



OUSE and HUMBER DRAINAGE BOARD

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

MINUTES OF THE FULL BOARD MEETING HELD AT 9.00AM ON WEDNESDAY 2nd AUGUST 2017

AT HOWDEN METHODIST CHURCH, HAILGATE, HOWDEN, DN14 7SL

PRESENT:

Ratepayer Members:	Mr Featherby	Mr Henley	Mr Hick	Mr Mowforth
	Mr Nicholls	Mr Screeton		
Appointed Members:	Cllr West (VC)	Cllr Aitken	Mr Atkinson	Cllr Bayram
	Cllr Galbraith	Mr Martin	Cllr Roberts	Cllr Stathers
	Mr Traill	Cllr Wilkinson		
Co-opted Members:				
Members Present:	16			

APOLOGIES:

Ratepayer Members:	Mr Falkingham	Mr Patchett (C)	Mr Sweeting	Mr Wright
Appointed Members:	Cllr Marwood	Cllr Pollard		
Co-opted Members:	Mr Scutt			

ABSENT:

Ratepayer Members:
Appointed Members:
Co-Opted Members:

IN ATTENDANCE:

Officers:	Mr McLachlan – Chief Executive	Miss Cowen – Corporate Strategy Manager (Minutes)
Others:		

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79. Apologies

- 79.1. The Vice Chair (VC) commenced the meeting at 9.00am noting the apologies received so far, including from the Chairman. The VC asked those members present to introduce themselves since not all members had yet been acquainted.

80. Declarations of Interest

- 80.1. There were no declarations of interest.

81. Additional Agenda Items

- 81.1. The CEO wished to discuss the issue of applying charges to unpaid bills to cover the costs of taking these to court; this would be covered under Any Other Business.

82. Minutes of Full Board Meeting 10 May 2017

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

83. Matters Arising

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

84. Executive Committee Meeting

- 84.1. The CEO summarised the items discussed at the meeting of the Executive Committee on 13 July 2017, most of which are covered on this agenda. He commented there had been a particularly useful discussion about the Board's new procedure for responding to planning applications; Members of the Committee felt this would be of interest to the wider Board and asked for it to be included on the agenda for this meeting. **ACTION CEO**
- 84.2. The Board noted the minutes of the meeting of the Executive Committee.

85. Financial Reports to Q1

- 85.1. The CEO asked members to refer to the supplementary paper (Appendix C), which set out the financial report for Quarter 1. He explained that this had been prepared later than the Board papers because of the way the calendar fell this meeting
- 85.2. He explained that this is the first of a new format of financial report, which reflects the new financial management system. It includes a variances report, showing estimated spending versus actual spending. At present, the situation is looking healthy, as there has been some reduced expenditure due to a member of staff retiring and the fact that the Board is yet to commence loan repayments for the capital schemes. The variances report will help

Members to decide if there is a need to make any in-year adjustments to the budget. The CEO ask to the Board to consider a very minor adjustment set out in the paper.

85.3. Members were generally content with the report, although it was suggested that it should contain dates and that the expenditure bar chart should be re-arranged to show the quarters in ascending rather than descending order. **ACTION CEO.**

85.4. It was PROPOSED by Cllr Bayram and SECONDED by Mr Mowforth and UNANIMOUSLY RESOLVED that the Financial Reports to Quarter 1 be approved.

86. Invoices paid and accounts settled

86.1. The CEO presented the Accounts Paid for the last quarter.

86.2. It was PROPOSED by Cllr Bayram and SECONDED by Cllr Roberts and UNANIMOUSLY RESOLVED that the Board APPROVE the record of accounts for the last financial quarter.

87. Capital Schemes Update

87.1. The CEO gave an update on the two Howdenshire capital schemes, stating that works have now commenced. An access road has been completed at Cotness, and the purchase of the land at Blacktoft is complete. The CEO and the Chief Engineer (CE) have been working with the contractor (ESH Construction Ltd) on a 'value engineering' exercise for the schemes. The intention is to reduce costs on elements of the design that are less critical, such as material for fencing, thus reducing the overall costs of the schemes. The principal items, namely the pumps, will remain as designed. The redundancy for a third pump will also remain, but the rising main and headwall for this will no longer be constructed as it is particularly costly.

