



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 WEDNESDAY 22ND MAY 2019

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

PRESENT:

Ratepayer Members:	Mr Featherby(VC) Mr Sweeting Mr Henley	Mr Hick Mr Screeton	Mr Scutt Mr Nicholls
Appointed Members:	Clr West (C) Clr Roberts Clr Meredith	Mr Atkinson Clr Marwood Mr Traill	Clr Aitken Clr Bayram
Co-opted Members:	Mr Maclean		
Members Present:	16		

APOLOGIES:

Ratepayer Members:	Mr Falkingham	Mr Mowforth	Mr Wright
Appointed Members:	Clr Wilkinson	Mr Wilkins	
Co-opted Members:			
Officers:			

ABSENT:

Ratepayer Members:	
Appointed Members:	
Co-Opted Members:	

IN ATTENDANCE:

Officers:	Mr McLachlan – Chief Executive Miss Cowen – Corporate Strategy Manager	Mr Towse – Asset Manager Mrs O’Driscoll – Board Secretary (Minutes)
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Others:	Rob Hancox – Hunter Gee Holdroyd, Board Accountant Trainee – Yorkshire Wildlife Trust
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217. Welcome & Apologies

- 217.1. The Vice-Chairman took the Chair upon being informed that the Chairman had been delayed.
- 217.2. The Vice Chairman asked the CEO to introduce Mr Maclean to the Board, who had been co-opted onto the Board at the November meeting following the resignation of the Board's Chairman.
- 217.3. For the benefit of Mr Maclean, Board Members introduced themselves.
- 217.4. The CEO next introduced Rob Hancox from Hunter Gee Holdroyd, who was attending to assist with the presentation of the Board's Statement of Accounts for the Annual Return.
- 217.5. The CEO informed that the meeting was also attended by a trainee from Yorkshire Wildlife Trust, accompanying Mr Traill.

218. Declarations of Interest

- 218.1. Mr Sweeting declared an interest in Sweeting Bros Ltd.

219. Additional Agenda Items for AOB

- 219.1. There were no items proposed for AOB.

220. Minutes of the previous Full Board Meeting, 6th February 2019

- 220.1. It was PROPOSED by CLLR BAYRAM and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED that the minutes be adopted as a true record.

221. Matters Arising

- 221.1. The CEO informed that items 12.1, 76.2 and 84.1 are still ongoing.
- 221.2. The CEO updated Members that following the petition received from Mrs Atkinson regarding land north of Eastington (minute 214.12), the Land Registry had since confirmed that this land belongs to the Board.
- 221.3. The CEO informed that after making enquiries, there was little information regarding the matter raised by Mr Mowforth (minute 215.6) concerning legal implications of crop contamination from saltwater due to IDB asset failure. He added that he will bring this matter back to the Board if he learns of anything that would have relevance to the Board.
- 221.4. With regard to the apprenticeship opportunity (minute 194.2), the CEO informed that he had made contact with local colleges and it had been confirmed that the Board does not have to pay the majority of course fees. He said he hoped to recruit an apprentice to start in September.
- 221.5. He continued that the Asset Management Plan (minute 195.12), would be dealt with under another agenda item.

222. Executive Committee

222.1. The CEO directed Board Members to the minutes of the Executive Committee Meeting held on the 1st May 2019 set out at Appendix B, page 23 of the meeting papers. These were noted to be a true record.

223. Accounting Statements and Annual Return

223.1. The CEO explained that the Board's Accounting Statements for 2018/19 had been prepared by the Board's accountants, Hunter Gee Holdroyd Ltd, and referred Members to the Statement of Accounts, circulated as a supplementary paper.

223.2. The CEO and Mr Hancox proceeded to present the Statement of Accounts to Members, responding to questions as they did so.

223.3. The CEO confirmed that the Board's Accounting Statements are subject to inspection by the Board's Internal Auditors before submission to the external auditors, PKF Littlejohn.

223.4. Some further discussion took place regarding the Statement of Accounts.

223.5. The CEO reminded Members that in advance of approving the Accounting Statements, they must consider the Annual Governance Statements.

223.6. Before approving the above, the CEO informed Board Members that the annual review of the Risk Register should be considered. He explained that as part of good governance the Board should undertake a regular review of the potential risks and threats to its operations. He referred Members to a copy of the Risk Register at Appendix D. He added that although this had not changed much from last year, he and his managers had given due thought to the risks to the Board.

223.7. It was PROPOSED by CLLR MEREDITH and SECONDED by MR SWEETING and UNANIMOUSLY RESOLVED that the Board approve the revised Risk Register as presented at Appendix D.

223.8. The CEO read out the Annual Governance Statements 2018/19 to the Board; it was UNANIMOUSLY AGREED by Board Members that appropriate procedures for governance had been followed.

