



Reedness & Swinefleet
Internal Drainage Board

**MINUTES FROM THE FULL BOARD MEETING HELD ON MONDAY 20TH
JUNE 2022 AT CASTLE VIEW FARM**

PRESENT

Elected

Mr M Barker (C) Mr I Backhouse (VC) Mr J Cowling Mr G Cowing Mr T Reed
Mr J Drury

APOLOGIES

Elected

Co-opted

Appointed

Mr W Gagg
Cllr L Sargeantson

IN ATTENDANCE

Officers

Mr A McLachlan – Chief Executive Officer
Mr R Towse – Director of Operation
Ms A Cowen – Director of Policy & Finance
Miss L Smith – Executive Assistant

Andrew McLachlan
Chief Executive Officer and Clerk to the Board
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166. Welcome, Introductions and Apologies.

166.1. The Chair welcomed Members and Officers to the Board noting apologies from Cllr Sargeantson.

167. Declarations of Interest

167.1. None.

168. Additional Agenda Items

168.1. The Chair requested specific topics to be discussed under existing agenda items.

169. Health and Safety

169.1. The CEO advised that the new Health & Safety Management System (HSMS) had been approved by the Chairman under delegated authority and was presented at Appendix A for ratification by the Board.

169.2. The CEO clarified that whilst the Board do not have any operational staff of their own, it ensures that works completed by other Boards' operational teams and contractors within the Board's area take into regard and put first the safety of themselves and the public.

169.3. It was **PROPOSED** by MR BACKHOUSE and **SECONDED** by MR GAGG and **UNANIMOUSLY RESOLVED** that the Board ratify the Chair's decision to adopt the new Health and Safety Management System.

170. Natural Environment

170.1. The CEO informed Members that this would remain a standing item on future agendas.

170.2. He confirmed that the current biodiversity action plans (BAP) are being updated into a single consortium-wide document in line with a model document produced by the Association of Drainage Authorities.

170.3. He explained to Members that the information within the BAP is geographically based.

170.4. The Chair queried when this would be received to which the CEO advised it would be brought to a future meeting.

171. Minutes of the previous Full Board Meeting

171.1. The Chair drew attention to the minutes of the previous meeting and invited comments from the Board.

171.2. It was **PROPOSED** by MR GAGG and **SECONDED** by MR J COWLING and **UNANIMOUSLY RESOLVED** that the Board approve these minutes as a true record of that meeting.

172. Matters Arising

- 172.1. In relation to minute 153.4, the CEO confirmed he had contacted ADA regarding this matter who had subsequently contacted Defra, the response confirmed that should an IDB travel across a maintenance strip which falls within a stewardship scheme, the landowner is not able to claim for losses to the stewardship scheme.
- 172.2. Following on from this, the CEO advised that ADA's Officers were investigating when landowners can claim from an IDB for injury to land.
- 172.3. In relation to minute 163.7, the CEO confirmed a meeting had been arranged with Lindsey Marsh IDB and Witham IDB, where it was hoped that IDBs would be able to be more involved in decision making on the Humber Strategy. A potential IDB joint sub-committee could be formed from IDBs around the Humber to consider tidal flooding.

173. Professional Appointments to the Board

- 173.1. The CEO advised that it was good practice to make professional appointments to the Board from time to time and to identify any conflicts of interest.
- 173.2. It was **PROPOSED** by MR REED and **SECONDED** by MR BACKHOUSE and **UNANIMOUSLY RESOLVED** that the Board appoint; Wilkin Chapman LLP, Yorkshire Internal Audit Services, Hunter Gee Holroyd Ltd, Mason Clark Associates Ltd, Mr Simon Jepps BSc MSc and c/o of Thomas Mackay Ltd, Mr Ralph Ward FRICS and c/o of Frank Hill & Son and Cutler IT Ltd as professional service providers to the Board.

174. Risk Register Review

- 174.1. The CEO advised that a desktop review had been completed comparing risks against the previous year.
- 174.2. He highlighted that whilst there were not many significant changes, the biggest risk to the Board was financial, which had been highlighted in previous years.
- 174.3. In relation to liability, the Chair queried as to whether the Board were appropriately insured against a significant failure of an asset. The CEO advised that an appropriate level of cover had been arranged.
- 174.4. It was **PROPOSED** by MR DRURY and **SECONDED** by MR G COWLING and **UNANIMOUSLY RESOLVED** that the Board approve the revised risk register for 2022.

