



Black Drain Drainage Board

MINUTES OF THE FULL BOARD MEETING HELD ON WEDNESDAY 24TH JANUARY 2024 AT THORNE OLD PEOPLES WELFARE CENTRE.

PRESENT					
Elected	Mr D Hinchliffe	Mr R Hinchliffe	Mr K Parkinson	Mr M Conroy	Mr R Ketteringham
Appointed	Martin Oldknow	Mr A Porter			
APOLOGIES					
Elected	Mr S Longthorp	Mr D Backhouse			
Appointed	Cllr Houlbrook				
ABSENCES					
Appointed	Mr C Crowe	Mr P Marran			
IN ATTENDANCE					
Officers		Mr A McLachlan – Chief Executive Officer			
		Mr R Towse – Director of Operation			
		Mrs A Larkin – Director of Policy & Finance			
		Miss L Smith – Executive Assistant			
		Mr L Plater – Senior Development Control Officer			

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144. Order of the Meeting

144.1. With the consent of the Board the CEO chaired the start of the meeting until a Chairman was installed.

145. Welcome, Introductions and Apologies

145.1. Members and Officers were welcomed, and apologies were noted for, Cllr Houlbrook, Mr S Longthorp and Mr D Backhouse.

145.2. The CEO introduced the senior planning officer, who was attending to provide an update following the major pollution incident.

145.3. It was confirmed that the 2023 drainage board elections resulted in the following members being elected:

<i>Mr R Ketteringham</i>	<i>Mr D Backhouse</i>	<i>Mr M Conroy</i>	<i>Mr R Hinchliffe</i>
<i>Mr D Hinchliffe</i>	<i>Mr K Parkinson</i>	<i>Mr S Longthorp</i>	

146. Declarations of Interest

146.1. None.

147. Election of Chairman

148. The CEO set out the procedure for the election of the Chairman and invited nominations from Members.

149. It was PROPOSED by M Conroy and SECONDED by M Oldknow and UNANIMOUSLY RESOLVED that the Board appoint Mr D Hinchliffe as Chair.

150. No further nominations were received.

151. Mr D Hinchliffe accepted the appointment of Chairman.

152. Election of Vice-Chairman

152.1. The CEO set out the procedure for the election of the Vice Chairman.

152.2. It was PROPOSED by Mr K Parkinson and SECONDED by Mr M Oldknow and UNANIMOUSLY RESOLVED that the Board appoint Mr R Hinchliffe as Vice-Chair.

152.3. No further nominations were received.

152.4. Mr R Hinchliffe accepted the appointment of Vice-Chairman

153. Additional Agenda Items

- 153.1. Mr D Hinchliffe requested that the Board discuss the slips in the district before setting the budget.
- 153.2. The DO provided an estimate of the cost to remedy these slips with piling works and advised that the work could either be carried out in increments or as one job within the 2024/25 period.
- 153.3. Mr R Hinchliffe was of the view that some slips may have been caused by maintenance carried out in the Autumn. The DO acknowledged this but advised it could also have been due to variations in water levels.
- 153.4. The Chair and Vice Chair proposed that approximately £25k be set aside for the piling works.
- 153.5. Mr D Hinchliffe queried if the value of the contract for this work would reflect the fact that the slips arose following maintenance carried out by the same contractor.
- 153.6. The DO confirmed that he was due to meet with the contractor after the meeting to discuss the Board's concerns and intended for the works to be done between April and June.
- 153.7. Mr Ketteringham suggested it be requested that Rubber Duck excavators were not to be used within Black Drain district for maintenance works.

154. Health and Safety

- 154.1. No incidents reported.

155. Natural Environment

- 155.1. No items reported.

156. Minutes of the previous Full Board Meeting

- 156.1. Members reviewed the minutes of the previous Full Board Meeting held on 21st June 2023.
- 156.2. Mr K Parkinson queried if minute 142 had been actioned, to which the CEO confirmed that DMBC had visited the site with officers.
- 156.3. It was PROPOSED by Mr R Hinchliffe and SECONDED by Mr K Parkinson and UNANIMOUSLY RESOLVED that the Board approve these minutes as a true record of that meeting.

157. Matters Arising

- 157.1. Minute 124.4 – DO to contact Environment Agency regarding Old Don clearance at Waterside. The DO confirmed this to be ongoing and to be discussed under the planning update.
- 157.2. Minute 142.14 – CEO/Mr Porter to raise concerns with CDC regarding the River Don. This action was confirmed as ongoing.
- 157.3. No other matters were raised.

