



# Black Drain Drainage Board

## MINUTES OF THE FULL BOARD MEETING HELD ON WEDNESDAY 19TH JUNE 2024 AT THORNE OLD PEOPLES WELFARE CENTRE

<b>PRESENT</b>					
<b>Elected</b>	Mr M Conroy	Mr S Longthorp	Mr Ketteringham	Mr D Hinchliffe	Mr R Hinchliffe
<b>Appointed</b>	Mr Oldknow	Ms L Dilks	Mr A Porter		
<b>APOLOGIES</b>					
<b>Elected</b>	Mr K Parkinson				
<b>Appointed</b>	Mr P Marran	Cllr Houlbrook	Mr R Campbell		
<b>ABSENCES</b>					
<b>Elected</b>					
<b>Appointed</b>					
<b>IN ATTENDANCE</b>					
<b>Officers</b>	Mr A McLachlan – Chief Executive Officer				
	Mr R Towse – Director of Operation				
	Mrs A Larkin – Director of Policy & Finance				
	Miss L Smith – Executive Assistant				

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

- 168.1. The Chair introduced Members and Officers, noting apologies from Mr K Parkinson, Mr P Marran, Cllr Houlbrook and Mr R Campbell.
- 168.2. The CEO advised of an update from City of Doncaster Council's democratic services regarding appointed Members, and introduced Ms Liana Dilks to the Board.

**169. Declarations of Interest**

- 169.1. None declared.

**170. Additional Agenda Items**

- 170.1. The CEO reported that there had been a discussion with Dempster IDB regarding potential amalgamation with neighbouring Boards. The CEO advised that he would be investigating this in detail for the Boards which were part of the ADOC consortium.
- 170.2. A number of members expressed concern about losing autonomy and independence if they were to merge with other Boards but agreed that the CEO could provide further information in relation to this matter for the Board to consider at a future date. **Action CEO.**
- 170.3. The CEO advised that amalgamation presented opportunities for greater financial security with improved investment prospects.
- 170.4. Mr Conroy raised concern about the cost of administration and expressed the view that the Board should remain independent.

**171. Health and Safety**

- 171.1. There were no recorded incidents within the Board area.

**172. Natural Environment**

- 172.1. There were no specific issues to report.

**173. Minutes of the previous Full Board Meeting**

- 173.1. The Chair drew attention to the minutes of the previous meeting held on 24<sup>th</sup> January 2024.
- 173.2. It was PROPOSED by Mr Oldknow and SECONDED by Mr Conroy and UNANIMOUSLY RESOLVED that the Board approve these minutes as a true record of that meeting.

**174. Matters Arising**

- 174.1. Minute 124.4 – Old Don clearance at Waterside - the CEO advised that in his opinion there was an impediment to flow, and this had been raised the Environment Agency as the landowner. Mr Porter advised that this had also been raised by CDC.

- 174.2. The CEO advised that on a related matter there had been constructive discussions with EA staff regarding the precept and how this should be spent, including on the old Don but he had not yet received a response to the suggestions put forward.
- 174.3. It was PROPOSED by Mr R Hinchliffe and SECONDED by Mr Oldknow and UNANIMOUSLY RESOLVED that Officers proceed with enforcement action against the Environment Agency in relation to the River Don. **Action CEO**
- 174.4. Minute 159.4 – It was highlighted by Members that some elected Members may not be able to attend the arranged induction session in September, and therefore requested that an additional session be arranged between November – February. **Action Bd Sec.**
- 174.5. Minutes 159.3 and 159.5 were confirmed as ongoing and minutes 159.4, 160.5, 161.3, 161.5 and 161.6 were confirmed as resolved.

#### **175. Annual Risk Register and Health & Safety Review**

- 175.1. The CEO confirmed that he had reviewed the risk register, comparing risks against the previous year and giving consideration to those that may have a direct or indirect impact on the business of the Board. He added that the risks to the Board were mitigated primarily through governance arrangements and insurances.
- 175.2. It was PROPOSED by Mr R Hinchliffe and SECONDED by M Oldknow and UNANIMOUSLY RESOLVED that the Board approve the revised risk register for 2024.
- 175.3. The CEO gave members a review of health and safety practices and procedures over the last year. He advised that the operational teams who work within the Board's district were appropriately trained and carry out risk assessments prior to tasks.
- 175.4. He confirmed that biannual health and safety meetings were held for managers alongside a consortium-wide meeting to invite comments and constructive criticism from staff.
- 175.5. Mr Oldknow queried how contractors were monitored, to which it was confirmed that where appropriate RAMS were completed and provided to the Board.
- 175.6. It was UNANIMOUSLY RESOLVED that the Board note and accept the annual review of the Health and Safety Management System.

