

MINUTES OF THE BOARD MEETING OF THE OUSE AND HUMBER DRAINAGE BOARD HELD AT 9.00AM ON MONDAY 9 NOVEMBER 2015 AT BOOTHFERRY GOLF CLUB, SPALDINGTON LANE, HOWDEN, DN14 7NG

PRESENT: Mr R Patchett (Chairman), Cllr K West* (Vice Chair), Cllr V Aitken*, Cllr C Bayram*, Mr R Falkingham, Mr T Featherby, Cllr A Galbraith*, Mr I Screeton†, Mr J Hick, Cllr S Lane*, Mr C Mowforth, Cllr P Pollard*, Cllr H Roberts*, Cllr M Stathers*, Mr J Sweeting, Mr J Traill*, Mr S Martin*, Cllr N Wilkinson*, Mr J Wright

* Denotes Appointed Member

† Denotes Co-opted Member

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

OBSERVING: Mr M Pinnell, Mr R Watson (JBA)

APOLOGIES: Mr J Atkinson, Mr R Nicholls, Mr S Towse

ABSENT: Mr Wraith

1. The first section of the meeting constituted the Board's AGM and was chaired by the Chief Executive.

The Chief Executive welcomed members to the meeting, in particular Cllrs Stathers, Galbraith and Roberts as newly nominated appointed members.

The Chief Executive read a brief letter from Mr S Towse informing the Board of his decision to take a Leave of Absence and to formally stand down as a member at the election to be held in 2016.

2. ELECTION OF CHAIR ETC

i) Chair

The Chief Executive informed the Board that no nominations had been received prior to the meeting. Nominations were requested for the position of Chair.

It was:

Proposed: Mr Sweeting

Seconded: Mr Wright

And UNANIMOUSLY AGREED Mr Robert Patchett be elected as Chair of the Board for the next twelve months. No other nominations were received.

At this point the Chief Executive passed chairing of the meeting to Mr Patchett.

ii) Vice Chair

It was:

Proposed: Cllr Pollard

Seconded: Cllr Lane

And UNANIMOUSLY AGREED to elect Cllr K West as Vice Chair of the Board for the next twelve months. No other nominations were received.

iii) **Executive Committee**

Members were informed that Mr Towse's leave of absence had created a vacancy on the Executive Committee.

It was:

Proposed: Cllr Pollard

Seconded: Cllr Wilkinson

And UNANIMOUSLY AGREED that Cllr Lane be elected to the Executive Committee. No other nominations were received.

In response to Cllr Aitken it was confirmed that the current Executive Committee consisted of:

Chair
Vice Chair
Mr Atkinson
Cllr Aitken
Mr Featherby
Mr Falkingham
Mr Towse

It was confirmed that the Chair and Vice Chair are permanent members.

It was:

Proposed: Cllr Bayram

Seconded: Cllr Wilkinson

And UNANIMOUSLY AGREED that Mr Featherby, Mr Falkingham, Cllr Aitken, and Mr Atkinson also be re-elected to the Executive Committee.

To confirm, the Executive Committee now consists of: -

Chair
Vice Chair
Mr Atkinson
Cllr Aitken
Mr Falkingham
Mr Featherby
Cllr Lane

3. DECLARATIONS OF INTEREST:

Mr Sweeting – Director of Sweeting Bros.
Mr Screeton – Screetons Estate Agents.

Mr Traill – Provides occasional consultancy advice to the Board and land owners in the drainage district.

4. **MINUTES OF THE BOARD MEETING:** held on Tuesday 11 August 2015 and as previously circulated were considered by the Board.

As a new member Cllr Galbraith queried some of the jargon used in the minutes and officers reports. The Chief Executive agreed to include a Glossary of Terms in future papers.

In response to Cllr Galbraith, the basis for the Board agreeing to the adoption of a watercourse was explained.

There were no further matters arising that were not covered by the agenda.

