

MINUTES OF THE FULL BOARD MEETING OF THE OUSE AND HUMBER DRAINAGE BOARD HELD AT 9.00AM ON TUESDAY 13 MAY 2014 AT BOOTHFERRY GOLF CLUB, SPALDINGTON LANE, HOWDEN, DN14 7NG

PRESENT: Mr J Atkinson (Chair), Cllr K West (Vice Chair), Mr R Patchett (Vice Chair), Cllr V Aitken, Cllr C Bayram, Mrs H Ellis, Mr R Falkingham, Mr T Featherby, Mr J Hicks, Cllr S Lane, Mr C Mowforth, Cllr P Pollard, Mr I Screeton, Mr S Towse
Mr J Traill.

IN ATTENDANCE: Mr A Morritt (Chief Executive), Mrs Y Huitson (Secretary).

OBSERVING: Ms K Sidebottom

APOLOGIES: Mr S Martin, Mr R Nicholls, Cllr A Burton, Cllr C Mole, Cllr N Evans, Mr J Wright, Mr J Sweeting, Mr Allen (Chief Engineer).

1. WELCOME:

The Chair welcomed Cllr Pollard and Mr Screeton to their first Board meeting and introduced Kay Sidebottom who was observing part of the meeting in relation to agenda item 6.

2. DECLARATIONS OF INTEREST:

There were no declarations of interest.

3. MINUTES OF THE PREVIOUS BOARD MEETING: held on Tuesday 11 February 2014 and previously circulated were considered. There were no matters arising.

It was:

Proposed: Cllr Bayram

Seconded: Cllr West

And **RESOLVED** that the minutes be **APPROVED** and **CONFIRMED** as a true record

4. FINANCIAL REPORTS

- i. **ANNUAL ACCOUNTS, ANNUAL RETURN and INTERNAL CONTROLS:**
The Chief Executive explained the format of the documents presented, drawing members attention to the increased level of documentary evidence required in support of the 2013/14 Annual Return; specifically the requirement to provide evidence that members have considered all aspects of Risk Management, reviewed the Boards systems of Internal Control and Governance procedures and the provision of a reconciliation for the Section 48 Notice (Special Levy Notice).

The Chief Executive drew members' attention to the Annual Governance Statement and Statement of Responsibilities, as previously circulated and contained within the Members Handbook, explaining their context and the relevant systems of internal control and associated policies. The Chief Executive also drew members' attention to the Internal Auditors report dated 12 May 2014, this being the third internal audit of

the year. These internal audits tested and reviewed the Boards systems of internal control and found them to be satisfactory.

After discussion and review of the effectiveness of the Boards internal controls and governance procedures,

It was:

Proposed: Cllr West Seconded: Mr Towse

and **RESOLVED** to **APPROVE** the Systems of Internal Control, the Annual Governance Statement and the Statement of Responsibilities.

The Chief Executive detailed the Income and Expenditure, and Balance Sheets for year ending 31 March 2014. Explaining for the benefit of new members how the Board raised its drainage rate and Special Levy.

In response to Mr Patchett, Cllr West stated that any developments or changes of building use were picked up by ERYC through the planning process. The Chief Executive stated the Board monitored these changes and their implementation, adjusting valuations accordingly. He also confirmed that these changes were not directly co-ordinated with East Riding of Yorkshire Council.

In response to Mrs Ellis, the Chief Executive confirmed the interest received was lower than predicted as a result of delays in making new investments brought on by staff illness and the impact of procuring new consultancy services.

It was:

Proposed: Cllr Aitken Seconded: Cllr West

And **RESOLVED** to **APPROVE** and **CONFIRM** the Annual Income and Expenditure report as presented.

It was:

Proposed: Cllr Lane Seconded: Mr Patchett

And **RESOLVED** to **APPROVE** and **CONFIRM** the Annual Balance Sheet as presented.

The Chief Executive explained the contents of the Annual Return referring to the supporting documentation.

In response to Mr Hick the Chief Executive confirmed that asset values were based upon known engineering costs rather than “sale or commercial” values.

In response to Mr Falkingham the Chief Executive confirmed that these values would be reassessed when the construction costs of the new capital schemes was confirmed.

After discussion

It was:

Proposed: Mr Falkingham Seconded Cllr Aitken

And **RESOLVED** to **APPROVE** the Annual Return

ii. **RESERVES STRATEGY**

The Chief Executive summarised the strategy as previously circulated.

In response to Mr Featherby the Chief Executive confirmed that any repairs/refurbishments would be undertaken in a planned and prioritised manner.

In response to Mr Patchett the Chief Executive stated he did not believe that the salinity of flood waters pumped after the tidal surge were a concern, stating that as an experienced Mechanical Engineer he was more concerned with phosphate rich land run off.