158. Appointment of Internal Auditor

- 158.1. The DPF advised that, in line with best practice guidance, the Board should consider the independence and competence of the internal auditor and agree the internal audit programme of work having regard to identified risks.
- 158.2. The DPF notified the Board that the trading name had also changed to Northern Internal Audit Services.
- 158.3. The DPF referred members to the Internal Auditor's CV, the Internal Audit Plan, and letter of engagement, provided within the meeting papers.
- 158.4. Mr M Oldknow queried if it was best practise to appoint the same auditor each year. The CEO explained that normally external professional services were appointed every three years, however appointing these annually would ensure there were no conflicts of interest.
- 158.5. It was PROPOSED by Mr M Oldknow and SECONDED by Mr R Ketteringham and UNANIMOUSLY RESOLVED that the Board appoint Northern Internal Audit Services to provide internal audit services for the financial year 2023/24, upon being satisfied of the provider's independence, competence, and proposed programme of work.

159. Minutes from the ADOC Consortium Meeting

- 159.1. The Chair drew attention to minutes of the ADOC Consortium Meeting held on 27th November 2023 and gave Members a brief overview of the meeting.
- 159.2. Mr D Hinchliffe raised that the number of Board meetings held had reduced in comparison to previous years, however agreed that two meeting per year, along with the ADOC Consortium meeting was adequate.
- 159.3. The CEO advised that a system was being trialled whereby actions and resolutions were being recorded from meetings and being made accessible to Board Members to provide a snapshot of the meeting. **Action CEO.**
- 159.4. He added that Members were also invited to attend a Induction/Refresher session on the roles and responsibilities of Board Members. **Action CEO/BD Sec.**
- 159.5. The Chair requested that between meetings, a notice be provided to Board members if any significant matters arose.
- 159.6. The CEO referred to the issues around Thorne Moors and noted that at the request of Reedness & Swinefleet IDB, a meeting had been organised for the Chairs and Vice Chairs of affected boards to strengthen relationships with Natural England and find a positive way to move forward with resolutions.
- 159.7. The Chair agreed that it was important for IDBs to be involved in the management of the water coming from the Moors to ensure there was minimal impact on the Boards' districts.

160. Budget & Rate Setting

- 160.1. The CEO advised that the 2023/24 budget was estimated to outturn within +/-1%.
- 160.2. Turning to the 2024/25 budget, he confirmed that as per earlier discussions, it was agreed that £25,770 would be placed into the Board's serviceability programme to account for the piling works.
- 160.3. The DPF commented that if the Board were minded, they could utilise reserve funds to pay for the piling works, as their reserves were in a positive position, above the recommended 75% of operational budget.
- 160.4. The Chair proposed raising the rate to 21p/£ and withdrawing some funds from reserves to pay for the works.
- 160.5. The Board requested that the DO investigate funding and contributions from the Coal Authority. **Action DO.**
- 160.6. It was PROPOSED by Mr R Hinchliffe and SECONDED by Mr M Oldknow and UNANIMOUSLY RESOLVED that the Board increase the rate to 21p/£ to meet an estimated budget requirement for 2024/25 of £183,223.

161. Invoices Paid and Accounts Settled

- 161.1. The Chair drew attention to the schedule of invoices paid from April to December 2023.
- 161.2. Mr R Hinchliffe highlighted a payment made to Perrys Pumps, to which the DO confirmed it was for a pump removal and repair at Rawcliffe pumping station.
- 161.3. Mr R Hinchliffe next highlighted another payment made to Perrys Pumps for repairs to no.1 screw on Outlet pumping station. The DO could not recall what this was for and took an action away to look-up the invoice. **Action DO.**
- 161.4. Mr R Hinchliffe also noted a £31k recharge to Ouse & Humber Drainage Board for the Dikes Marsh pumping station refurbishment scheme. The CEO confirmed this was the final payment for that part of the scheme.
- 161.5. A payment made to Quartzelec was queried, to which the DO advised it had been incorrectly booked to revenue rather than to the Dikes Marsh capital scheme. **Action DO/DPF.**
- 161.6. A payment made to Pulsar Measurement for facias at Dikes Marsh PS was also queried. The DO explained that these were required to protect the sensors from the water level. The CEO advised that this should also be booked to the scheme. **Action DO/DPF.**
- 161.7. It was PROPOSED by Mr M Oldknow and SECONDED by Mr M Conroy and UNANIMOUSLY RESOLVED that the Board note and approve the record of Invoices Paid and Accounts Settled, totalling £144,006.33 (net) for the previous financial periods subject to the queries raised above.

161.8. The Board discussed the works at Outlet pumping station, which were being delayed due to the piling works, however the CEO advised that if the situation worsened, the works could be brought forward.