223.9. It was PROPOSED by MR ATKINSON and SECONDED by MR HENLEY and UNANIMOUSLY RESOLVED that the Board approve the Accounting Statements for 2018/19.

224. Financial Balances to Quarter 4

224.1. The CEO advised that this agenda item had been covered within the review of the Board's Accounting Statements.

225. Invoices Paid and Accounts Settled

- 225.1. The Chairman directed Board Members to the schedule of invoices paid and accounts settled during quarter 4, presented at Appendix E.
- 225.2. Mr Traill queried why there had been two payments to the Association of Drainage Authorities (ADA). The CSM advised that one of them was an item to be recharged to ADA, such as outlay for the Great Yorkshire Show, which should not have been included. Cllr Aitken suggested that this be checked and reported back to the Chairman. **Action CSM.**
- 225.3. It was PROPOSED by MR MACLEAN and SECONDED by CLLR MEREDITH and UNANIMOUSLY RESOLVED to approve the record of accounts for the last financial quarter.

226. Capital Schemes Update

Howdenshire Schemes

- 226.1. The CEO provided Board Members with an update on the Howdenshire Schemes. He confirmed that these are now up and running. He went on to give an explanation on work that will be undertaken on Far Drain and Bellasize Cloughs to permanently close these off. Discussions took place regarding these works.
- 226.2. He went on to inform that the Howdenshire Schemes' final accounts are being prepared and it appeared that the outturn costs may be slightly under budget.
- 226.3. Mr Featherby asked if there was any retention to still be paid; the CEO responded that there was a small proportion remaining pending completion of 'snagging' work.
- 226.4. Cllr Aitken expressed thanks to the CEO and the Board, on behalf of residents in the area for undertaking this work. The CEO stated that thanks should also be expressed to the landowners involved for their co-operation.

Howdendyke Pumping Station

- 226.5. The CEO went on to give an overview of the Howdendyke Pumping Station scheme, explaining that he had appointed Mason Clark Associates Consulting Engineers to provide project management services for these works. He explained that he had opted for an 'early contractor involvement' (ECI) and 'design and build' model in the interests of value for money. He added that this approach should serve to develop the best design and most operational solution.
- 226.6. He reminded Members that the current pumping station at Howdendyke was life-expired and would not be compliant with current regulations. He explained that because this scheme benefits residential properties in Howden, he had managed to secure 100% funding from the national Flood Defence Grant in Aid (FDGiA).

Market Weighton Canal Bank Stabilisation (Newport)

- 226.7. The CEO reported that funding had also been secured from FDGiA for bank stabilisation on the Market Weighton Canal through the village of Newport. He added that this scheme is important to the Board as, in the event of future de-mainment of the Canal (in which

responsibility for it is transferred from the EA to the Board), if not addressed the risks associated with bank slippage pose a significant financial burden to the Board.

226.8. Cllr Aitken asked whether the trees along the canal would be retained. The AMgr answered that a survey would be carried out to assess whether the trees affected the stability of the bank.

226.9. Mr Maclean asked if this work would be carried out 'in house' or by contractors. The AMgr replied that it is intended that the work will be carried out by the Board's staff.

227. De-Mainment

227.1. The CEO explained that at present, the Market Weighton Canal and Elleker Beck are classified as "Main River" which means the Environment Agency is responsible for them.

227.2. He informed Members that a number of pilot projects are taking place across the country to transfer main rivers back to local land drainage authorities (i.e. the local authority or drainage board) and it is anticipated that these are a precursor to a national programme of de-mainment.

227.3. He commented that, prior to the public sector cooperation agreements between the Board and the Environment Agency where the Board carries out maintenance on the Canal and River Foulness for the agency, the standard and frequency of maintenance on these watercourses was causing concern; he said he therefore viewed de-mainment as an opportunity for the Board to ensure a consistent standard of maintenance on this watercourse going forward.

227.4. He explained that he does not consider the de-maining of Elleker Beck to present any significant concern as it was maintained by the former Market Weighton Board until the 1990s when it was transferred to the EA, which he understands was resisted by the Board at the time; he said he was however concerned that the Market Weighton Canal presents a number of issues that need resolving prior to de-mainment. He said he was therefore looking to put a Heads of Terms to the EA outlining the basis on which the Board would accept demainment.