It was: -

Proposed: Cllr Bayram

Seconded: Cllr Aitken

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

A & F Consulting Engineer LLP– Redacted from Published Minutes

5. **FINANCIAL REPORTS:**

i) **Income and Expenditure (Variance) Report.**

The Chief Executive presented said report and after discussion and clarification, it was:

Proposed: Cllr Wilkinson

Seconded: Cllr West

And unanimously RESOLVED to APPROVE and ACCEPT the Income and Expenditure Report for Quarter 2 as presented.

ii) **Balance Sheet**

The Chief Executive presented the previously circulated Balance Sheet for Quarter 2.

In response to Cllr Galbraith, the Chief Executive summarised the issues relating to the Board's current level of capital reserves and the existing capital liabilities and how the current fiscal climate made this a difficult issue to address.

After further discussion, it was:

Proposed: Cllr Bayram

Seconded: Cllr Wilkinson

And unanimously RESOLVED to APPROVE and CONFIRM the Balance Sheet and transfers for Quarter 2 as presented.

iii) **Invoices Paid and Accounts Settled**

The Chief Executive presented the previously circulated report. After consideration and review, it was:

Proposed: Cllr Wilkinson

Seconded: Cllr West

And unanimously RESOLVED to CONFIRM and APPROVE expenditure totalling £238964.88 for the quarter.

iv) Annual Audit

The Chief Executive presented the previously circulated confirmation of the 'without qualification' results of the Annual Audit for 2014/15 by PKF Littlejohn.

v) Internal Audit

The Chief Executive presented the previously circulated confirmation and findings of the October Internal Audit undertaken by Yorkshire Internal Audit Services.

6. CAPITAL WORKS

i) Construction Contracts

The Chief Executive informed the Board that due to a number of requests to extend the tender submission deadline it had been decided to extend the submission date until 19 November, therefore officers were unable to make a recommendation to the Board. The Chief Executive explained that this had been done to ensure that as many tenders were received as possible.

The Chief Executive confirmed the two stage mini tender process being adopted to source construction contractors.

In response to Cllr Bayram, the Chief Executive confirmed that the tenderers may sub contract to local companies and he was aware that at least one tenderer was considering this. However officer's main driver was to ensure best value for the Drainage Board.

It was:

Proposed: Cllr Bayram

Seconded: Cllr Pollard

And unanimously RESOLVED to DELEGATE APPROVAL of these contracts to the Executive Committee.

At the request of Mr Martin it was **AGREED** that a briefing note would be circulated to remaining Board Members after the considerations of the Executive Committee had been concluded.

ii) Gilberdyke and Blacktoft Planning Application

The Chief Executive summarised the previously circulated report informing the Board that East Riding of Yorkshire Council had not yet confirmed how they wanted the application to be submitted.

Officers explained the options available and confirmed that documents for both formats had been prepared.

Members were concerned by this delay. Cllrs Pollard and Aitken offered to have discussions with East Riding of Yorkshire Council planners. This offer was accepted by officers.

7. MAINTENANCE AND REVENUE WORKS

i. Purchase of Excavator

The Chief Executive summarised the previously circulated Business Case for the insourcing of channel maintenance and the purchase of a suitable 360° Excavator. It was emphasised that changes in Emergency Response protocols and Environment Agency maintenance practices presented a significant opportunity for Ouse and Humber Drainage Board to cost effectively increase its core capabilities.

A comprehensive debate followed, in summary: -

Members quickly agreed that the strategy of insourcing work was cost effective and appropriate.

Some members felt that 'cost of equipment ownership' had been undervalued.

Some members felt a tracked machine was preferable to a wheeled machine. Officers explained on a number of occasions that the Business Case showed a wheeled machine to be the most cost effective especially as it would only be used on watercourses where similar machines are currently used and where access roads/tracks and ground condition permitted.

Some members were concerned about the type of tyres fitted to the suggest machines. Officers confirmed these could be changed for low ground pressure tyres

Officers also explained that to maximise utilisation of a tracked machine, additional investment was needed for the purchase of a haulage unit and suitable trailer, minimum cost estimate £15,000 plus maintenance costs.

