



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 THURSDAY 8TH NOVEMBER 2018

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

PRESENT:

Ratepayer Members: Mr Featherby(VC) Mr Henley Mr Screeton
Mr Sweeting Mr Nicholls Mr Wright
Mr Falkingham Mr Hick

Appointed Members: Cllr West (C) Mr Atkinson Cllr Aitken
Cllr Roberts Mr Wilkins Cllr Meredith
Cllr Galbraith Cllr Marwood Cllr Bayram

Co-opted Members:

Members Present: 17

APOLOGIES:

Ratepayer Members: Mr Scutt Mr Patchett Cllr Pollard

Appointed Members: Cllr Wilkinson Mr Mowfoth

Co-opted Members:

Officers: Mr Allen – Chief
Engineer

ABSENT:

Ratepayer Members:

Appointed Members:

Co-Opted Members:

IN ATTENDANCE:

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

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173. Apologies

- 173.1 Apologies were noted from Mr Scutt, Mr Patchett, Cllr Wilkinson, Cllr Pollard, Cllr Mowforth, and Mr Allen – CEng.
- 173.2 The CEO explained that due the prolonged absence of the CEng, any engineering queries should be directed to the AMgr.

174. Order of Meeting

- 174.1. As this was the Annual General Meeting, the CEO was permitted to chair the meeting until the roles of the Chair and Vice Chair were appointed.
- 174.2. The CEO explained that once the appointments had been made, the normal Board business would commence.

175. Additional Agenda Items for AOB

- 175.1. The CEO asked if Board Members had any additional items that they wanted to bring up under AOB; none were given.
- 175.2. The CEO announced he would like to add two items to the agenda. Firstly, the resignation of a Board Member, and secondly, for the Board to officially allow Mr Towse, AMgr, to have the same financial authority as the Board’s other Managers; to be discussed after item 11.

176. Declarations of Interest

- 176.1. The chair asked for declarations of interest; Mr Sweeting stated his interest Sweeting Bros Ltd – Contractors to the Board.

177. Welcome and introductions

- 177.1. The CEO welcomed Mr Richard Wilkins, a new appointed member to the Board, informing the Board that Mr Wilkins is a resident of Shiptonthorpe and has previously represented the Parish Council.
- 177.2. Mr Wilkins introduced himself to the Board advising that he has had a long career as a Chartered Engineer specialising in design, commissioning and testing of mechanical and electrical systems.
- 177.3. It was UNANIMOUSLY AGREED to welcome MR WILKINS as the NEW APPOINTED MEMBER to the Board.

178. Election of Chairman

- 178.1. The CEO invited nominations for the role of Chairman, advising that Cllr West had put herself forward. This was not contested; no further nominations were made.
- 178.2. A nomination was MADE by MR WRIGHT and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED that CLLR WEST be elected as CHAIRMAN.

179. Appointment of Chairman

- 179.1. Cllr West accepted her appointment as Chairman and thanked the Board for her re-election.

180. Election of Vice Chairman

- 180.1. The CEO asked for nominations for the role of Vice Chairman. Cllr West advised that Mr Featherby had put himself forward for this role. Cllr Bayram put forward a nomination of Mr Wright. Mr Wright expressed that he did not wish to be nominated.
- 180.2. A nomination was MADE by MR ATKINSON and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED that MR FEATHERBY be elected as VICE CHAIRMAN.

181. Appointment of Vice Chairman

- 181.1. Mr Featherby accepted his appointment as Vice Chairman.

182. Executive Committee - Current delegations and Appointment Procedure

- 182.1. The CEO explained that, following discussions at the last Executive Committee, he had been instructed to formalise the procedure for the appointment of members to this committee, and their delegations.
- 182.2. The CEO ran through the formalised procedure as laid out in Appendix A on page 14 of the meeting papers.
- 182.3. The CEO explained that as part of this formalised procedure, he had been instructed to come up with a voting system. He advised that the simplest system was an ordinal voting system; he directed Members to page 15 of the meeting papers where this was explained.
- 182.4. The CEO informed the Board that Mr Falkingham, Mr Wright, Cllr Aitken, and Mr Atkinson have expressed their willingness to continue to stand. He went on to say that by default, the Chairman and Vice Chairman are elected on to the committee, leaving 1 vacancy.
- 182.5. The CEO advised the Board that Cllr Roberts had expressed an interest at the last AGM.
- 182.6. It was PROPOSED by MR FALKINGHAM and SECONDED by MR ATKINSON and UNANIMOUSLY RESOLVED that the Board approve the procedure for appointment of, and delegations to the Executive Committee.

