



# Dempster Internal Drainage Board

MINUTES OF THE FULL BOARD MEETING, TUESDAY 7<sup>TH</sup> JANUARY 2020

91 BRIDGEGATE, HOWDEN, DN14 7JJ

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**PRESENT:**

Ratepayer Members: Mr Jacklin (Ch) Mr Johnson Mr Chantry

Appointed Members: Mr Frost

Co-opted Members: Mr Phillipson

Members Present: 5

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**APOLOGIES:**

Ratepayer Members: Mr Cowling Mr M Backhouse  
(VCh)

Appointed Members: Mr Walton Cllr Sargeantson

Co-opted Members: Mr Hall

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**ABSENT:**

Ratepayer Members:

Appointed Members:

Co-Opted Members:

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**IN ATTENDANCE:**

Officers: Mr McLachlan – Chief Executive  
Mr Towse – Operations & Technical Manager (OTM)  
Mrs O’Driscoll – Board Secretary (Minutes)

Others:

Andrew McLachlan  
Chief Executive Officer and Clerk to the Board  
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**1696. Order of Meeting**

1696.1. The CEO welcomed members to the meeting and explained that as this was the AGM, with consent of the Board, he would chair the first part of the meeting until the Chairman was installed.

1696.2. He added that, following appointments, normal Board business would commence.

**1697. Welcome, Introductions & Apologies**

1697.1. Apologies were given from Cllr Sargeantson, Mr Walton, Mr Backhouse, Mr Cowling and Mr Hall.

**1698. Health & Safety**

1698.1. There were no Health & Safety issues to report.

**1699. Declarations of Interest**

1699.1. There were no Declarations of Interest.

**1700. Additional Agenda Items**

1700.1. The CEO explained that on advice from the Internal Auditors and in accordance with the regulations as to proceedings of the Board (Standing Orders), other business that does not appear on the agenda may be discussed, but only with the agreement of 75% of members present.

1700.2. The CEO informed that an additional item regarding an additional pump had been requested by Mr Chantry. It was UNANIMOUSLY AGREED that this would be discussed under the Capital Programme Item on the agenda.

**1701. Election of Chairman**

1701.1. The CEO set out the procedure for the election of the Chairman and oversaw proceedings.

1701.2. Nominations were invited by the CEO for the role of Chairman.

1701.3. It was PROPOSED by MR CHANTRY and SECONDED by MR PHILLIPSON and UNANIMOUSLY RESOLVED that MR JACKLIN be elected as CHAIRMAN.

1701.4. No further nominations were received.

**1702. Appointment of Chairman**

1702.1. Mr Jacklin was appointed as Chairman.

**1703. Election of Vice Chairman**

- 1703.1. The CEO set out the procedure for the election of the Vice Chairman and oversaw proceedings.
- 1703.2. Nominations were invited by the CEO for the role of Vice Chairman; nominations were made for Mr M Backhouse.
- 1703.3. This was not contested; no further nominations were made.
- 1703.4. It was PROPOSED by MR CHANTRY and SECONDED by MR JOHNSON and UNANIMOUSLY RESOLVED that MR BACKHOUSE be elected as VICE CHAIRMAN.

**1704. Appointment of Vice Chairman**

- 1704.1. The Chairman advised that Mr Backhouse had, in his absence made it clear that he would be happy to accept being re-appointed as Vice Chairman.

**1705. Minutes of the Previous Full Board Meeting, 14 May 2019**

- 1705.1. Mr Chantry queried Mr Hall and Mr Phillipson being noted on the front page of the minutes as co-opted members. The CEO explained what was meant by a co-opted member and advised that it was probably right. Discussion took place on the difference between elected and co-opted members. The CEO advised that if this was wrong it would be corrected at the next elections which were to be held later in the year.
- 1705.2. Mr Chantry informed that in item 1687.2 the drain name needed changing from Whitgift Drain to Whitehouse Drain.
- 1705.3. It was PROPOSED by MR FROST and SECONDED by MR JACKLIN and UNANIMOUSLY RESOLVED that the minutes be adopted as a true record, subject to the above amendment.

**1706. Matters Arising**

- 1706.1. The CEO updated members on the Matters Arising from previous meetings. He explained that the consolidation of bank accounts was still ongoing.
- 1706.2. Regarding item 1674.2 - wind turbine funding - the CEO updated that he had looked into this matter and advised that the rules around this funding meant it was not worth pursuing. Mr Frost commented he couldn't understand why funding was not being made available as he believed the fund had underspent.
- 1706.3. Discussions took place regarding the benefit to the developer to keep the wind turbines from flooding. The CEO added that he could write to them but had been advised that a funding request would not be successful.
- 1706.4. Mr Frost said he would try to get a list of names of people on the Funding Board. The CEO advised he would leave this matter as ongoing for the time being.

