



Ouse & Humber Drainage Board

MINUTES OF THE ANNUAL GENERAL MEETING HELD ON MONDAY 6TH NOVEMBER 2023 AT 24 INNOVATION DRIVE, HU15 2FW.

PRESENT				
<i>Elected</i>	Mr T Screeton	Mr I Screeton	Mr T Featherby	Mr R Henley
	Mr J Hick	Mr B Maclean	Mr C Mowforth	Mr R Nicholls
	Mr J Scutt	Mr J Wright		
<i>Appointed</i>	Cllr V Aitken	Mr J Traill	Mr G Baxter	Cllr L Bayram
	Mrs K West	Cllr R Meredith	Cllr H Roberts	
APOLOGIES				
<i>Elected</i>				
<i>Appointed</i>	Mr B Blackledge	Cllr N Wilkinson	Cllr N Marwood	Cllr P West
	Cllr D Howard			
ABSENT				
<i>Elected</i>	Mr J Sweeting			
IN ATTENDANCE				
<i>Officers</i>	Mr A McLachlan – Chief Executive Officer			
	Mr R Towse – Director of Operations			
	Mrs A Larkin – Director of Policy & Finance			
	Miss L Smith – Board Secretary			

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

- 512.1. With the consent of the Board, the CEO chaired the first part of the meeting until the Chairman was installed.

513. Welcome, Introductions and Apologies

- 513.1. The CEO welcomed Members and Officers to the Board, noting apologies from Mr B Blackledge, Cllr N Marwood, Cllr P West, and Cllr N Wilkinson.
- 513.2. The CEO asked the Board to take a moment to remember the late Mr Jeff Atkinson, a Board member for over 50 years, the last Chairman of Market Weighton Drainage Board and first Chairman of Ouse and Humber Drainage Board. The Board reflected on Jeff's long and unstinting contribution to the work of the Board and his service to the local community.
- 513.3. The Board directed that the CEO send a letter of condolence to the family on behalf of the Board. **Action CEO.**
- 513.4. The DO made Members aware that a demonstration of the new Mecalac machine would be held after the Board meeting.

514. Declarations of Interest

- 514.1. Mr Mowforth expressed an interest in item 20.3 – East Riding Solar Farm proposal.
- 514.2. Mr Featherby expressed an interest in item 24 – letter from ratepayer.
- 514.3. Cllr Roberts declared his that he provided ecology advice to the Board.

515. Additional Agenda Items

516. Health & Safety

- 516.1. The DO confirmed that the current Health and Safety Systems were working well, with daily safety vehicle and risk assessments completed and recorded by operational staff. He added that there were no accidents or near misses to report since the last meeting.

517. Natural Environment

- 517.1. The CEO asked Members if they wished to raise any issues, to which there were none.
- 517.2. Cllr Roberts asked how staff were relating to the recently revised Biodiversity Action Plan (BAP); the CEO responded that he had received positive feedback from staff, who were recording information where possible.
- 517.3. Mr Traill informed members about Local Nature Recovery Strategies, explaining that the Environment Act 2021 requires local authorities in England to prepare and publish a strategy by Spring 2025 setting out biodiversity priorities and proposed actions such as wetland creation, restoration of peatlands, planting of trees and hedgerows and more sustainable management of existing woodlands and grasslands.

517.4. Cllr Roberts briefed the Board on East Riding Council's new Design Code, which once adopted as a Supplementary Planning Document, would be considered when determining planning applications. He explained the relevance in that a component of this was aimed at incorporating biodiversity within new developments.

517.5. Cllr Meredith advised that he had recently been appointed to Humber Forest, an initiative that helps and encourages communities, farmers, landowners and businesses to plant trees and hedgerows. He requested that any relevant queries or comments regarding the local area to be directed to himself.

518. Minutes of the previous Full Board Meeting

518.1. The CEO drew attention to minutes from the previous meeting.

518.2. Mr T Screeton raised that he had been noted as attending twice and Mr Scutt requested that his name be added to the attendance list. **Action BdSec.**

518.3. It was PROPOSED by MRS K WEST and SECONDED by MR HENLEY and UNANIMOUSLY RESOLVED that the Board adopt these minutes as a true record of the previous meeting.