Appointment of Executive Committee

182.7. It was PROPOSED by CLLR BAYRAM and SECONDED by CLLR MEREDITH and UNANIMOUSLY RESOLVED to APPROVE the nomination of CLLR ROBERTS to the Executive Committee.

183. Appointment of Remuneration Sub-Committee

183.1. The CEO explained that the Sub-Committee is made up of three members of the Executive Committee, plus himself for Tier 2 staff.

183.2. He continued that the function of the sub-committee is to undertake an annual assessment of the performance of all Executive staff based on their individual achievements and make recommendations to the Executive Committee on remuneration along with associated performance targets.

183.3. The CEO stated it is intended that the duration of appointment to the sub-committee will be 3 years; this is for continuity to the assessment process, provided the member remains on the Board. He added that the Sub-Committee would have access to sensitive and confidential information of officers.

183.4. Discussions took place concerning the appointment of the Sub-Committee.

183.5. It was RESOLVED that the APPOINTMENT of the REMUNERATION SUB-COMMITTEE had been AGREED.

184. Additional Agenda Items

184.1. As previously stated, the CEO explained he had two additional items for the agenda. The CEO informed the Board that he had received a notice of resignation from the Board, from Mr Patchett. He added Mr Patchett continues his support of the Board.

184.2. The CEO asked for the Board's thanks to be placed on record, for Mr Patchett's many years of service to both the OHDB and Market Weighton Board.

184.3. The Chairman requested a letter of thanks be sent out to Mr Patchett.

184.4. The CEO pointed out that there is now a vacancy on the Board for an Elected Member. He added that elections are due to take place in September or October of next year. However, in the interim the Board could have a Co-opted Member.

184.5. Mr Sweeting suggested Mr Ben Maclean, explaining he is very interested in the work of the Board. Mr Atkinson pointed out that Mr Maclean covers a similar area to Mr Patchett. Cllr Aitken commented that Mr Maclean had been helpful in enabling the new pumping stations to go ahead, as work had encroached on his land, and he had also helped in the tidal surge in December 2013.

184.6. No further nominations were given. Cllr Bayram requested that nominations be given at the next Full Board Meeting

- 184.7. Mr Atkinson suggested that a letter be sent to Mr Maclean to determine his interest in becoming a Board Member.
- 184.8. It was PROPOSED by MR WRIGHT and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED to APPROVE Mr Maclean as a Co-opted member subject to his acceptance.
- 184.9. The CEO added that should Mr Maclean not accept his appointment as a Board Member, then further nominations will need to be provided for the next Full Board Meeting.
- 184.10. Mr Atkinson suggested members think of alternative nominations and pass them to the CEO.
- 184.11. The CEO informed that the second additional item was the need for the Amgr, Mr Towse to have the same financial authority as the other Tier 2 staff, in line with the Board's Financial Regulations.
- 184.12. It was PROPOSED by MR FALKINGHAM and SECONDED by MR SCREETON and UNANIMOUSLY RESOLVED that the Board APPROVE financial authority for MR TOWSE to be the same as the Corporate Strategy Manager and Chief Engineer, in line with Board's financial regulations.

185. Minutes of the previous Full Board Meeting on 8th August 2018

- 185.1. It was PROPOSED by Mr Atkinson and SECONDED by Cllr Aitken and UNANIMOUSLY RESOLVED that these minutes be adopted as a true record.

186. Matters Arising

- 186.1. The CEO explained for the benefit of Mr Wilkins that Matters Arising are kept live on the meeting papers until such time that they are resolved.
- 186.2. The CEO explained that 12.1, Corporate Strategy Part 2 remains ongoing; there is a Governance document due to come out, published by DEFRA, which will help to inform this.
- 186.3. He went on to say that that the Howden Pollution Issue (76.2) is still ongoing, and that Yorkshire water are no longer on site; he added that there is insufficient capacity in the sewage system causing sewage to flow into the watercourse. He asked appointed members if they would help in getting this matter resolved. Mr Wilkins asked for the background of the problem and the CEO gave an overview.
- 186.4. The CEO explained that with regards to 84.1, he plans to arrange a training session on new development and flooding for 5-6 Board members. A number of Board Members expressed an interest in this.
- 186.5. The CEO informed that action 115.9, consultation exercise for the definitive maintenance map, had now taken place, therefore this matter had been resolved.
- 186.6. He added that 147.2 had now been resolved and representatives had been invited to the opening of the scheme and a tour had been given. He added that there had been a good turn out and only Eastrington Parish had not had a representative. Cllr Aitken asked if there had

been much press coverage. The CEO replied that Goole Times, KFM and BBC Humberside among others had covered the opening.