Mr Falkingham felt that the Board's existing tractor/flail unit could be used. Officers informed members that this suggestion would detrimentally impact on the availability of the flail and tractor.

In response to Mr Falkingham, officers also stated that to drive such a vehicle and trailer, Board staff would require a C1+E HGV licence as IDB's do not qualify for exemptions that are available to agricultural businesses.

The Chief Engineer explained that a wheeled machine would improve the Board's operational flexibility and give the opportunity to insource £87k worth of work over 3 years.

Officers acknowledged the concerns of some members regarding wheeled machines being more susceptible to poor ground conditions, but felt this was offset by the intended working locations and lack of machine moves associated with a tracked machine.

In response to Mr Falkingham the Chief Executive stated hire costs for a machine without driver can be excess of £1,000 per week, therefore hire cost for one machine could be in excess of £15,000 per season.

Mr Martin felt a committee should be established to decide which type of machine to purchase. The Chief Executive disagreed as this was a discussion for officers who are responsible for delivery of the day job. Mr Martin was disappointed with this view.

In response to Cllr Aitken, the Chief Executive confirmed that the original intention had been to include the purchase of a machine in the Budget Estimate for 2016/17. However the unexpected availability of machines at nearby dealers had presented an opportunity sooner than originally envisaged.

The Chairman noted officers existing workloads and drew members' attention to previous discussions regarding a third professional member of staff. Officers confirmed that insourcing this work and purchase of a machine would have minimal impact on their workloads.

Mr Featherby stated that the principle of the Board buying its own excavator had merit.

It was: -

Proposed: Mr Featherby

Seconded: Mr Wright

And unanimously RESOLVED that the Board seeks to purchase its own excavator.

It was also

Proposed: Cllr Roberts

Seconded: Mr Martin

And unanimously RESOLVED that APPROVAL of the Business Case for purchase of an excavator be DELEGATED to the Executive Committee with a maximum expenditure of £80,000.

It was confirmed that the Executive Committee could co-opt other members for consideration of this matter should it be required.

ii. & iii. **Maintenance Progress**

The Chief Engineer confirmed that all maintenance activities were on programme and that he was particularly pleased with PSCA work on Market Weighton Canal and Back Delphin.

Ouse and Humber Drainage Board had carried out all maintenance activities in the drainage district previously undertaken by the Environment Agency and had received positive feedback from land owners and the general public.

The Chief Engineer informed members that he was in discussion with the Environment Agency regarding in channel work on Mill Beck, Ellerker. Works to be done under the PSCA.

The Chief Executive informed members of a recent discussion with Defra where Defra stated they wanted IDB's to build on existing PSCA's and play a greater role in local maintenance activities. He also confirmed that PSCA works were undertaken on a recharge basis.

8. PLANNING

i) Sandhall

The Chief Executive informed members he had written on two occasions to East Riding of Yorkshire Council regarding the unapproved raising of the flood embankment at Sandhall.

Cllr Aitken stated East Riding of Yorkshire Council flood managers were pushing for enforcement action to be taken.

The Chief Engineer felt without enforcement action, these works set a dangerous precedent that could undermine or compromise flood risk in the wider estuary.

Cllr Bayram felt the works had been approved by planners. The Chief Executive confirmed that this was not the case. The application status was still pending and objections had been lodged by local Parish Councils, East Riding of Yorkshire Council, the Environment Agency and Ouse and Humber Drainage Board as part of the consultation process. These objections had not been addressed prior to the works being undertaken.

In response to the Chairman, the Chief Executive stated that whilst enforcement was a matter for East Riding of Yorkshire as lead local flood authority, Ouse and Humber Drainage Board had both a legal and moral duty to raise its concerns due to the potential increased risk of flooding to other more populated areas of its drainage district and the wider estuary.

The Chair thanked members for their contributions and closed the meeting at 11.15am. He then introduced Mr Marc Pinnell and Mr Ron Watson from JBA who would be leading the member development training that was to follow.