519. Minutes of the Executive Committee Meetings

519.1. Attention was drawn to the Executive Committee minutes for noting; no queries were raised however, Mr Wright noted that he should have been recorded as absent from the October meeting. **Action BdSec.**

520. Matters Arising

520.1. It was confirmed that minute 503.6 had been superseded.

520.2. In relation to Minute 503.11, the CEO confirmed this remained ongoing.

520.3. Mr Mowforth, supported by Mr Wright, requested that a meeting [Consortium Governance Meeting] be arranged to discuss consortium contributions so that Members could examine the mechanisms of this in further detail. **Action BdSec.**

521. Appointment of Chairman

521.1. It was PROPOSED by CLLR AITKEN and SECONDED by CLLR MEREDITH and UNANIMOUSLY RESOLVED that the Board appoint MRS K WEST as Chairman.

521.2. No further nominations were received, and Mrs K West accepted the appointment of Chairman.

522. Appointment of Vice-Chairman

522.1. It was PROPOSED by CLLR AITKEN and SECONDED by MR J WRIGHT and UNANIMOUSLY RESOLVED that the Board appoint MR T FEATHERBY as Vice-Chairman.

- 522.2. No further nominations were received, and Mr T Featherby accepted the appointment of Vice-Chairman.

523. Appointment of Executive Committee

- 523.1. The CEO advised that as per the Standing Committee Policy, the purpose of this committee was to focus on the detail of the Board's management, including financial planning, policy development and staff matters.
- 523.2. Cllr Aitken promoted the work of the Executive Committee and encouraged additional Members to join, stating that it gave Members the opportunity to scrutinise the Board's finances and consider significant Board decisions in detail.
- 523.3. It was PROPOSED by MR MACLEAN and SECONDED by MR MOWFORTH and UNANIMOUSLY RESOLVED that Mrs West, Mr Featherby, Cllr Aitken, Mr J Wright, Mr G Baxter, and Cllr Roberts, be appointed to the Executive Committee.

524. Appointment of Internal Auditor

- 524.1. The DPF, drawing attention to the Internal Auditor's CV, the Internal Audit Plan, and letter of engagement, requested that the Board consider the independence and competence of the internal auditor, as was considered best practice.
- 524.2. Mr Wright questioned if Officers were satisfied with the quality of the auditor's work and acknowledged that the auditor's career history indicated a high level of competence.
- 524.3. Mr Mowforth queried the internal auditor's insurance cover, to which the CEO confirmed that there is no specific requirement [engagement terms as set out in the JPAG Practitioners Guide] for professional indemnity insurance.
- 524.4. It was PROPOSED by Cllr Roberts and SECONDED by Mrs K West and UNANIMOUSLY RESOLVED that the Board appoint Northern Internal Audit Services to provide internal audit services, and are satisfied of the provider's independence, competence, and proposed programme of work.

525. Financial Position

- 525.1. The CEO referred members to the financial reports for quarter two. Starting with income, he advised that although drainage rates revenue was slightly higher than anticipated for the time of the year, the overall income balance was largely as expected.
- 525.2. Turning to expenditure, the CEO explained that the variance report showed an underspend of £123,766. He explained that this was mostly due to delays in receiving electricity invoices and unforeseen delays with the maintenance programme. He added that by the end of the next financial quarter, the Board would be in a better position to assess the outturn.
- 525.3. Commenting on some of the detail, the CEO explained that there was an overspend against accommodation due to additional security enhancement measures being installed, but as

there was no further significant expenditure planned, this was expected to level out by the end of the year.