162. Conclusion of Annual Audit

162.1. The DPF confirmed that the External Auditors, PKF Littlejohn, had completed their annual audit of the Board and had concluded that there were no matters of cause for concern. This meant the Board had passed the external audit.

163. Internal Audit Report

163.1. The DPF drew attention to the internal audit report for the interim audit conducted in November 2023, whereby no matters of concern had been reported.

164. Drainage Rates

164.1. The DPF confirmed that there were approximately £23 arrears outstanding, and that one liability order had been granted, for which the debt had been recovered.

165. Planning & Development Control

165.1. In relation to the pollution incident at the Warping Drain, the SDCO confirmed that contact had been made with Yorkshire Water who were aware of the Board's intention to claim back costs in relation to the incident.

165.2. He explained that a "Letter before Claim" had been sent to attempt to recover £6k for future remedial costs, damage to the watercourse and slips as well as future costs for pollution. The CEO added that staff costs owed to Ouse and Humber Drainage Board would also be recouped.

165.3. Mr Parkinson queried if there would be any repercussions for the Board in relation to the pollution incident. The SDCO advised that the letter had made it clear that Yorkshire Water would be held accountable.

165.4. He added that before desilting the Warping drain, the Board would ensure that samples were taken to prevent the Board being identified as the producer of non-organic waste.

165.5. On other matters, the SDCO advised that the EA have accepted that the Old River Don is an ordinary watercourse, for which they are the riparian owner. Therefore, the Board may use its enforcement powers if deemed necessary.

165.6. He reported that the EA believed the problems to be more than just maintenance and possibly due to the design of the outlets. He therefore recommended that surveys be undertaken to investigate whether those claims were correct.

165.7. The SDCO added that the EA had also suggested that there may have been a leak from the canal, which officers had refuted.

- 165.8. The Chair suggested that notice could be served on the EA, however the CEO suggested that this decision be delegated to the Chair after further conversations with the Environment Agency and that legal advice be obtained in the event of enforcement being pursued. Mr M Oldknow expressed a wish for the Board to reconvene rather than delegate the decision to the Chair, to which the Board agreed.
- 165.9. The Board also agreed that evidence should be collected prior to deciding whether to commence any enforcement action.
- 165.10. Turning to a different matter, the SDCO advised that there had been issues in relation to accessing a Board-maintained watercourse alongside a new residential development at White Lane. He explained that his attempts to engage with the developers had so far been unsuccessful, but the management company for the development's amenity space were investigating the cost of creating a maintenance strip for the Board via a commuted sum.
- 165.11. The CEO suggested that the residents of the development be made aware that the Board will be carrying out maintenance, which will impact on the view they currently have. **Action SDCO: to install a notice board.**
- 165.12. Mr Porter suggested consulting with local councillors. **Action SDCO.**

166. Maintenance

- 166.1. The DO confirmed that Rawcliffe Bridge and Inlet Pumping stations were running as they should be. There had been a slight problem with the weed screen on Outlet PS; he explained that the screen had moved out of position slightly so was being run manually pending a repair before summer.
- 166.2. The DO confirmed that, as previously mentioned, new sensors had been installed on Inlet PS to enable accurate readings.
- 166.3. The CEO addressed the matter regarding the standard of maintenance which had not been of the standard normally expected by the Board. He confirmed that, following earlier discussions with members, 'rubber ducks' would largely be excluded from future maintenance programmes and only used on watercourses where suitable to do so.
- 166.4. The CEO cautioned that if the contractor did not agree, the Board may have to use a different contractor, which may cost more.
- 166.5. The Board discussed the regrading of Black Drain.
- 166.6. It was PROPOSED by Mr Ketteringham and SECONDED by Mr Parkinson and UNANIMOUSLY RESOLVED by the Board that tracked excavation only be used for de-weeding and de-silting maintenance works.
- 166.7. The Board discussed the issue of spoil placed on the bank side re-entering the watercourses due to the rise in water levels.

166.8. The Chair and Vice-Chair raised concerns that maintenance had been missed and requested improved communications between operational staff and contractors.

166.9. It was noted that the west side of the bank from Crow Farm to Rawcliffe had not been maintained, nor the side of the motorway towards Rawcliffe PS.

166.10. The Board discussed spraying works and the DO advised that Danvm's operational team had been instructed to complete spraying works.

166.11. The Chair commented that riparian owners should also take responsibility for removing weed in watercourses adjacent to land.

167. Date of Future Meetings

167.1. It was confirmed that the next full board meeting was due to be held on Thursday 20th June 2024.