87.2. The CEO confirmed that the schemes are well within budget at present and are on target to be fully operational by this time next year. The CEO explained that there are two main phases to the construction of the schemes; the first phase being the installation of the pumping stations, and the second being the creation of new carrier watercourses. It is intended that phase two work will be carried out by regular agricultural contractors.

87.3. There was some discussion about when phase two would take place, as some members suggested this would have to occur after harvest. There were also some questions and some discussion about the operation of the new pumps. The CEO confirmed that the pumps will only be operated in high flow situations, and that during normal conditions, flows will discharge via gravity. The pumps are designed to deal with long duration rainfall/ flooding events, such as those sometimes seen over winter.

87.4. It was asked when the existing cloughs will be closed off and the CEO clarified that they will still be maintained and used for a period beyond completion of the schemes, until it is certain that everything is working as it should be. Only then will the existing cloughs be closed off.

- 87.5. The CEO referred to page 6 in the report, which sets out the financial position of the schemes in relation to funding sources. The CEO explained that he is still pursuing other external sources of funding but that for the time being, members should assume that the position is as shown in the report.
- 87.6. It was asked whether the £250,000 bid to the Humber Local Enterprise Partnership had been approved. The CEO informed that he had learned that the bid had been recommended for approval to the last meeting of the LEP Board, but that members had asked for further assurances on some details before approving the bid. The CEO admitted that this came as a blow given all the previous positive feedback received for this bid, but that he is responding to the LEP's requests and is hopeful that the bid will be approved at the next meeting of the LEP Board.
- 87.7. Overall, the borrowing requirement for the schemes is reduced to £551,340, the majority of which covers the allowance for contingency. The CEO reminded members that the Board have set aside funds generated from the increase in this year's drainage rate, to cover repayments on the loan.
- 87.8. The CEO was asked as to the likelihood, in his experience, of needing to use the contingency money. He said that at the start of the project, a 60% contingency is planned for, but that as the project progresses, this should reduce. He anticipates that 12.5% contingency should be sufficient.
- 87.9. The CEO next updated members on the Howdendyke scheme, which is to carry out replacement and refurbishment of pumps and apparatus at the pumping station. The application for national flood defence grant for this scheme is still pending; the CEO is awaiting feedback from the Environment Agency as to requirements for the next steps, but anticipates approval later this year.

88. Public Sector Cooperation Agreements – Professional Services

- 88.1. The CEO referred to the resolution made by Members at the previous Board Meeting (minute 71.2), that under the oversight of the Executive Committee, the CEO is authorised to enter a Public-Sector Cooperation Arrangement with the Vale of Pickering IDB.
- 88.2. A contract was subsequently drawn up in accordance with Section 11 of the Land Drainage Act 1991 and signed by both parties on 14 July 2017, having obtained approval from the Executive Committee on 13 July 2017. The contract is based on a 'call off' arrangement to provide professional services, including planning advice and assistance with transformation of rating and mapping systems. The arrangement will not generate a profit but will cover the costs of services based on hourly rates of professional staff and incorporates a 12% fee to cover management and overheads. The CEO informed that he had just issued the first invoice under this arrangement for a value of £4,000.
- 88.3. The CEO was asked to confirm that this Board is doing all it should be in its own area before conducting activities for other Boards. The CEO confirmed that this was the case and that

the existing staff resource can accommodate a proportion of this work. The CEO added that if additional staff are required, this will be obtained from external consultancies.

- 88.4. Mr Featherby added that one of the reasons the Executive Committee approved this arrangement was based on the Board's previous decision to take on more professional staff, and that this arrangement will help to offset the costs of this. He added that the Committee will monitor the arrangement closely to ensure it is delivering value for money.
- 88.5. Councillor Aitken reiterated that the management fee will help to offset staff costs and that it enables the Board to employ a better calibre of staff which helps this and the other Boards to achieve better outcomes and have more clout compared to Boards in other areas.
- 88.6. Mr Roberts asked if there would be some benefit to the Board's district if drainage operations are improved in the Vale of Pickering Board area, given the hydraulic link with the Derwent catchment. The CEO responded that potentially there may be, but that he is also involved in the River Derwent Catchment Partnership, which is looking at measures to manage flood risk and environmental interests in the catchment for the coming decades. The outcomes from this will impact on water levels and volume in the Board's area.
- 88.7. Councillor Galbraith asked if this arrangement involves any sharing of plant and equipment. The CEO confirmed that the agreement is currently for professional services only.
- 88.8. The CEO went on to inform the Board that he has been approached by South Holderness IDB to enter into a similar arrangement, and that the Executive Committee have given approval for him to enter into contract negotiations on the same basis as for the Vale of Pickering IDB. He put a recommendation to the Board that he be given approval to enter into a similar contract with South Holderness IDB.
- 88.9. It was PROPOSED by Cllr Aitken and SECONDED by Mr Atkinson and UNANIMOUSLY RESOLVED that, subject to an agreement being reached with South Holderness IDB, the Board authorise the CEO to enter a contract to provide professional services on a similar basis to that set out at minute 88.2.