- 525.4. It was noted there appeared to be an underspend against pumping stations and the DO explained that he was awaiting receipt of £50k worth of invoices for the removal and repair of the pump at Skelton, which had recently been reinstalled, and for Pump 2 at Crabley Creyke.
- 525.5. Mr Mowforth requested that electricity be highlighted in reports due to it being a substantial sum of money. The CEO took this action away as to how to best represent these values. **Action CEO.**
- 525.6. Mr Traill queried why expenditure was 50% less than what was expected on watercourse maintenance; the CEO confirmed that this was due to late invoices and delays with the maintenance programme.
- 525.7. Mr Baxter requested consistency in colour of the charts and graphs, highlighting that “planned” and “actual” were different on each chart. **Action CEO.**
- 525.8. Referring to the internal auditors’ comments regarding the Board’s reserves not currently being at the recommended 75%, Mr Hick queried how responses to an emergency would be funded. He expressed concern that £821k was not sufficient and felt that the Board should take action to increase this figure.
- 525.9. The CEO acknowledged Mr Hick’s concerns and commented that to increase the reserves funds from next year’s and/or future years’ base revenue budgets would need to be of sufficient size to set these funds aside.
- 525.10. Mr Maclean queried if there was any confidence in the Board being able to build on reserves next year, to which the CEO replied that he would be better able to advise on this at the February meeting.
- 525.11. Cllr Meredith suggested that the Board make comparisons with other IDBs of a similar operational nature to benchmark costs. The CEO acknowledged that he would investigate this, although strongly advised members not to compare p£ rates as because the way IDBs are funded this would be meaningless and that comparing IDBs of dissimilar geography would also give erroneous data.
- 525.12. Turning to electricity, the CEO confirmed that a 12-month contract had been agreed with Woldmarsh from October. Hence the Board were no longer on a variable rate, which had seen up to 70p per unit being incurred earlier in the year. The CEO confirmed that the market had been tested in accordance with the Board’s Financial Regulations.
- 525.13. The CEO continued that due to the significant power demand of some of the pumping stations, standing charges were extremely high, and that the ADA were lobbying the government about this.

- 525.14. Mr Mowforth queried if it would have been better for officers to have negotiated directly with energy companies rather than via a broker as it appeared that the Board had been exposed to significant risk in not securing a fixed energy contract sooner.
- 525.15. The CEO responded that there had been a robust procurement taken throughout including approaching other suppliers and testing the wider market.
- 525.16. Cllr Aitken commented that these matters had been considered by the Executive Committee and suggested that Members may wish to join the Executive Committee as this will give them more opportunity to scrutinise and discuss such matters in detail.
- 525.17. The CEO informed Members that, to improve forecasting of electricity costs, the Board's apprentice had been tasked with collecting monthly meter readings from all of the pumping stations to get up to date estimates, [and once there is enough data] these be matched against runtime hours, both to improve forecasting.
- 525.18. Mr Baxter asked if this could be linked to rainfall. The DO advised for this to be considered there would need to be a number of gauges installed.

526. Rates

- 526.1. The DPF confirmed that the majority of rates income had been received, and that the court hearing to obtain liability orders had recently taken place.
- 526.2. The DPF advised that two ratepayers attended to challenge the applications, however, as the reason for these payments being withheld was due to complaints regarding maintenance issues, the challenges were not upheld. All applications were duly granted with costs added.
- 526.3. The Board discussed the payment of drainage rates and the unacceptableness of withholding rates due to maintenance complaints.

527. External Audit

- 527.1. The DPF confirmed that the Annual Return document (AGAR) was returned on 29th September which concluded that there were "no matters giving cause for concern that relevant legislation and regulatory requirements have not been met."
- 527.2. The DPF advised that two "other matters" were raised for noting, one of which was subsequently confirmed as being an error on the external auditor's part, the second relating to the appointment of the internal auditor, which was relevant to local authorities whose expenditure exceeded £2m.
- 527.3. The DPF confirmed that going forward, it would become part of annual procedure for the Board to consider specific matters in relation to the appointment of the annual auditor.

528. Internal Audit

- 528.1. The DPF drew attention to the auditor's reports which confirmed that there were no matters of concern but highlighted that the Board's reserves position was below its policy target of 75% of operating income.

