr Scutt asked if the Board is now a member of the Woldmarsh Group; the CEng confirmed it is.

129.5. It was PROPOSED by Mr Atkinson and SECONDED by Cllr Atkin and UNANIMOUSLY RESOLVED to approve the record of accounts for the last financial quarter.

130. Annual Budget and Rate Setting

130.1. The CEO explained how Agricultural & Special Levy Rates are calculated. He went on to explain to the Board that the Special levy does not come from the Council's operational budget and that it is in fact a hypothecated tax. It is legally pledged to the drainage board through the Land Drainage and the Local Government Finance Act and is collected through council tax.

- 130.2. The CEO advised Members that a decision was needed today on setting the rate for the forthcoming financial year (2018/19). He went on to say that due to caps placed on the council tax members should be aware of pressures on other local services and in making this decision a balance needed to be met between desirability and affordability.
- 130.3. The CEO summarised the minutes from the Executive Committee Meeting. He advised that the Executive Committee had agreed a recommendation. He then went on to run through the salient points set out in his report.
- 130.4. The CEO gave board members a breakdown of the extra income that had been secured, advising that £176,000 had come from Public Sector Agreements, £20,000 from Professional Services provided by the CEO and the CSM. He continued, revenue had also been brought in through the hiring out of the weed boat to other IDB's and for commercial jobs such as private ponds and that the Environment Agency had also provided £35,000 toward creyke maintenance.
- 130.5. It was PROPOSED by MR HICK and SECONDED by CLLR ATKIN and UNANIMOUSLY RESOLVED that the Board continue to support the CEO in securing external revenue opportunities under the authority of the Executive Committee.
- 130.6. Mr Featherby asked if some of the reserve can be put towards priority capital projects if they get too high. The CEO advised that this was the purpose of the reserve and this would be his recommendation.
- 130.7. Cllr Bayram asked if it would be possible to have a graph showing whether the reserves had gone up or down over the previous 10 years. The CEO explained that he could, however it his belief that it would flat line. Cllr Bayram commented that he thought this to be an acceptable position.
- 130.8. The CEO summarised the bank accounts and explained that the cash value in the Board's bank accounts show how the reserves are spent. He added it is very difficult to estimate the cash balance due to the schemes and these would come at the year end.
- 130.9. The CEO explained that the main debtor remains the Icelandic account and it is the advice of the internal auditors that this debt is written off, due to the fact the company is in administration. He explained that the debt gives an unrealistic picture of the debtors account and is causing problems with accountancy.
- 130.10. It was PROPOSED by Cllr Bayram and SECONDED by Cllr Wilkinson and UNANIMOUSLY RESOLVED to write off the debt on the Kaupthing Singer Frielander account.
- 130.11. The Corporate Strategy Manager (CSM) advised that Rundles, the national debt recovery and enforcement agency, is now working on the behalf of the Board, collecting payment on unsettled accounts. It is noted that East Riding of Yorkshire Council was helpful in advising the Board on debt recovery matters who also use the company. The CSM added that most of the debts will be recovered eventually even if a land charge must be applied.

- 130.12. The CEO referred the Board to the Capital Programme set out in the meeting papers (Appendix E). He explained he had introduced a capital programme in order that Board could approve it to give him the necessary authority (financial / contract etc) to proceed with these schemes.
- 130.13. Regarding the Capital Maintenance Strategy, the CEO advised that he is still working on this.
- 130.14. The CEO summarised the Capital Programme for approval.
- 130.15. Focussing on Wressle, he went on to inform that in recent weeks some limited property flooding had occurred. Mr Falkingham commented about the viability of some of the potential options, the CEO committed to keeping Mr Falkingham in the loop on these matters.
- 130.16. It was PROPOSED by CLLR ATKIN and SECONDED by MR SWEETING and UNANIMOUSLY RESOLVED to approve the Capital Programme
- 130.17. The CEO summarised the operational expenditure, explaining that a staff monitoring system is to be implemented. He added that it had been agreed at the Executive Committee meeting that no across the Board incremental salary increase could be agreed for operation staff but that individual staff should be rewarded based on individual assessment, however in recognition of past years performance the committee had agreed the working week for operational staff could be harmonised to 37 hours rather than 38.
- 130.18. Including the matters above the CEO went on to summarise the detailed budget set out in the meeting papers (Appendix E), explaining that as expected, there has been a minor change and referred Board Members to the handout provided - Amendment – Item 10. He went on to say that as predicted, this amendment had occurred due to land moving from agricultural use to domestic or business usage as at the 31/12/17.
- 130.19. The CEO advised to meet the required budget a 2.16% increase to last year's rate of 13.47p and that the new rate be set at 13.77p in the pound.
- 130.20. In approving the budget, it was PROPOSED by CLLR BAYRAM and SECONDED by CLLR WILKINSON and UNANIMOUSLY RESOLVED that the rate and special levy is set at 13.77p in the £.

