

MINUTES OF THE BOARD MEETING OF THE OUSE AND HUMBER DRAINAGE BOARD HELD AT 9.00AM ON TUESDAY 11 AUGUST 2015 AT BOOTHFERRY GOLF CLUB, SPALDINGTON LANE, HOWDEN, DN14 7NG

PRESENT: Mr R Patchett (Chairman), Cllr K West* (Vice Chair), Cllr V Aitken*, Mr J Atkinson*, Mr T Featherby, Mr A Wraith, Mr I Screeton†, Mr J Hick, Mr C Mowforth, Mr S Towse, Mr J Traill*, Mr S Martin*, Cllr N Wilkinson*

* Denotes Appointed Member † Denotes Co-opted Member

IN ATTENDANCE: Mr A Morrith (Chief Executive) Mr E Allen (Chief Engineer) Mrs Y Huitson (Secretary).

APOLOGIES: Cllr P Pollard*, Mr S Lane* Mr Falkingham, Mr Nicholls, Mr Wright, Mr Sweeting

ABSENT: Cllr Bayram

The Chairman welcomed Cllr Wilkinson to the Board and thanked him for accepting his nomination.

2. DECLARATIONS OF INTEREST:

Mr J Hick had a previously declared interest in Agenda item 11

3. MINUTES OF THE BOARD MEETING: held on Tuesday 19 May 2015 and as previously circulated were considered by the Board. There were no matters arising that were not covered by the agenda.

It was: -

Proposed: Cllr West

Seconded: Mr Towse

And unanimously RESOLVED that the minutes be ACCEPTED as a true record.

4. MINUTES OF THE EXECUTIVE COMMITTEE MEETING held on 7 July 2015 and as previously circulated were considered.

The Chairman informed the Board of the reasoning behind the redactions and discussions regarding item 3 of these minutes.

The Chairman stated that it was the belief of the Executive Committee and supported by the Board's solicitor that this matter be deemed confidential due to legal sensitivities.

He stated that a full report would be made to the Board as soon as it was appropriate and that he had been party to all exchanges between Board officers and the Boards legal advisors.

The Chair stated that as a result he had every confidence in the legal opinions provided, how the matter had been handled to date and the robustness of the Board's response.

It was:

Proposed: Mr Atkinson

Seconded: Mr Wraith

And unanimously RESOLVED that this matter be DELEGATED to the Chair, Vice Chair and senior managers, reporting as required to the Executive Committee.

After the resolution and for the benefit of recently joined members, Mr Martin confirmed that Board Members had been fully informed of problems with the consultancy in question and had fully supported the decision to withdraw from the associated working relationship.

It was:

Proposed: Mr Towse

Seconded: Cllr West

And unanimously RESOLVED to ACCEPT and ADOPT the minutes as presented

5. FINANCIAL REPORTS:

- i) The Chief Executive apologised for not presenting the quarterly Income and Expenditure (Variance) Report. This would be rectified at the next Board meeting.
- ii) The Chief Executive summarised the contents of the previously circulated Balance Sheet for quarter 1, informing members that £150,000 was to be invested in a Santander 95 Day Notice account as resolved by the Executive Committee.

In response to Mr Hick, the Chief Executive confirmed that £63,000 was still outstanding from the Icelandic (Singer Freidlander) account and that at current return/dividend rates it would be around 2 years before monies would be returned.

It was:

Proposed: Cllr Aitken

Seconded: Mr Hick

And unanimously RESOLVED to APPROVE the Balance Sheet as presented.

- iii) The Board considered the previously circulated Invoices Paid and Accounts Settled report.

In response to:

Cllr Aitken the Chief Executive confirmed the sum of £8024 ex VAT for tree works on Market Weighton Canal was rechargeable to the Environment Agency.

Mr Martin the Chief Engineer confirmed the sum of £15,000 was for land purchases and easements in respect of capital works at Eastington and Laxton.

It was:

Proposed: Cllr West

Seconded: Mr Traill

And unanimously RESOLVED to CONFIRM expenditure totalling £432,539 for the quarter.

- iv) The Chief Executive summarised the previously circulated report detailing the Boards current cash holdings and investments.