227.5. It was PROPOSED by CLLR BAYRAM and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED that the CEO is authorised to present a Heads of Terms document to the Environment Agency on the following basis:

That the Board will consider entering into an agreement with the EA to de-main the Market Weighton Canal (system) and the Elleker Beck provided that:

- *The agreement attracts a commuted sum (to be agreed) to undertake necessary remediation works.*
- *There are no capital costs to the Board e.g. land, asset transfer and legal costs are to be met by the Agency under any agreement.*

- *There are no covenants or restrictions to be placed on the Board and all maintenance activities and control of water levels are entirely a matter for the Board subject to their legal requirements and responsibilities.*
- *The permanent structure of the Weighton Lock is to remain an asset of the Agency (as this is a tidal defence asset); however, all sluices, doors and ancillary apparatus will transfer and be controlled by the Board. The Agency will covenant with the Board to allow unrestricted access to the structure to carry out any maintenance works on this apparatus.*
- *The precept paid by the Board to the Agency for the upkeep of these assets will be removed from the annual precept (amount to be agreed).*

228. Public Sector Agreements

Vale of Pickering (VPIDB)

228.1. The CEO reported that the VPIDB has asked for this Board to provide engineering services to them. He added that most of these works are office based with a limited number of site visits. He said a proposal had been forwarded to VPIDB offering these services on a fixed price basis of £37k per year for 3 years minimum; he added that he would like the Board to consider the resources required to fulfil this service under agenda item 10.

228.2. He added that he expects the weed-boat will be used extensively on the upper Derwent and River Hertford, generating rechargeable costs of approximately £12k.

South Holderness IDB

228.3. The CEO informed that the Board continues to support South Holderness IDB with ad hoc engineering and technical advice.

ADOC Boards

228.4. The CEO informed that all recharges for the ADOC boards have been processed including the £50k management fee, and that there were some rechargeable operational works carried out in the ADOC districts including use of the weed-boat. He added that he expects to undertake around £25k of operational works this coming year.

228.5. He commented that the management of these Boards is going well.

Environment Agency (Don and Aire Team)

228.6. The CEO informed that the Environment Agency's South Yorkshire Team have asked for this Board to carry out grass cutting on the Ouse and Don South Bank, valued at £43k.

228.7. Mr Hick asked if this volume of work could be carried out with the current number of operators employed. The AMgr answered that there was a need for one or two more operators and that this would allow more flexibility in deploying staff to different locations.

228.8. A discussion took place on the merits of increasing the remit and staffing of the Board and it was generally agreed that this was a positive endeavour so far as the Board's operations remained efficient.

229. Corporate Matters

229.1. The CSM gave an update on drainage rates collection, informing that the annual demands had been issued on 1st April, accompanied by leaflets promoting the work of the Board, and giving notice about the Board's annual maintenance works. She reported that around 37% of the £550k owed has been received.

229.2. The CSM continued that there had been some success in recovering unpaid bills from previous years; the Board's enforcement agent, Rundles, had recovered most of the value of the debts referred to them for enforcement. There had also been progress in resolving historic queries and carrying out revaluations of hereditaments in dispute.

229.3. The CSM informed that overall, the outstanding balance at 31st March 2019 was reduced to approximately £4k, compared to £34k the previous year, and that approximately £4k of historic debts had been written off.

229.4. The CSM informed that an appeal had been made in relation to a revaluation of a hereditament, which means that she and the CEO may be required to participate at a tribunal hearing.

230. Asset Management Plan and New Maintenance Contracts

230.1. The CEO informed Board Members that the AMP is complete - a product that gives a locational record of all the drainage assets in the Board's district, including a very accurate record of field crossings and other bridges and culverts. He reported that staff had also begun to digitise features that cause access and maintenance issues such as spinneys and ponds.

230.2. The AMgr reported that the new contracts were complete and had been checked to ensure the Board is operating within public procurement rules. He added that the invitations to Tender had been sent out and were due back by the 31st May for implementation by the end of June.

230.3. The AMgr will give an overview of how the contracts will work.

231. Plant and Vehicles

231.1. The CEO informed that a second-hand Polaris Ranger had been purchased, adding that it had been outfitted to carry a spraying arm. He reported that 20 miles of spraying had already been carried out, as up to three times more ground could be covered in a day, and that it would also be used by the machine operator to access his digger rather than being chauffeured by other staff.

231.2. The CEO next informed that a Reform H7RX had been hired on a trial basis for use on the Humber Flood Banks in advance of the Massey, to speed up flailing operations.

- 231.3. The CEO updated Members that the weed-boat had been returned from Reedmans Services after being fitted with a hard-top cab, heater and windscreen wipers, thus improving working conditions for the operators. He added that it was currently being used on the lake at Peasholme Park, Scarborough.
- 231.4. He commented that he still considers a second weed-boat would be beneficial given the scale of work and it would negate the need to have two operators on one boat as two boats could be operated within eye contact of each other, thus increasing productivity.
- 231.5. Discussions took place regarding the benefit of having a second weed boat, resulting in a resolution that a business case would be developed and presented to the Executive Committee for consideration. **Action CEO.**
- 231.6. It was PROPOSED by MR FEATHERBY and SECONDED by CLLR AITKEN and UNANIMOUSLY RESOLVED that a business case for purchase of a second weed boat be brought to the Executive Committee for approval.
- 231.7. The AMgr informed that all operational vehicles now have GPS trackers fitted to them.