131. Chief Engineer's Report

- 131.1. The CEng reported that AXA, the new insurer had been out to undertake a Health & Safety inspection; he confirmed that the inspector had reported a high degree of satisfaction in the Board's procedures.
- 131.2. He added that he is currently undertaking an exercise to look at all training & policy documents, in line with new legislative changes. He advised it will be 6-8 weeks before this is ready for presenting to Board Members.

- 131.3. The CEng commented that the recent new starter had settled into the role well; his appointment meant that there are now three fully trained 360 machine operators. He went on to say further training is being given to get as many members of staff trained as possible.
- 131.4. He reported that all contractors are to have their Health and Safety reviewed. He added that there is also a note being put together requesting all ratepayer's remove obstructions from maintenance strips. The CEng commented this was very important as a Health & Safety incident had been brought to his attention, in which someone was killed due to a tractor flail mower vs. barbed wire fence. The CEO reiterated the importance of the 9m access strip adjacent to Board-maintained watercourses, as set out in the Board's bylaws. Discussion then followed on the practicality of this and how it could be enforced.
- 131.5. The CEO passed around and explained the new lone-working device to be used by operational staff.
- 131.6. Cllr Bayram enquired to the cost of the device for each member of staff. The CEng replied that there was a hire cost of £25 per month for each member of staff but that included monitoring and tracking.

132. Resignation of Chairman

- 132.1. The CEO announced that there had been the need to add an extra item to the agenda. He went onto say this was due to the current Chairman, Mr Patchett resigning from the role. He added that he had received a letter of resignation and although formal elections would be held again in November the Board would need to appoint a new Chairman.
- 132.2. Cllr West indicated that as the current Vice-Chair, she would be willing to step in to the role until November.
- 132.3. Cllr Bayram proposed to have an election at the next Full Board Meeting.
- 132.4. A proposal was MADE by Mr Featherby and SECONDED by Cllr Atkin and UNANIMOUSLY RESOLVED that CLLR WEST be appointed Chairman until November 2018.
- 132.5. The CEO announced Cllr West as the Chairman until the election in November. The CEO added that with Cllr West's appointment as Chairman, a vacancy had arisen for the Vice Chairman.
- 132.6. A proposal was MADE by Mr Atkinson and SECONDED by Cllr Wilkinson and UNANIMOUSLY RESOLVED for Mr Featherby to be Vice Chairman until November 2018.
- 132.7. In accepting the proposal Mr Featherby commented that he is happy to act as Vice Chairman in the interim, however he would not want to stay in the role long-term. The CEO announced Mr Featherby as the Vice Chairman until an election takes place in November.

- 132.8. Mr Falkingham suggested that the Board should place on record it's thanks to Mr Patchett, the current Chairman, and that the CEO send out a letter of thanks.
- 132.9. The CEO acknowledged that without the assistance from the previous Chairmen, Mr Patchett, Mr Atkinson and Mr Screeton (Senior), the Howdenshire pumping stations would not have gone ahead, in recognition of this the CEO and CEng proposed the new cut drain constructed as part of this scheme called the "Chairman's Drain". This proposal was agreed by all present.