175. Accounting Statements and Annual Return

- 175.1. The DPF drew attention to the Board's Accounts for 2021/22 and advised these had been prepared by the Board's accountants, Hunter Gee Holroyd Ltd.
- 175.2. Mr Backhouse queried why the accounts had been prepared by an accountant, but were audited externally, to which the CEO advised this process was required for a public authority.

- 175.3. The DPF advised that a historic drainage rates debt from 2017/18 of £1,289.34, previously included within the 'debtors' balance, had been written off in the 2021/22 accounts, as it was owed by a company that was dissolved in 2020 with no reasonable prospect of recovery.
- 175.4. The DPF requested that this be authorised by the Board.
- 175.5. It was **PROPOSED** by MR G COWLING and **SECONDED** by MR REED and **UNANIMOUSLY RESOLVED** that the Board write off a debt of £1,289.34 (account ref: RS-0070-5).
- 175.6. The DPF drew attention to the Annual Return Documents and proceeded to read the eight annual governance statements.
- 175.7. Mr Backhouse queried why, when reserves had increased, the cash account had decreased, to which the DPF advised that one statement is a cash flow showing a snapshot in time, whereas the other is accrual based.
- 175.8. It was **PROPOSED** by MR G COWLING and **SECONDED** by MR DRURY and **UNANIMOUSLY RESOLVED** that the Board approve the Annual Governance Statement for 2021/22.
- 175.9. It was **PROPOSED** by MR BACKHOUSE and **SECONDED** by MR J COWLING and **UNANIMOUSLY RESOLVED** that the Board approve the Accounting Statements for 2021/22.

176. Invoices Paid and Accounts Settled

- 176.1. The Chair drew attention to the invoices paid and accounts settled at Appendix E and invited questions from Members.
- 176.2. It was **PROPOSED** by MR G COWLING and **SECONDED** by MR DRURY and **UNANIMOUSLY RESOLVED** that the Board note and approve the record of Invoices Paid and Accounts Settled, totalling £29,174.77 (net) for the last financial quarter.

177. Bank Accounts

- 177.1. After a review of the Board's bank accounts, the DPF advised that there was at least £100k in the Board's current account, and that it was her intention to investigate a more appropriate savings account for the Board's funds.
- 177.2. The Chair agreed this was a positive move and agreed this should be explored by the DPF.
- 177.3. The DPF also advised, that as per the Statutory Instrument, the Board's legal name is Reedness & Swinefleet Drainage Board, as opposed to Reedness & Swinefleet Internal Drainage Board and that the existing bank account may require a change of name. **Action DPF**
- 177.4. It was **PROPOSED** by THE CHAIR and **SECONDED** by MR REED and **UNANIMOUSLY RESOLVED** that, as required, the Board authorise the Chairman, Mr H M Barker, the Vice Chairman, Mr I Backhouse, the CEO, Mr A McLachlan & DPF, Miss A Cowen, to open a business savings or deposit account in the Board's name and deposit up to £100,000.00, subject to market conditions and operational needs.

178. Drainage Rates

- 178.1. The DPF confirmed that the 2022/23 drainage rates demands were issued at the beginning of April and £33,920 had been received (as of 06/06/22), representing 73% of the total owed, adding that any debtors from the end of June, would be sent reminders and escalated to summons if necessary.
- 178.2. The DPF explained an ongoing dispute with Natural England regarding their liability for drainage rates and proposed the Board take action to recover these monies owed, warning that this would result in a land tribunal.
- 178.3. In relation to the cost to the Board in resolving this dispute, the DPF advised that in the primary stages, there would be no cost, however, should this be challenged, costs may be incurred.
- 178.4. The CEO made Members aware that non-payments also affected a partner Board.
- 178.5. It was **PROPOSED** by THE CHAIR and **SECONDED** by MR GAGG and **UNANIMOUSLY RESOLVED** that the Board consider commencing recovery proceedings for non-payment of land drainage rates against Natural England.