Mr Traill reminded members that the Board's strategy could be influenced by wider strategic decisions for the Humber Estuary.

It was:

Proposed: Cllr West Seconded: Mr Towse

And **RESOLVED** to **APPROVE** the Reserves and Strategy as detailed, namely to maintain levels at circa £950,000 (plus inflation) and undertake repairs/refurbishments in line with assessed risks and priorities.

iii. **INCOME AND EXPENDITURE (VARIANCE)**

The Chief Executive summarised the previously circulated information also referring to the previously discussed Annual Report.

It was:

Proposed: Cllr Aitken Seconded Cllr Lane

And **RESOLVED** to **APPROVE** and **ACCEPT** the Income and Expenditure (Variance) report as presented.

iv. **INVOICES PAID AND ACCOUNTS SETTLED**

The Board considered the previously circulated information and clarifications provided by the Chief Executive.

It was:

Proposed: Mr Traill Seconded: Mr Falkingham

And **RESOLVED** to **CONFIRM** and **APPROVE** the Invoices Paid and Accounts settled to the value of £265,329.48

v. **INSURANCE**

The Board considered the previously circulated information. The Chief Executive provided clarifications regarding levels of excess, the risks of self-insurance and the impact of OHDB and industry claims history.

It was:

Proposed: Mr Patchett Seconded: Mr Traill

And **RESOLVED** to **CONFIRM** the Board Insurances as detailed.

vi. **WRITE OFFS**
After discussion

It was:

Proposed: Mr Falkingham Seconded: Mr Screeton

And **RESOLVED** to **APPROVE** the writing off of £100.00 court costs relating to account number 1139 – 3 Ebnet.

5. GOVERNANCE AND POLICIES:

i. **RISK MANAGEMENT STRATEGY**

The Chief Executive detailed the Risk Management Strategy previously circulated, explaining its aims, objectives and methodology. The Board reviewed the risk register previously circulated.

Cllr Pollard felt it was good practice to adopt this type of approach.

Mr Patchett agreed especially in light of issues with the Caldicott and Wentlooge IDB and felt that it would be good practice to acknowledge recent health screens undertaken.

After discussion and review, it was:

Proposed: Cllr Bayram Seconded: Mr Falkingham

And **RESOLVED** to **APPROVE** and **ADOPT** the strategy as presented, to be reviewed annually.

ii. **MATTERS RESERVED FOR THE BOARD**

The Chief Executive summarised the contents of the previously circulated report.

iii. **EMPLOYMENT LAW**

The Chief Executive summarised the contents of the previously circulated report.

iv. **LICENCES AND CONSENTS**

The Chief Executive summarised the contents of the previously circulated report.

In response to Mrs Ellis, Mr Traill explained the implications and requirements for working near known badger setts.

6. MEMBER AND STAFF TRAINING

The Chief Executive summarised the contents of the previously circulated report also stating he felt training was essential given the increased focus on governance and proper management of public funds.

Cllr West felt it was important that fellow Cllrs attended as this would act as a refresher for training previously given by East Riding of Yorkshire Council

In response to Mr Towse, the Chair stated that it was important that the Board be seen to act on the issues raised in the Caldicott and Wentlooge IDB.

Cllr Pollard stated it was important that members understood their role in ensuring that Board officers were accountable.

Cllr Bayram stated it was important that the Board be able to demonstrate it was acting in the best interest of the whole community it served.

Mr Featherby stated it was equally important to understand both the governance and operational function of the Board.

Therefore it was:

Proposed: Cllr Aitken

Seconded: Cllr Pollard

And **RESOLVED** that the Chief Executive arrange training as detailed, dates to be confirmed.

7. HEALTH AND SAFETY:

The Chief Executive summarised the contents of the previously circulated report, informed members of the findings of the occupational health examinations and that two members of staff had undergone HAVS tests which had proven they had no symptoms.

8. HUMBER STRATEGY AND TIDAL SURGE UPDATE:

The Chief Executive summarised the contents of the previously circulated report and thanked Cllr Aitken for her support.

Cllr Aitken informed members that a strong partnership had been established between local communities, the Environment Agency, OHDB and East Riding of Yorkshire Council, stating that this partnership was being promoted as an example of best practice to other stakeholders, and thanking Board officers for their efforts and support.

In response to Mr Featherby, the Chief Executive confirmed that the inspection of the Humber defences had been completed and that the identified repairs were underway on the most “at risk” locations.

The Chief Executive confirmed that the Howdendyke, Yokefleet Clough and Far Drain repairs had been approved and that the Board officers were to meet the Environment Agency to discuss the repairs in the next two weeks.