#### **176. Accounting Statements and Annual Return**

- 176.1. The DPF confirmed that the Board's accountants, Hunter Gee Holroyd Ltd, had prepared the Board's official accounts and annual return documents for the period 2023/24 and that these had also been reviewed by the Board's internal auditor.
- 176.2. Referring to income, the DPF highlighted that higher interest rates had meant an increased return on funds, and noted income from National Highways and The Coal Authority. Overall, the Board had received an additional £9k of income than originally predicted.

- 176.3. In terms of expenditure, she explained that due to the higher electricity costs and poor weather, electricity costs had amounted to over £10k more than what had been budgeted, alongside a £5k overspend on pumping station maintenance.
- 176.4. She noted the total surplus £26,221, explaining that much of this was due to a sum of £40k being set aside for the Outlet stabilisation project, which had not yet been spent. Thus, had this gone ahead, the Board would have seen a deficit.
- 176.5. Mr R Hinchliffe queried when the PWLB loans would be satisfied, to which the DPF confirmed that all three would be complete by 2030.
- 176.6. With no further questions on the accounts, the CEO proceeded to read the eight annual governance statements to the Board and Members who indicated their agreement with each statement.
- 176.7. It was PROPOSED by Mr Porter and SECONDED by Mr Oldknow and UNANIMOUSLY RESOLVED that the Board approve the Annual Governance Statement for 2023/24.
- 176.8. It was PROPOSED by Mr Longthorp and SECONDED by Mr Ketteringham and UNANIMOUSLY RESOLVED that the Board approve the Accounting Statements for 2023/24.

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

- 177.1. The DO highlighted the number of credits and debits in relation to energy payments and explained that this was due to the subsidies from the government and usage assumptions made by the energy companies.
- 177.2. The DO clarified that the invoice in relation to the removal of overhanging branches on Black Drain M18 on East Side, was rechargeable to National Highways.
- 177.3. It was PROPOSED by Mr R Hinchliffe and SECONDED by Mr Oldknow and UNANIMOUSLY RESOLVED that the Board note and approve the record of Invoices Paid and Accounts Settled, totalling £58,354.44 (net) for the last financial quarter.

#### **178. Internal Audit**

- 178.1. The DPF circulated the internal audit report, whereby it was noted that there were no concerns raised by the internal auditor.

#### **179. Bank Mandate**

- 179.1. The DPF advised that at present the only officers with online banking access to the Board's accounts were the CEO and herself, and that it would be useful for the Finance Officer to be able to access this facility to record and monitor day to day transactions, such as drainage rates receipts.

- 179.2. To overcome this issue, permission was sought to add the Board's Finance Officer to the mandate with, if necessary, the smallest financial limit so that she can access the accounts online.
- 179.3. It was PROPOSED by Mr Longthorpe and SECONDED by Mr Conroy and UNANIMOUSLY RESOLVED that the Board approve the addition of the Board's Senior Finance Officer, Miss Sophia Questari, to the mandates of the Board's NatWest Current (ending 8515) and NatWest Notice Accounts (ending 6698) with the smallest financial limit to make this feature active.

**180. Development Control & Planning – Q3 (January – March 2024)**

- 180.1. The DO advised that initial land drainage consent had been issued for the large industrial development on the land between the M18 and the River Don, and it was expected that this would discharge into the Toe Drain.
- 180.2. Referring to the Thorne Pollution incident, the CEO confirmed that Yorkshire Water had agreed to reimburse the costs incurred by the Board to date in dealing with the incident, and that this payment would not prejudice any claims made by the Board for any further costs should they arise.
- 180.3. The DO advised that the watercourse would be checked again for contamination.
- 180.4. Mr Hinchliffe queried if Yorkshire Water would reimburse for the clearing of Warping Drain as this was unable to be maintained last year. The CEO advised that his main concern was to establish the contamination levels if any.
- 180.5. The DO advised that Warping Drain would be sprayed twice this year.
- 180.6. The DO continued that works on Boating Dyke were being undertaken by the developer to clear the watercourse and allow for an access route for the Board's maintenance. He added that a meeting had been planned on completion of the works to review whether they were satisfactory.
- 180.7. He advised that the developer at White Lane had contacted residents to advise on the use of the access strip by the Board, and that options for the location and format of a sign informing residents of Board access would be assessed once site works were complete.
- 180.8. Mr R Hinchliffe requested that a letter be sent out of courtesy to residents within the area in advance of the maintenance operations being performed. **Action DO.**
- 180.9. It was reported that tarmac had been laid with lorries parking near Outlet pumping station. **DO to investigate.**