89. Corporate Strategy Manager's Report

- 89.1. The CEO gave an update on the Corporate Strategy Manager's (CSM) behalf, as the CSM had become engaged in taking the minutes after a member of staff had been called away at short notice. The CEO informed the Board that, due to recent staff shortages and requests from some Executive Committee members to have longer to consider the Strategy, which the CSM had circulated in May, the timescale for bringing the document to the Board for approval had been delayed.
- 89.2. The CEO went on to inform the Board about the new procedure, led by the CSM, in responding to consultations on planning applications. An interim policy procedure has been put together, pending the adoption of a new planning and development control policy for the Board, which will be brought to the Board after the Corporate Strategy has been completed. This reflects the flood risk and sustainable drainage policies recently adopted by

East Riding of Yorkshire Council as part of the new Local Plan for the East Riding. It also seeks to make the most of opportunities to secure appropriate drainage solutions through developer contributions, where it is appropriate to do so.

- 89.3. The intention is to apply a more proactive approach in engaging with developers, assisting them in finding solutions to drainage issues, rather than attempting to object or request alternative measures at a later stage. Developers are now asked to provide information such as hydraulic calculations to demonstrate that their proposal can achieve an appropriate runoff rate, i.e. greenfield rate plus an allowance for climate change. If this cannot easily be achieved, the possibility of accommodating the surface water within the Board's system, through a commuted sum arrangement, can be discussed.
- 89.4. Councillor Bayram commented that although drainage boards are not a statutory consultee, the planning authority takes notice of the information they provide and in particular whether the proposal is likely to obtain the Board's consent for discharge into a Board-maintained watercourse. Councillor Bayram also commented that he believed there had been some changes to the national flood risk maps and was seeking clarification on whether the recommendations in the Inspector's report for the Local Plan regarding flood risk had been acted on. The CEO suggested that the Inspector's report should be available on the Council's website.
- 89.5. Mr Roberts commented that at a recent Town Council meeting he had been pleased to see that recent planning responses from the Board had been rigorous rather than stating no objections.
- 89.6. Mr Traill queried whether the Board could provide comments on applications for development in Market Weighton, which are outside the Board's area but may have an impact hydraulically. The CEO responded that the Board is not currently consulted on these applications and would need to monitor them separately. The Board could request to be consulted on these, but it would potentially generate a lot of extra consultations, many of which may not be of relevance or concern. The CEO added that the land drainage authority for Market Weighton is the Council (Lead Local Flood Authority (LLFA)), and they apply a similar robust approach to that now followed by this Board. It has also been agreed that the Board will work with the LLFA to develop a joint policy approach for new development.
- 89.7. The CEO commented that so far, the new procedure was working well and no complaints have been received from developers about providing additional information. The CSM and CEO have however spent some time responding to queries explaining how to go about providing the technical information. Other authorities, such as the Environment Agency and LLFA, charge pre-application fees for this type of service.
- 89.8. The CEO recommended to the Board that he is authorised to make a planning and technical advice service available to developers at a rate of c£80 per hour, which is comparable to the rate charged by other authorities.

89.9. It was PROPOSED by Cllr Bayram and SECONDED by Cllr Aitken and UNANIMOUSLY RESOLVED that, provided fees are confirmed and formally secured upfront, the CEO is authorised by the Board to make a planning and technical advice service available to developers at c£80 per hour under an agreement that limits the Board's liability in contract, negligence or otherwise for the consequences of a developer relying on such advice.