In response to Mr Falkingham and Mr Hick the Chief Executive confirmed that the circulated flood maps had been prepared by the Environment Agency and that some small areas of flooding may have been omitted as they had not been reported despite repeated requests for information.

In response to Cllr Bayram, the Chief Executive stated that it had been agreed in the Humber Strategy that the embankment between Broomfleet and Yokefleet needed to be raised to accommodate increased flood risk, but the amount had yet to be determined.

Mr Traill reminded members that the estuary was a complex water body that received 20% of the national water flow and therefore activities on the River Trent could have an impact on the estuary.

Cllr Aitken informed members that she was hopeful that the community partnership and the support of the MP's group would help get the required works done.

9. **ENVIRONMENT AGENCY:**

The Chief Executive summarised the contents of the previously circulated report.

10. **CAPITAL SCHEMES:**

The Chief Executive summarised the contents of the previously circulated report and provided updated cost estimates and programmes.

In response to Cllr Aitken the Chief Executive confirmed that he was happy for the outline programme dates included in his report to be shared with community representatives, subject to ratification at this meeting.

In response to Mr Towse, the Chief Executive confirmed the revised costs presented were design and management costs only.

In response to Cllr Aitken and Mr Traill, the Chief Executive confirmed that submitted programme did not include mitigation for protected species as their presence would not be known until after the Environment Impact Assessment was completed.

Mr Patchett stated he had concerns regarding delays previously experienced and the start of construction. The Chief Executive stated, the reasons for the delays were well documented and that part of the need to change consultants was the inability of the previous incumbents to provide the level of detail now being presented to the Board. The Chief Executive reminded members that the programme was detailed and provided estimated start and finish dates for each stage of the design process.

It was:

Proposed: Mr Hick

Seconded: Cllr Aitken

And **RESOLVED** to **CONFIRM** the appointment of Atkins Ltd as consultants and **APPROVE** contracts up to the value of £101,889 and £110,921 respectively for Eastington and Laxton FAS and Gilberdyke and Blacktoft FAS.

iii. **YORcivils**

The Chief Executive detailed the content of the previously circulated report explaining the structure of this Framework contract and its similarities to the YORconsult contract used to procure Atkins Ltd.

After discussion Mr Patchett felt that this was an appropriate course of action and supported by Mr Featherby proposed that the decision as to whether the mini tender or quality initiated call off option was more preferable should be delegated to officers as part of their assessment.

The Chief Executive confirmed that Board Approval would be required prior to contract award and that the contract assessment could include the comparison between mini tender and Quality Initiated Call off (QIC).

Therefore it was:

Proposed: Mr Patchett

Seconded: Mr Featherby

And **RESOLVED** to **APPROVE** the use of the YORcivils Framework to source contractors for the Eastington and Laxton and Gilberdyke and Blacktoft FAS and delegate choice of the most cost effective selection method to Board officers.

11 MAINTENANCE AND REMEDIAL WORKS:

- i. The Chief Executive summarised the contents of the previously circulated report.

In response to Mrs Ellis and Mr Towse the Chief Executive confirmed that the weedcutting programme for the River Foulness was as 2013/14 as this had proven to be effective

In response to Mrs Ellis, the Chief Executive confirmed officers were in contact with the Environment Agency regarding high river levels in the River Foulness.

- ii. The Chief Executive circulated copies of the completed Works Programme for 2013/14 and the works programme for 2014/15.

iii. **Barmby Barrage**

The Chief Executive confirmed that the Environment Agency had stated that the repair of defective gearbox would be completed in June 2014. Mr Falkingham felt this was an unreasonable delay.

The Chief Executive explained to members that the Environment Agency had to make an internal application for funding which had delayed the repair.

12. CONSENT AND PLANNING:

i. **Wholsea Bridge**

The Chief Executive summarised the contents of the previously circulated report, informing members that the preferred option for the cable crossing was to drill under the canal/river as National Grid would not adopt the proposed bridge crossing.

Details of the Board Planning policy had been provided and a meeting was to be arranged to discuss the new proposal.

Cllr Aitken suggested the inclusion of a commuted sum.

It was:

Proposed: Mr Falkingham Seconded Cllr Lane

And **RESOLVED** to **DELEGATE** approval of this consent to Board officers.

13. ASSOCIATION OF DRAINAGE AUTHORITIES:

The Chief Executive summarised the contents of the previously circulated report.

Mr Patchett gave his apologies for the ADA Northern Branch Conference on the 20 May 2014.

14. ANY OTHER BUSINESS:

Mr Traill updated members on the recently announced Defra Catchment Based Approach pilots. The River Derwent, Market Weighton Canal and River Foulness were part of the pilot programme which is focused on meeting Water Framework Directive objectives Mr Traill confirmed he would be liaising with Board officers.

The Chair closed the meeting at 12.00 noon.