133. Corporate Strategy Manager's Report

- 133.1. The Corporate Strategy Manager (CSM) directed members to the Corporate Strategy papers (Appendix F) and gave an update on Part 1 of the document. The CSM explained that an Executive Committee meeting had been held on the 12 December 2017 after it was resolved at the last Board Meeting for Members to look at it in further detail and submit comments. She added that following this meeting some small changes had been made to Part 1 and these were presented to the committee at the recent meeting on the 17 January. The CSM reported that the committee was satisfied with the final draft and had agreed to approve Part 1 of the Strategy.
- 133.2. It was PROPOSED by CLLR ATKIN and SECONDED by MR HICK and UNANIMOUSLY RESOLVED that the Board adopt part 1 of the Corporate Strategy.
- 133.3. Cllr Atkin expressed thanks to the CSM for her hard work on the plan.

134. Staff Matters

- 134.1. The CSM explained to members that she is currently working on a staff development and performance framework as a more formal way of reviewing staff performance. The CSM went on to say as part of this process each member of staff would undergo an annual Employment Performance Review (EPR), adding that the EPR process will involve setting personal objectives for each member of staff. This would be piloted in next few weeks.
- 134.2. The CEO explained as part of this process the Executive Committee will be involved in the appraisal of tier 2 managers and associated decisions regarding remuneration.
- 134.3. Mr Featherby added that all members of the Executive Committee are satisfied that the this process will help to address any areas needing improvement and provide a transparent system to manage remuneration of senior staff.
- 134.4. It was PROPOSED by MR ATKINSON and SECONDED MR SCUTT and UNANIMOUSLY RESOLVED to implement the Employee Performance Framework.

135. Any Other Business

- 135.1. Mr Featherby asked how the Executive Committee should inform the Board Members of the matter of the CEO's salary and other senior staff remuneration matters.

- 135.2. The CEO commented he thought it would be appropriate if he and his staff left the room at that point.
- 135.3. Mr Sweeting commented he thought something was holding the water up in the Knedlington Drain as there appeared to be a lot of standing water. The CEng explained that this is because it is a flat watercourse and pollution is making it more visible. He advised that the Board is currently in discussions with Yorkshire water regarding this matter.
- 135.4. The CEO reported that in line with recent changes in legislation, members would be required to declare any criminal offences or bankruptcy; he explained that the Board's insurance may be invalidated otherwise. He added that the information provided to the insurer would not identify individuals and that the returned questionnaires would be held securely at the Board's offices. He suggested members mark them Private & Confidential for his attention when returned to the Board's offices.

Closed Session – Staff Leave Room

- 135.5. The Vice Chairman presented a full report of the recent meeting of the Executive Committee. The Executive Committee met in closed session at Thorpe Grange Farm on 24th January 2018 to discuss the Chief Executive's remuneration. This involved detailed analysis of the salary of the Chief Executive in comparison with those of other Boards of similar size, turnover and responsibility. The meeting further discussed the performance and achievements of the Chief Executive during the past year. It was noted that the Chief Executive had generally managed the Boards' operations well, made good progress.
- 135.6. The Executive Committee were keen to simplify the Chief Executive's contract, to this end had devised an offer based on the ADA White Book alone.
- 135.7. The Remuneration Sub Committee met with the Chief Executive Committee on the 30th January 2018 where an offer was put to the CEO
- 135.8. The offer was discussed with the Board.
- 135.9. After prolonged and detailed discussion by members the following resolution was put forward.
- 135.10. It was PROPOSED by MR ATKINSON and SECONDED Mr CLLR AITKEN and UNANIMOUSLY RESOLVED that the offer be approved, and a letter sent to the CEO.
- 135.11. The procedures for assessing the performance and salary of other senior managers was discussed, it was resolved the remuneration panel make a recommendation to the Executive Committee on these matters and this be noted at a future meeting. **Action VC**

End of Closed Session

- 135.12. The Chairman thanked the Vice Chairman for his work on remuneration and explained to staff that this had been agreed.

136. Date of Next Meeting

136.1. The date of the next Full Board Meeting is to be confirmed in due course.