90. Chief Engineer's Report

90.1. The CEO gave this update as the Chief Engineer (CEng) was on annual leave.

90.2. There was nothing to report on Health and Safety issues.

90.3. The CEO reported that the CEng is trialling a lone working system, where staff wear a tag which monitors their frequency and speed of their movement, and sends an alert to supervisors if there is any indication of a medical emergency. Staff can also use them to alert the emergency services themselves, should they need to. The tags also have GPS built-in, so that a worker's location can be easily identified and monitored. This also provides a tool to keep track of maintenance work.

90.4. The CEO next gave an update on staff training, reminding Members that the primary purposes of training is to support the health and welfare of operators, to increase efficiency and to protect the Board from claims of negligence.

90.5. He reported that the manual staff have received Flood Awareness Training, which covers health and safety issues when working around water. Councillor Aitken asked whether Flood Awareness Training could be made available to members, as they may attend flooding incidents too. The CEO said he would ask the CEng to look into this. **ACTION CEng.**

90.6. He also reported that three members of staff are to receive training on operation of the tractor and flail, so that more of the manual staff are able to cover this work.

90.7. The CEO next gave an update on plant and equipment, informing members that the new tractor and flail had arrived and been put to use immediately. This replaces existing machinery that had reached the end of its asset life and will be more efficient because the rotating head means that that less time will be spent reversing the vehicle.

90.8. The CEO added that the CEng is currently looking for opportunities to set up arrangements with landowners to store the vehicle remotely so that less time and fuel is expended in returning the vehicle to the depot. Any suggestions from Members would be gratefully received. The CEng is also looking at purchasing a fuel bowser so that fuelling can take place on site.

90.9. Turning to maintenance, the CEO informed that all contracts have commenced, and that there has been a full cut of the Market Weighton Canal and River Foulness. The CEO believed that the new control regime for the tidal doors on the canal following his discussions with the EA has already seen a noticeable improvement in levels on the canal.

Councillor Aitken suggested that staff should contact ratepayers in that area to let them know, so that the positive work of the Board is recognised. **Action CEO.**

90.10. The CEO reported that, after spending some time on the weedboat on the River Foulness, he had requested for all sections of the banks be cut. Councillor Aitken referred to a recent exercise undertaken by owners / residents to remove excess vegetation from the river, and asked how much of it grown back. The CEO said that he believes regular coppicing is required.

90.11. There then ensued a discussion about the type of chemicals used to control vegetation growth, and how to use them to best effect. Mr Traill commented that killing the roots of plants can cause erosion of the river banks, resulting in slippage. The CEO commented that the method used does include leaving a margin for biodiversity.

91. Staff Matters

91.1. The CEO reported that following the retirement of the Board's longstanding Rating Officer in May, an appointment has been successfully made to the new role of 'Data Management Officer'. The new member of staff started on 17th July and is settling into the role very well.

92. Annual Site Visit

92.1. The CEO informed Members that this year's site visit will be to the Howdenshire Pumping Station schemes and, upon the request of the Executive Committee, to one of the cloughs. It is intended that lunch will be at the Hope and Anchor pub in Blacktoft.

92.2. The CEO asked members to suggest a suitable date. The 10th October was suggested and agreed.

93. Any Other Business

93.1. The CSM passed on thanks to the Board from Betty Pitter (the Board's former Rating Officer) for the generous gift received upon her retirement.

93.2. The CEO introduced the issue of making charges on unpaid rate demands, explaining that currently, the Board add £100 on to unpaid demands to cover additional administration costs and court costs. He believes that a higher fee is warranted, potentially up to £250, and will act as a greater deterrent to ratepayers who ignore their demand notices. The CEO recommended to the Board that he be permitted to seek legal advice to determine an appropriate fee.

93.3. It was PROPOSED by Mr Traill and SECONDED by Cllr Aitken and UNANIMOUSLY RESOLVED that the CEO will seek legal advice to determine an appropriate fee to impose on unpaid rate demands.

93.4. It was also agreed that this issue will be included on the agenda for the next Board meeting. **Action CEO.**

93.5. Mr Martin queried how much information is sent out with the rate demands in regard to the work that the Board does for the local community. The CEO responded that currently it is not enough and would like to include more information next year. **Action CEO.**

94. Date of Next Meeting

94.1. It was confirmed that the next meeting is at 9.00am on Wednesday 1 November 2017 at the Methodist Church, Howden.