529. Invoices Paid and Accounts Settled

- 529.1. The Chair asked members if they had any questions regarding the schedule of invoices. Mr Wright queried a payment of £1,830 for legal expenses for land at Kirk Bramwith. The CEO advised that this related to ongoing legal work which would be reimbursed by Danvm Drainage Commissioners in due course.
- 529.2. Mr Wright then queried a payment of £7.5k on training costs, to which it was explained that training was booked for groups of staff across the Consortium to benefit from group discounts and that the costs expended for other Boards' staff would be reimbursed.
- 529.3. Mr Mowforth queried a payment for a Polaris Ranger. The DO explained that this was a replacement vehicle which had been ordered the previous year.
- 529.4. It was PROPOSED by Mr Mowforth and SECONDED by Cllr L Bayram and UNANIMOUSLY RESOLVED that the Board notes and approves the record of Invoices Paid and Accounts Settled to the value of £1,883,877.59 (net).

530. Public Sector Agreements

- 530.1. The DO clarified that the PSCAs were held mostly with the Environment Agency and National Highways, and some with Natural England, amounting to £250k of additional income.
- 530.2. The DO explained that wracking works were complete from Melton to Barmby on the Marsh, along with maintenance works on Mill Beck from Brantingham to the A63.
- 530.3. The DO added there had also been some external works in Pickering on Pickering Beck.
- 530.4. Mr Featherby sought assurance that the PSCA works were not to the detriment of the Board's own maintenance. The DO advised that some of the PSCA work was in the Board's best interest as it assisted in removing water from the Board's district.
- 530.5. Mr Mowforth asked if the Board's in-house resources were used to complete the PSCA works, to which the DO confirmed that was the case, and added that this served to enhance the operational teams' maintenance skills.
- 530.6. Mr Mowforth asked if the Board's contractors would be able to complete these works if the Board's operational team had other priorities, to which the CEO confirmed that would be possible.
- 530.7. Cllr Aitken gave apologies and excused herself from the meeting.

531. Development Control & Planning

- 531.1. The CEO referred to the “HOW-G” development, advising that the developer had agreed to pay fees for staff time to continue assisting with the project. It had also been confirmed that a swale would replace Scuttlecroft drain, to be maintained by the developer.
- 531.2. Mrs West queried if the infrastructure would be in place before the new houses could be purchased, to which the CEO confirmed that there was a planning condition in place to ensure that would be the case.
- 531.3. Mr Hick expressed concern about the existing pumping station at North Howden having a sole power supply, particularly as a recent power cut had resulted in water backing up along the drainage system.
- 531.4. Mr Hick wished to make it clear to the Board that if the downstream pipework from North Howden pumping station failed there would be an increased risk of flooding. The DO reiterated that the pipe in question had been surveyed and found to be in good condition.
- 531.5. The CEO commented on issues with the current pumping station and reminded Members that provided a developer’s agreement goes through there would be a new pump installed at the developer’s cost.
- 531.6. The DO went on to update Members on the proposed solar farm, highlighting that the developer was aware of the need to comply with the Land Drainage Act and the Board’s byelaws in respect of easements for Board maintenance.
- 531.7. The CEO advised that this proposal could mean a substantial increase in special levy income if solar farms were classed as non-agricultural land, but given the number involved he intended to seek legal advice on this. This suggestion was agreed with by the Board.
- 531.8. The DO continued that the Board had objected to a proposed development in Bubwith due to its proximity to the watercourse and discharge of surface water.
- 531.9. The Board had also refused a consent application for a fence to be installed within 9m of the Foulness, on land owned by the Board.

532. Capital Programme

- 532.1. The CEO gave an update on the capital programme, advising that the bridge over the Foulness would be completed with weight restrictions in place as per the advice of the structural engineer.
- 532.2. Mr Maclean requested further information as to the repairs on Yokefleet Clough. The DO explained that a clough door had recently been fabricated for Ouse Carr and he was considering repeating this at Yokefleet.
- 532.3. Mr Scutt asked for pictures of the clough doors to be distributed to Members and Mr Maclean requested a site visit. **Action DO.**
- 532.4. Mr Wright queried the cost of the doors, to which the DO advised c£6k.