**181. Capital Programme**

*Prime Minister's Announcement - £75m*

- 181.1. The CEO advised that on behalf of Black Drain, Tranche 1 bids had been placed for extraneous energy costs, remedial works, and pump station repair works, which had been expended due to the poor weather experienced over the past year.
- 181.2. He explained that the second tranche of funding was inviting bids for schemes where government funding would not normally be available, and must primarily benefit agricultural areas. However, it was a condition that the funds must be expended by 31<sup>st</sup> March 2025, therefore bids had to be realistic.
- 181.3. Mr R Hinchliffe queried if a bid could be placed for the stabilisation of Outlet pumping stations along with invertors. CEO to consider this. **Action CEO.**
- 181.4. The CEO advised that panel replacement may also be an option.
- 181.5. The CEO clarified that the current budget assumed that no monies would be received.
- 181.6. Due to the upcoming bidding process, combined with exceptionally challenging delivery timescales, the CEO sought for delegated authority to be given to the CEO with the Chair to authorise Grant Funded capital spend of up to £300k per project should funds become available.
- 181.7. For the same reasons, the CEO sought authority to negotiate procurement based on procurement thresholds for services set to the legal maximum of £214,904 for services and/or £300k for capital works.
- 181.8. It was requested that the Board were informed about any decisions prior to any action being taken. **Action CEO.**
- 181.9. It was PROPOSED by Mr Ketteringham and SECONDED by Mr Oldknow and UNANIMOUSLY RESOLVED that the Board gives delegated authority to the CEO with the Chair in respect of authorising works and schemes funded by the Defra 2024 IDB grant up to £300k per project and authorises the CEO to negotiate procurement up to £300k or to the legal threshold.

## **182. Maintenance**

- 182.1. It was reported that National Highways would complete a culvert cleaning programme during the financial year on the M18 and elements of the M62, however finer details remained unclear.
- 182.2. The DO confirmed that the contractor would not use rubber duck excavators in the Black Drain district, but cautioned that this may increase maintenance costs next year when the contracts were re-tendered.
- 182.3. The DO advised that he had discussed concerns raised by members with the contractor who had generally accepted that there had been failings and that things had not been up to the standard they believed to be acceptable. The DO felt reassured that the contractor would make changes over the forthcoming season and act within the stipulations of the contract.

- 182.4. Regarding spraying works, the DO advised that there had been a change of contractor; Warping Drain, M18 Toe Drain and Boating Dike would receive two spraying treatments and all other watercourses would be de-weeded or de-silted.
- 182.5. It was requested that Boating dike, Warping Drain and Toe Drain be cleared at least a week before spraying, and that reeds should not be removed from the bottom of Toe Drain prior to this. **Action DO**
- 182.6. It was confirmed that the M18 Toe drain was now Board-maintained, with costs fully rechargeable to National Highways.
- 182.7. Due to a reduced budget this year, there were no funds allocated to complete tree clearance works, therefore it was hoped that this could be completed if funds were received from the bids submitted to Defra.
- 182.8. The DO updated that discussions were ongoing with Network Rail regarding the Board completing annual maintenance on Common Drain on their behalf; however, a response had not yet been received.
- 182.9. Mr R Hinchliffe raised concerns regarding the brick headwall on North Common Road which appeared unsafe. **Action DO/LDiIks**
- 182.10. Mr Conroy highlighted that reeds were appearing between Plumtree and Crown Farm and that this section would require maintenance. **Action DO**

### **183. Date of Future Meetings**

- 183.1. The dates of future meetings and events were confirmed:
- Driffield Show - 17<sup>th</sup> July 2024.
  - ADOC Consortium Committee - Monday 25<sup>th</sup> November 2024 at 9:30am
  - Full Board meeting - Wednesday 29<sup>th</sup> January 2025 at 9:00am