6. GOVERNANCE AND POLICIES

i) IDB1 FORM

The Chief Executive detailed the contents of the previously circulated IDB1 form, and explained how the Board demonstrated compliance with Defra requirements.

In response to Mr Wraith, the Chief Executive confirmed that administration costs were benchmarked by the IDB Review 2005 to a value of 22% of Board expenditure. Ouse and Humber Drainage Board's administration costs for 2014/15 were 15% of expenditure.

In response to the Chairman, the Chief Executive confirmed that other potential benchmarks had been discussed by Defra, but as yet no guidance had been issued.

It was:

Proposed: Cllr Aitken

Seconded: Mr Wraith

And unanimously RESOLVED that the IDB1 form be APPROVED as presented.

- ii) The previously circulated Members Duties, Responsibilities and Liabilities document was considered by members.

It was:

Proposed: Mr Atkinson

Seconded: Cllr Aitken

And unanimously RESOLVED to APPROVE and ADOPT the policy.

- iii) The previously circulated and updated Members Code of Conduct was reviewed by the Board.

The Chairman stated his confidence that members acted in accordance with its requirements.

In discussion the members acknowledged the importance of meeting public expectations and that public perceptions were extremely important when dealing with any IDB assets associated with or passing through members hereditaments.

It was:

Proposed: Mr Towse

Seconded: Mr Mowforth

And unanimously RESOLVED to APPROVE and ADOPT the reviewed Members Code of Conduct

7. MEMBER AND OFFICER DEVELOPMENT

- i. The Chairman updated members on the intention to undertake the training outlined in the previously circulated report. Training would take place after the November Board meeting. If, however, circumstances changed it could be postponed until a later date.

Members discussed the suitability of the suggested dates of 9th or 10th November. Members felt the 9th was the most suitable as this would allow more members to attend.

In response to Mr Hick the Chairman and Chief Executive confirmed the current Board structure. In summary:

- The Board consisted of a total of 23 members, however
- Cllrs Burton and Mole had recently stood down.
- In addition, there is one existing appointed member vacancy

One vacancy was potentially to be filled by Cllr Stathers who had been nominated by East Riding of Yorkshire Council (later agenda item).

The Board was also awaiting East Riding of Yorkshire Council's response to its nomination of Mr Roberts, Mayor of Howden to fill a second vacancy. Both the Chair and Chief Executive had contacted ERYC regarding this appointment.

As a result there is a minimum of one appointed member vacancy to be discussed with East Riding of Yorkshire Council.

After discussion it was

Proposed Mr Atkinson

Seconded Mr Wraith

And unanimously RESOLVED to hold the next Board Meeting and Development Training on Monday 9 November 2015

The Chief Executive is to confirm to members in writing the change of date.

- iii. The nomination of Cllr Stathers was considered by the Board. It was felt that Cllr Stathers would be a valuable addition to the membership.

It was:

Proposed: Cllr West

Seconded: Mr Atkinson

And unanimously RESOLVED to APPROVE Cllr Stathers nomination.

The Chief Executive is to contact Cllr Stathers accordingly

8. HEALTH AND SAFETY

The previously circulated report was noted by the Board.

The Chief Engineer confirmed that operational staff had received training on: -

- Towing trailers with vehicles
- 360° excavators
- Tractor and flail operation

He also confirmed that 4 x 4 training was being investigated

The Chief Executive confirmed that in September the second supervisor was to attend an IOSH Managing Safety training course.

9. HUMBER STRATEGY

The Board considered the previously circulated report. In summary: -

Cllr Aitken and Mr Wraith felt further face to face discussions with landowners were required

Landowner/private contributions were welcomed but significant funding issues remained.

Works would have to form part of the wider Humber Strategy; however, a collaborative approach and open engagement with the Environment Agency and East Riding of Yorkshire Council were essential in order to help progress a solution.

Mr Traill welcomed the suggestion that the possibility of compensation for landowners was now part of the considerations. This was supported by members.