- 532.5. Cllr Roberts queried if the slip at Blacktoft outfall had been remedied and the DO advised that the rock armour installed by the EA last winter had been holding up so far.

533. Maintenance Update

- 533.1. The DO updated Members that as of September 2023, 72% (289,893m) of flailing work was complete and 23% (91,566m) of de-weeding was complete.
- 533.2. The DO acknowledged Members' concerns about the level of maintenance outstanding, commenting that it had been a challenging season for a number of reasons, and whilst the operational team had caught up with the schedule in July, they had encountered delays due to presence of crops within the maintenance margins. He added that maize had been a particular problem.
- 533.3. The CEO clarified that although the Board have rights to drive over crops, landowners also have the right to claim compensation for damage, therefore it should be avoided where possible.
- 533.4. The DO explained that a programme of de-weeding works that had been let to one particular contractor represented the majority of outstanding works and this would be reviewed in the following season.
- 533.5. Mr Mowforth raised a complaint on behalf of a landowner at Laxton regarding a watercourse which had not been maintained for a significant period. He added that there was a growing perception amongst landowners that they were receiving less value for money following the considerable rate increase.
- 533.6. The DO confirmed that he would investigate the watercourse at Laxton. **Action DO.**
- 533.7. Mr T Screeton expressed a view that the delays with contractors could have been addressed sooner, the CEO acknowledged his remarks.
- 533.8. The CEO commented that the Board could potentially deliver more efficient maintenance by doing more in-house but this would require the purchase of a long reach machine. He agreed to bring this proposal to the Executive Committee in January 2024 for their consideration. **Action CEO.**
- 533.9. Mr Baxter wished to express concern about the Market Weighton Canal and the lock gates, to which the DO responded that this was an EA asset, and the Board had made relevant EA officers aware of the Board's concerns.

534. Policies and Strategies

- 534.1. The DPF gave an overview of the sickness absence policy for consideration and adoption by the Board, explaining that in extended or numerous periods of staff absence, appropriate monitoring and action would be taken upon reaching certain trigger points.

534.2. The DPF confirmed that the policy was comparable to other public sector policies on the subject, and that prior to it being formally rolled out, it would be reviewed by a HR professional to ensure its suitability.

534.3. It was PROPOSED by MR MACLEAN and SECONDED by MR WRIGHT and UNANIMOUSLY RESOLVED that the Board approve the Sickness Absence Policy.

535. Correspondence

535.1. The Chair drew attention to a letter sent on behalf of several ratepayers.

535.2. The Board considered the comments raised, and Mr Featherby highlighted that the letter had been discussed in detail at the last Executive Committee meeting.

535.3. Referring to ratepayer concerns regarding the budget not being appropriately considered, Mr Featherby advised that the Executive Committee had already resolved to commence budget forecasting much earlier than usual, with a draft 2024/25 budget considered at the last meeting.

535.4. Mr Hick and Mr Wright both agreed that the upcoming Consortium Governance Meeting would be a positive opportunity to review the Board's financial structure in detail, to which the CEO advised he would look to compile some comparative maintenance cost figures from other drainage boards. **Action CEO.**

535.5. Mr Featherby suggested that the Board respond to the letter acknowledging the concerns raised and setting out the action to be taken going forward. **Action CEO**

535.6. Mr Henley suggested that a more definitive letter be sent with rate demands, with an intermediary letter sent in the middle of the operational year.

535.7. The CEO confirmed that all ratepayers were provided with literature with their rate demands, notifying them of maintenance operations and an explanatory note regarding the rate increase.

535.8. Members next discussed communication between operational staff and landowners in relation to accessing land and maintenance strips. The CEO advised that an exercise was in progress plotting access routes for certain watercourses.

535.9. Mr Wright left the meeting.

536. Date of Next Meeting (s)

536.1. The date of the next Full board meeting was confirmed: 5th February 2024

536.2. The CEO notified Members of the upcoming ADA National and ADA Northern meetings and invited Members to attend, to which Mr Maclean requested tickets for the ADA National Conference. **Action BdSec.**