186.7. There were no other matters arising.

187. Executive Committee Meeting

187.1. The CEO directed Board Members to the Minutes of the Executive Committee Meeting held on the 19th October 2018 set out in Appendix C, Page 30 of the meeting papers.

187.2. The Chairman asked Board members if they were content with the minutes. Members indicated that they were.

188. Financial Reports – Quarter 2

188.1. The CEO directed Board Members to the Financial Report for Quarter 2 found in Appendix D, page 39 and 40 of the supplementary papers. He informed that that the financial position is as would be expected at this time of year, and currently on track to achieve the budget, although a cautious approach should be taken.

188.2. It was PROPOSED by CLLR AITKEN and SECONDED by MR FALKINGHAM and UNANIMOUSLY RESOLVED that the Financial Reports to Quarter 2 be approved.

189. Invoices Paid and Accounts Settled

189.1. The CEO presented the Accounts Paid report for the last quarter, Page 42 (Appendix E) of the supplementary papers.

189.2. It was PROPOSED by MR ATKINSON and SECONDED by CLLR ROBERTS and UNANIMOUSLY RESOLVED that the Board APPROVE the record of accounts for the last financial quarter.

190. Conclusion of Annual Audit

190.1. The CSM informed that the Board had passed the annual audit by the Board's External Auditors, PKF Littlejohn, adding that the results are published on the Board's website in line with legislation.

191. Capital Schemes Update

191.1. The CEO reported that both pumps are now up and running with all electrical systems tested, although snagging is still to be done and they have yet to be commissioned. He explained that a 15 minute run is ideally required before formal handover to the Board, however there has not been in enough water in the system to run the test.

191.2. Mr Wilkins offered his services as he has done a lot of work in the area of commissioning. The CEO advised that a specialist had been appointed, but his input would be welcome.

- 191.3. Mr Featherby asked if the final payment was due before the scheme is commissioned. The CEO explained that of the retention due, half will be paid on completion of the snagging and half held back for a year.
- 191.4. The CEO continued that Atkins are demanding a sum which he is disputing. He went on to explain the disagreement.
- 191.5. Mr Falkingham queried if this sum had been included in the expenditure report. The CEO advised that it had been factored in. The Board recommended that the should CEO continue to withhold the disputed amount.
- 191.6. The AMgr reported that work had commenced on the new watercourse, to be known as Chairman's Drain. He explained that work on the west Bellasize section was now complete, and that work had begun on the section between Blacktoft Drain and Far Drain. He added that unfortunately work had been delayed until January on the Sparrowcroft Road Culvert due to road closures by Network Rail.

192. Public Sector Agreements

- 192.1. The CEO reported that additional work had been taken on to share back-office costs and that the 3 Year PSCA agreement with EA has now been signed and schedules agreed. He added that the value of this agreement for this year is c£125,000, but that with reactive works, it could be more.
- 192.2. The CEO also informed that the Vale of Pickering IDB had, due to the retirement of their engineer, approached the OHDB to provide fixed value engineering services. This would give a long-term certainty on income, if agreed.
- 192.3. He went on to say that the OHDB are continuing to develop schemes for South Holderness IDB on a rechargeable basis. He added that the smaller ADOC Boards had now been brought into the OHDB management structure, and systems are now in place going forward.
- 192.4. Mr Wright thought there had been lack of basic watercourse maintenance over the summer and asked if the Board had stretched itself too thinly by taking on the extra work. The CEO responded that, as a direct result of the extra work taken on, he had taken on three casual/seasonal labourers on a no-contract, hourly rate. These included a retired EA officer, a former Foreman of the Board and a former contractor of another IDB.

193. Corporate Matters

- 193.1. The CSM reported that she had been to court to obtain the liability orders and that the Enforcement Agency employed by the Board, Rundles, had been instructed to act on the Board's behalf to recover debt owed, some of it being historic debt.
- 193.2. The CSM added that it may need to be brought to the Board in the February meeting, to decide whether to write off some of the historic debts or proceed to the High Court.

- 193.3. She continued that historic cases waiting to be revalued had now been done and this should help in recovering a proportion of the monies owed to the Board.
- 193.4. The CSM added that if the Enforcement Agency is not able to recover the debts, the next option is to apply to the high court to have a charge put on the property and/or secure greater enforcement action.