**1707. Minutes of the ADOC Consortium meeting, 26<sup>th</sup> November 2019**

- 1707.1. The CEO directed members to the minutes of the ADOC Consortium meeting held on the 26<sup>th</sup> November 2019, in Appendix B of the meeting papers.
- 1707.2. For the members not-present at the meeting, the CEO updated that OHDB would take over management of Black Drain Drainage Board and Danvm Drainage Board from April 2020.
- 1707.3. He advised that Black Drain would be joining ADOC as a new consortium member, under the same agreement terms as the other ADOC Boards. He added that Danvm's contract would be different due to its size; management of this Board would be done on a Shared Services agreement.
- 1707.4. The CEO also informed that OHDB was now undertaking engineering services for the Vale of Pickering Drainage Board. He added that these new contracts would allow the Board to improve efficiency.
- 1707.5. The CEO gave an update on the Thorne Moors situation. He explained that the weedboat was currently working in the Swinefleet Warping Drain and gave a demonstration of an application that tracked the boat's location. He continued that this work should make some improvement, adding that discussions were still ongoing with Natural England.
- 1707.6. Mr Phillipson and Mr Johnson passed around some photographs they had taken of the recent flooding on their phones, leading to some discussion.

**1708. Financial Position**

- 1708.1. The CEO explained the latest financial position in respect of income and expenditure up to quarter 3, according to the Board's approved budget, was provided at *Appendix C* of the meeting papers. He advised that it showed that, based on estimated outturns at the end of the financial year, the Board stood to have a budget surplus of £1.7k. He informed that this additional amount was mainly due to the special levy adjustment carried out earlier in the year, adding that the situation may of course change by year end. He explained that the report also showed an estimated budget requirement for next year, to be discussed under item 17.
- 1708.2. The OTM explained that the outturn of the electricity bills had been estimated as they had not yet been received, adding that he intended to get the estimated bills manually checked.
- 1708.3. Maintenance work to be undertaken during 2020/21 was discussed. The CEO advised he would like to undertake a full programme of work over the next season.
- 1708.4. Discussions took place on the spraying that had been undertaken. Mr Johnson commented that this may be better done in May/June. The OTM explained that when spraying rushes, Autumn was a better time.

1708.5. Work that had been undertaken during 2019/20 was discussed; the OTM explained that the Board was slightly over on the approved budget as some slips and other remedial work had been carried out.

#### **1709. Invoices Paid and Accounts Settled**

1709.1. The CEO directed members to the Invoices paid and accounts settled for the first three financial quarters for 2019/20, also found at Appendix C.

1709.2. The Chairman queried how much cheaper electricity was through Wold Marsh; the OTM would look into this. **ACTON OTM**

1709.3. It was AGREED by ALL that the Board approves the invoices paid and accounts settled, totalling £26,302.22, as a true record.

#### **1710. Internal Audit**

1710.1. The CEO informed that there had been nothing of concern to report back from the Board's Internal Auditors who had carried out a review of the Board's accounts and governance on the 21<sup>st</sup> November 2019. The auditor had recommended two minor points regarding the Board's meeting agendas and minutes; firstly, that "Any Other Business" should be removed as a standing item from meeting agendas, and secondly, that for ease of reference, the total expenditure figure for the relevant financial quarter(s), as reported under the Invoices Paid agenda item, should be recorded in the minutes.

#### **1711. Conclusion of Annual Audit 2018/19**

1711.1. The CEO explained that the Board's External Auditors PKF Littlejohn had completed their annual audit of the Board and concluded that there were no matters that required attention (clean bill of health). The results of the report had been published on the Board's website.

#### **1712. Budget & Rate Setting**

1712.1. The CEO directed Board Members to the meeting papers, advising that the Board was required to set the rate and special levy demand and notify the local authority by 15<sup>th</sup> February.

1712.2. The CEO précised the Budget Report and the Maintenance Plans laid out in Item 17 of the meeting papers.

1712.3. He explained that the rate was calculated based on the aggregate annual rental value (AV) of all land and property within the drainage district based on values equivalent to those in 1988; the Board must first decide on their budget requirement both in the next and future years, giving consideration to:

- Operational Expenditure Requirement in 2020/21
- Capital Expenditure Requirement in 2020/21
- Other Commitments

- Requirement for Capital and Emergency Reserves

#### *Reserves*

- 1712.4. The CEO advised that at least 66% or  $\frac{2}{3}$  of the Board's operational budget be held as reserves in case of an unforeseen disaster or emergency, such as the 2013 tidal surge event.
- 1712.5. It was previously estimated that a substantial investment would be needed to bring the Board's assets up to an acceptable standard. This included improving the Board's existing pumping station to make it compliant with the Eel regulations, replacing tidal outfall doors and installing a much-needed pumping station at the end of the Swinefleet Warming Drain.
- 1712.6. It was hoped that the government would change its funding formula in the next investment round to recognise that many assets such as pumping stations were reaching the end of their useful asset life. At present the only realistic alternative source of income was the statutory drainage rate.
- 1712.7. It is most unlikely the Board has enough reserves to meet the required capital investment.

#### *The Impact of Special Levy Transfers*

- 1712.8. The CEO explained that Special Levy transfers were adjustments to ratepayer records when all or part of a hereditament changes from agricultural use to non-agricultural use or vice versa. The Special Levy charged on non-agricultural property was generally at a greater value/m<sup>2</sup> basis than the drainage rates charged on agricultural property, so special levy transfers could generate an increase in the Board's overall statutory income. He added however that, due to the relatively low rate of development in the district this year, special levy transfers were unlikely to make a substantial difference to income.