Sand Hall Estates - Planning Ref 14/04050/PLF

The Chief Executive informed members that the previously discussed planning application was still being considered by East Riding of Yorkshire Council, yet despite objections made by the Environment Agency, East Riding of Yorkshire Council Flood Managers, Ouse and Humber Drainage Board, two local Parish Councils, and the fact that no planning approval has been given, the flood bank in question has been raised by between 300 – 600 mm.

There are now serious and unanswered concerns that these works may: -

- a. Have increased flood risk in other areas of the upper estuary and River Ouse
- b. Not be of a sufficiently engineered strength to prevent breach or erosion.

The Chief Executive circulated a letter sent to East Riding of Yorkshire Council's Planning Department detailing these concerns and the actions expected if it could not be proven that flood risk to others had not increased.

Members acknowledged the consequence and personal impact of flooding, but felt that such actions could have a serious impact on others by displacing flood risk to other more densely populated areas and therefore any works undertaken must be properly assessed and comply to the agreed outcomes of the Humber Strategy.

It was agreed that the Board should make and record in its minutes the following statement:

“THE BOARD SUPPORTS THE AIMS AND OBJECTIVES OF THE HUMBER STRATEGY BUT DO NOT SUPPORT UNILATERAL ACTIONS BY LAND OR PROPERTY OWNERS THAT MIGHT RESULT IN AN INCREASE IN FLOOD RISK TO OTHERS OR MIGHT RESULT IN THE UNACCEPTABLE DISPLACEMENT OF FLOOD WATERS.”

It was **AGREED** that East Riding of Yorkshire Council Planning Enforcement officers should be asked to resolve this issue and that officers also contact appropriate Environment Agency staff.

10. MARKET WEIGHTON CANAL AND RIVER FOULNESS

The Board considered the previously circulated report.

The Chief Executive confirmed a meeting was to be held on 13 August 2015 to discuss the silt bar at the lock.

Mr Traill informed the Board that he was proposing that the Catchment Partnership provide £1,500 towards the Spine Loach survey. Mr Traill also felt that if the presence of Spine Loach was verified, this may provide funding opportunities for works in the River Foulness and Market Weighton Canal.

The Board **NOTED** the report.

11. CAPITAL WORKS

The Board considered the previously circulated report.

The Chief Engineer confirmed that construction works had been delayed as a result of redesign works undertaken by Atkins Ltd and East Riding of Yorkshire Council's requiring a resubmission of the planning application for Eastrington and Laxton.

The Chief Engineer confirmed that the planning application for Gilberdyke and Blacktoft will be submitted in September and that the construction of both schemes would be tendered as one package of works.

Mr Hick excused himself and left the meeting prior to discussions on the North Howden scheme.

The Chief Engineer confirmed that the biodiversity and habitat survey for North Howden had been authorised and instructed in preparation for the watercourse alterations that would permit the construction of the first 100 properties.

He also confirmed that Atkins Ltd were preparing the Project Appraisal Report that would accompany the Flood Grant in Aid application.

12. MAINTENANCE

The Chief Engineer confirmed that five flails and two excavators were currently in operation and that the late harvest was having an impact on progress.

The weedboat had completed another cut of the River Foulness and Canal. Both watercourses had been subject to heavier than usual weed growth this year.

13. ADOPTION OF PARK SEWER EXTENSION

The Chief Engineer informed members that the Board had received a request to adopt Park Sewer extension (south of Spaldington).

The drain is currently riparian managed and serves a number of properties in Spaldington that suffer repeated water logging.

After inspection, the Chief Engineer had recommended a series of works required to raise the drain to an adoptable standard. These works have now been completed to the satisfaction of the Chief Engineer.

Future maintenance costs for the drain are predicted to be between £200 - £450 per annum dependent upon frequency of desilting.

The Chief Engineer recommended adoption of the drain.

After discussion it was: -

Proposed: Mr Towse

Seconded: Mr Mowforth

And unanimously RESOLVED that the Board assume maintenance responsibility for Park Sewer Extension.

The Chief Engineer to notify the landowner accordingly.

14. A.O.B

The Chief Executive notified members of the ADA AGM to be held on 11 November 2015, asking for those interested in attending, in addition to the Chair and Vice Chair to contact him after the meeting.

The Chair thanked members for their contributions and closed the meeting at 11.25 am.