232. Health and Safety

- 232.1. The AMgr informed that the only matter to report was that the fencing at Lowfield Pumping Station at Barmby on the Marsh was to be replaced due to motorcyclists using this area as a ramp. He added that half the cost would be paid by the Board and the other half by the Environment Agency.

233. Staff and Organisational Matters

- 233.1. The CEO had circulated a supplementary paper amongst the Board Members, setting out a proposed staff restructure.
- 233.2. The CEO explained that due to the retirement of the Chief Engineer and provision of engineering services to the Vale of Pickering Internal Drainage Board, there was an opportunity to restructure the Board's staffing arrangements to improve efficiency, productivity and reduce costs.
- 233.3. He explained that under the restructure, the Chief Engineer's role would be deleted so that there would be two managers under the CEO instead of three. The titles of the existing managers would be changed to Policy and Finance Manager (formerly Corporate Strategy Manager) and Operational & Technical Manager (formerly Asset Manager).
- 233.4. The Policy & Finance Manager role will be to act as deputy Chief Executive, having the same delegated powers as the CEO in his absence and be responsible for the management of finance, policy, strategy, rating & valuation, legal, audit, human resources, secretariat, complaints & enquiries and office management.
- 233.5. The Operational & Technical Manager role would be the Health and Safety lead officer and be responsible for asset management, engineering, capital delivery, contract management,

annual maintenance programmes, development control, enforcement, workforce planning, engineering and plant & vehicle management.

- 233.6. The CEO continued that the deletion of the Chief Engineer's role and additional income from Vale of Pickering IDB provides £108k, allowing the creation of two new officer roles – a Senior Engineer and a Senior Finance Officer. The Senior Engineer would support the Operational and Technical Manager in the delivery of asset management and development control services and any other task appropriate to the role. The Senior Finance Officer would support the Policy and Finance Manager in managing the Board's finances and other tasks appropriate to the role.
- 233.7. He explained that the proposed new officer roles would currently outturn at a maximum of £85k (including employer's national insurance contributions, employer's pensions contributions and vehicle allowances).
- 233.8. He continued that, in addition to the proposed new roles, the restructure clarifies responsibilities and remuneration in a clear manner within the current ADA salary scales, aligning staff grades into 6 tiers. He also pointed out that there was a change of job title from Data Management Officer to Rating Officer.
- 233.9. It was PROPOSED by CLLR BAYRAM and SECONDED by MR ATKINSON and UNANIMOUSLY RESOLVED that the Board adopt the new staff structure.
- 233.10. It was PROPOSED by MR HICK and SECONDED by MR SCREETON and UNANIMOUSLY RESOLVED that the CEO is authorised to employ a Senior Engineer and a Senior Finance Officer both at Grade 5 in line with the ADA Lincolnshire wages and salaries and conditions of service (the White-book).

234. Electoral Register and Elections Programme

- 234.1. The CSM informed that the current term of office for the Board's eleven elected members was due to expire, so the Board's Returning Officer (the CEO) must hold an election in accordance with legislation to select members to serve on the Full Board for the next three-year term, alongside the 12 members appointed by East Riding of Yorkshire Council.
- 234.2. She continued that prior to seeking nominations and advertising the election, the Board must approve an updated electoral register, a draft of which was presented to the Board for inspection.
- 234.3. She advised that the register must be advertised and made available for inspection for fourteen days, after which any challenges to the register must be brought to the Board for consideration before any nominations can be sought.
- 234.4. It was PROPOSED by CLLR BAYRAM and SECONDED by CLLR MEREDITH and UNANIMOUSLY RESOLVED that the Board approve the updated electoral register and endorse the proposed elections programme.

235. Any Other Business

- 235.1. Mr Sweeting raised the matter of leaking clough doors to remind the Board that these are getting worse. The CEO replied that it is on the Board's radar but that it comes down to the funds available, adding that this maybe something that can be picked up in the next investment period.
- 235.2. The Vice Chair wished to acknowledge on record the Board's thanks to the Chief Engineer for his contributions over a number of years to both this Board and former Lower Ouse Board, a sentiment echoed by all present.
- 235.3. The CEO informed that there was expected to be a good turn out at the ADA Northern Conference. Mr Maclean asked if there would be any literature from the conference. The CEO replied that a presentation could be given at a later meeting.

236. Date of Next meeting

- 236.1. It was confirmed that the next meeting was due to take place on 14th August 2019.
- 236.2. The CEO thanked members noting that this meeting was the best attended since he joined the Board, he did take the opportunity to request that members give at least one week's notice of apologies except in the exceptional circumstances.