#### *Budget Estimate*

- 1712.9. The CEO referred members to the current estimated outturn position and budget estimate at Appendix C of the meeting papers.
- 1712.10. He explained that this year, mainly due to the one-off special levy transfers, the Board's outturn was showing a slight surplus, meaning that a fuller programme of works could be funded next year without a substantial increase in cost.
- 1712.11. He added that all other costs were estimates based on anticipated operational spend.

#### *CEO Recommendation*

- 1712.12. For the year 2019/20 the Board had resolved that the rate should be set at 8.67p/£; this had raised £11,279.82 from agricultural ratepayers and £24,575.95 from domestic and business ratepayers (Special Levy).
- 1712.13. The December forecast for (RPI) inflation was predicted to outturn at around 3.1% in Q4 2019/20.

1712.14. It was PROPOSED by MR JACKLIN and SECONDED by MR FROST and UNANIMOUSLY RESOLVED that the proposed budget for 2020/21 as shown at *Appendix C* be approved.

1712.15. It was PROPOSED by MR JACKLIN and SECONDED by MR FROST and UNANIMOUSLY RESOLVED that the rate be raised by an expected below-inflation increase of 3% and set at 8.93p in the £.

### **1713. Policies Review**

1713.1. The CEO explained that in the interest of good governance, several of the Board's policy documents had been reviewed and updated by the PFM, directing them to Appendix D of the supplementary papers.

1713.2. The CEO gave an overview of the policies and explained that many of them were based on ADA templates or guidance. He added that the PFM was currently in the process of reviewing the Financial Regulations.

1713.3. The CEO advised that once the policies had been adopted by the Board, they would be published on the Board's website.

1713.4. The CEO commented that as part of good governance there would be more policies reviewed and brought to future meetings

1713.5. It was PROPOSED by MR FROST and SECONDED by MR PHILLIPSON and UNANIMOUSLY RESOLVED that the updated policy documents be adopted by the Board.

### **1714. Register of Members' Interests**

1714.1. The CEO explained that the Board have a duty to keep a register of members' interests and that these are to be reviewed annually. These forms were filled in and handed back by those members present. Those not present would be asked to return the forms via post.

### **1715. Capital Programme**

1715.1. The CEO referred to the additional item requested by Mr Chantry.

1715.2. Mr Chantry explained the background into the history of the pumping station, that there were currently only two pumps in situ but that it had been built to house 3. He continued that the bay for a third pump to fit into is there and he believed it would not take too much alteration to get a third pump fitted. He added that prior to 2000 he could not remember the area being under water, but since then frequent flooding had occurred.

1715.3. In depth discussions took place on this matter and the CEO advised against spending a significant portion of the Board's reserves before the Capital Programme has been completed.

1715.4. The OTM warned that a new pump would cost upwards of £60,000 and that the Board does not have these funds available.



- 1715.5. A verbal update of the Capital Programme was given by the CEO. He advised members that as part of this programme, all pumping stations were to be looked at, adding that a flood economics specialist and a modelling consultant had been employed to look at what would happen if maintenance was stopped.
- 1715.6. He advised that the best way to secure funding was through a Capital Investment Strategy and that money would not be made available for any pumps already replaced.
- 1715.7. Mr Johnson enquired if a generator pump could be purchased or hired to be used when needed.
- 1715.8. The OTM explained that it was a possibility, but demand was often high when they were most needed.
- 1715.9. The CEO informed that the Board could look at purchasing a stand-alone pump.
- 1715.10. Some discussion took place on the timescale of the Capital Programme and Mr Phillipson raised concern that it could be a further 5 years before anything is to be done.

#### **1716. Maintenance**

- 1716.1. The OTM explained that most of the planned works were now complete.
- 1716.2. The CEO asked the ratepayer members to leave a maintenance strip if sugar beet or potatoes were on the land as these were causing problems with access.
- 1716.3. Mr Chantry informed that there was a slip on Chantry Drain but that it could probably wait to be cleared.
- 1716.4. The CEO explained that hopefully tree works and slips would soon be added to the maintenance map. He explained how 'What 3 Words' will help with identifying these.
- 1716.5. The OTM explained that some hedge and grass cutting work was being undertaken for the Environment Agency around the Ouse flood defences.

#### **1717. Planning & Development**

- 1717.1. The OTM notified that there was nothing to report. The CEO then noted that the Councils updated Level II Strategic Flood Risk assessment was out for consultation and this would likely introduce policies that would reduce the likelihood of development in the Dempster area due to a better understanding of increased tidal flood risk.

#### **1718. Date of Next Meeting**

- 1718.1. The CEO informed that the next meeting would be around mid-May 2020 and that a letter would be sent out to Board Members in the coming weeks.

1718.2. He advised that the January meeting next year would be moved to a later date in January or early February due to issues with postage and holidays over the Christmas period.