194. Education and Training

- 194.1. The CEO reported on the need for succession planning within the Board, pointing out that training staff can take a number of years.
- 194.2. The CEO asked that the Board consider employing an apprentice and discussions took place as to how an apprentice scheme might work. The CEO believed it would cost approximately £7,000 a year to employ an apprentice. Cllr Aitken remarked that employing an apprentice was a good idea, particularly as the Board is a Public Authority. The CEO said he would write to the headteachers of local schools regarding this opportunity.
- 194.3. The CEO added that he would also like to allow an existing member of staff to undertake an engineering qualification. There would be no guarantee of a promotion on completion, but it would make the member of staff eligible for future opportunities if and when they arise. The cost to the Board would include the price of the course, 1 day off work for the staff member to attend college, and their travel to and from the college. If the staff member were to leave the Board within a short time of finishing the course, they would be required to reimburse the Board.
- 194.4. It was PROPOSED by CLLR AITKEN and SECONDED by MR FALKINGHAM and UNANIMOUSLY RESOLVED that the Board seek to employ an apprentice and to finance the study of an engineering qualification by an existing member of staff.
- 194.5. The CEO informed that the annual ADA conference is being held on the 14th November 2018, which the CEO, CSM and Chairman are to attend. He added this is a useful event to attend as it brings together over 200 delegates to discuss the key policy issues of the moment.

195. Operational and Asset Management

- 195.1. The Amgr informed that there had been some new kit purchased; a new gas detector, a Harness and H&S kit for the pumping stations. He added that he is also looking into purchasing some lifting equipment.
- 195.2. Cllr Aitken asked if this equipment was just for use within the OHDB; the Amgr advised that the new equipment belonged to OHDB and as with any equipment used for work within the other Board areas, a cost for wear and tear would be charged.

Definitive Maintenance Map

- 195.3. The Amgr provided Board Members with a handout of the definitive map and notes.

- 195.4. The CEO stated that this is the first definitive map; previous records were poor so an accurate exercise had been undertaken. The definitive map will now form the basis of the Board's maintenance priorities.
- 195.5. He added that as a Public Authority, the OHDB had been obliged to consult with the Board, flood risk agencies and Parish Councils, explaining that feedback had now been given. He went on to say that feedback had been provided by Ratepayers, former Board Members and Clerks.
- 195.6. The CEO proposed that the culverted section of Husbandmans and Treeton Drain be removed from the map; as a Public Authority, the Board cannot afford to continue to maintain these sections, recommending that the Board look into the possibility of a new cut from Husbandman Drain to Howden Drain. Further discussion took place regarding the feasibility of the new cut.
- 195.7. Mr Hick commented that although it makes sense to omit these sections, the Board has a responsibility to the residents of Howden to manage the risk of flooding.
- 195.8. The CEO explained that should the new cut not be possible, the Board would re-adopt the pipe work of the culverted sections.
- 195.9. Discussions on subtractions and additions to the Definitive Map took place as laid out in the hand out provided to Board Members.
- 195.10. It was accepted that on the proviso of point 9 of the additions being carried out before point 1 and 3 of the subtractions, these and the other amendments can be actioned.
- 195.11. It was PROPOSED by CLLR MEREDITH and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED that subject to items stated in minute 195.10, the Board APPROVE and adopt the Definitive Map.
- 195.12. The Amgr next gave an update on the Asset Management Plan, informing that he had made a significant start, however it had not progressed as far as planned due to the current absence of the Chief Engineer. He added that he plans to have it completed by the end of January in order to present it for approval at the next Full Board Meeting.

196. Plant and Vehicle purchase

- 196.1. The Amgr notified that the new vehicle had now been purchased, a Mitsubishi L200.
- 196.2. The CEO reported that the Executive Committee has recommended the purchase of a second tractor flail with driver.
- 196.3. The Amgr continued that the machine being considered is a Massey Ferguson 7720DVT or something similar, with side mounted flail arm.
- 196.4. The CEO went on to inform the Board that the new vehicle would cost the Board c£90K; on 4-year finance this would be c£22.5K a year. The Flail arm would be in the region of c£80K and

would be funded out of reserves or more likely this year's additional income. Fuel, oil and disposables c£12K. And the cost of an operator would be c25K per year gross (basic).

196.5. The CEO added that Mr Wright had kindly volunteered to advise officers on specifications and best value when making this purchase.

196.6. It was PROPOSED by CLLR ROBERTS and SECONDED by MR WRIGHT and UNANIMOUSLY RESOLVED that in consultation with Mr Wright, the CEO is authorised to purchase a new tractor flail to the value of £170,000 and that upon delivery, appoint an additional operator at the craftsman/operator rates set out in the ADA White Book.

197. New Website

197.1. The CEO reported that the new website has been launched and is hopefully set out in a clearer fashion.

197.2. He added that there is now an opportunity for Board Members to have their photograph added to the website. Appointed members indicated that they were happy for their photos on the ERYC website to be used.

198. Any Other Business

198.1. There was no other business.

199. Date of Next Meeting

199.1. It was confirmed that the next meeting was at 9.00am on Wednesday 6th February 2019 at the Methodist Church, Howden.