179. Planning & Development – Q4 (January – March 2022)

- 179.1. The DO informed Members that there had been no planning applications received since the last meeting in January.
- 179.2. In relation to the Peat Works development, those developing the site have been working within the requirements of the drainage board.
- 179.3. Regarding the pipeline running from Drax, the CEO advised that several meetings had been held regarding this, but the course of the pipeline was not yet known. He added that the Board would push for the pipework running through watercourses to be at least 1200mm below hard bed levels.
- 179.4. The Chair queried whether the Board should be eligible for compensation due to these works, to which the CEO advised this was being investigated and would be proposed to the relevant organisations.

180. Maintenance

- 180.1. The DO advised that five-year contracts had been awarded, but that Officers had concerns regarding the budget due to the significant rise in fuel costs, which, since the rates were agreed, had increased around 30%.
- 180.2. He then presented the Board with the proposed annual maintenance programme, which took into consideration the budgetary concerns and requested feedback from Members.

- 180.3. Mr Backhouse commented that several slips around the area were concerning and should be dealt with as priority, he suggested that Members report slips around their land so that Officers can put these in order of priority and work with these alongside the maintenance plan.
- 180.4. Both the Chair and Mr Backhouse remarked that they considered that maintenance should begin earlier in the season.
- 180.5. It was **PROPOSED** by MR GAGG and **SECONDED** by MR REED and **UNANIMOUSLY RESOLVED** that the Board approve the **PROPOSED** annual maintenance programme but that this may be amended with information provided from Board Members in relation to slips.
- 180.6. The DO advised that this year, water levels at the warping drain meant that maintenance could not be carried out more than 500m past the Goole Fields outfall and that overhanging bushes were restricting operators' access, therefore the pontoon and pole saws would be utilised to resolve this.
- 180.7. The Chair suggested that works beyond the outlet should be recharged to Goole Fields. He went on to query whether contractors had been requested to clear around the compound?
- 180.8. The DO advised that Danvm operational staff would now be working within the ADOC areas and therefore this would be discussed with those members of staff.
- 180.9. The Chair provided an update in respect of the new pump at Reedness Clough and advised an agreement had been formed by the CEO for the Board to vest this asset as their own.
- 180.10. The CEO confirmed that he had written the agreement based on another agreement in which an asset had been vested by a Board. He recommended that Members read the agreement before it was to be signed by the Chair and himself.
- 180.11. The CEO confirmed that this would be subject to a 28-day notice under the land drainage act, however the risk of challenge to the notice was believed to be low. He advised that the Board would not be accepting or responsible for any liabilities prior to the vesting of the asset.
- 180.12. He advised that Danvm's MEICA team would be working across the Consortium on pumping stations on a rechargeable basis.

181. Policy Updates

- 181.1. The CEO advised that the Financial Regulations had been updated to take into account minor amendments but principally the UK's decision to leave the EU and therefore now complied with UK procurement legislation and protocols.
- 181.2. He added that two new policies had been created at the request of the Internal Auditor, the Fixed Asset Valuation Policy, and the Reserves Policy.
- 181.3. The DPF confirmed that the Unreasonable Complainants policy had been created using Ombudsman guidelines.

181.4. It was **PROPOSED** by MR G COWLING and **SECONDED** by MR J COWLING and **UNANIMOUSLY RESOLVED** that the Board adopt the Financial Regulations, Fixed Asset Valuation Policy, Reserves Policy, and Unreasonable Complainants Policy.

182. New Offices

182.1. The CEO confirmed that Officers have taken possession of new offices and therefore the new address for the Board was:

*Reedness & Swinefleet Drainage Board
24 Innovation Drive
Newport
East Riding of Yorkshire
HU15 2FW*

182.2. The Chair queried whether Members would have any objections to holding future meetings at the Board's new premises, to which Members agreed they would not.

183. Date of Future Meetings

183.1. The next Full Board meeting was due to take place on Monday 23rd January 2023 at 9:30am at the Boards Offices.

183.2. The ADOC Consortium Committee was due to take place on Tuesday 22nd November 2022 at 9:30am at the Boards Offices.

183.3. Before closing the meeting, the Chair queried whether Members would like to discuss any operational or management issues with Officers; no questions were put forward and no comments were made.

183.4. The CEO expressed his gratitude to the Chair and his family for their support in providing a venue and hospitality for both Reedness & Swinefleet and Dempster Drainage Boards.

183.5. The Chair thanked Members and Officers for their attendance and closed the meeting.