



**Dempster**  
Internal Drainage Board

**MINUTES OF THE FULL BOARD MEETING HELD ON MONDAY 17TH  
JUNE 2024 AT 24 INNOVATION DRIVE**

<b>PRESENT</b>					
<b>Elected</b>	Mr P Jacklin (Ch)	Mr M Backhouse (VCh)	Mr J Cowling	Mr R Hall	Mr J Phillipson
	Mr M Johnson	Mr P Chantry			
<b>APOLOGIES</b>					
<b>Appointed</b>	Cllr N Coultish	Mr J Frost	Mr D Walton		
<b>ABSENCES</b>					
<b>Appointed</b>	Cllr L Sargeantson				
<b>IN ATTENDANCE</b>					
<b>Officers</b>	Mr A McLachlan – Chief Executive Officer				
	Mr R Towse – Director of Operations				
	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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**1865. Welcome, Introductions and Apologies.**

1865.1. The Chair welcomed Members and Officers to the Board, noting apologies from Cllr N Coultish, Mr D Walton and Mr J Frost.

**1866. Declarations of Interest**

1866.1. None declared.

**1867. Additional Agenda Items**

1867.1. None raised.

**1868. Health and Safety**

1868.1. There were no specific issues to report.

**1869. Natural Environment**

1869.1. The DO advised that neither the Environment Agency (EA) nor Network Rail had been forthcoming in advising on issues regarding protected species in proximity to Swang syphon.

1869.2. It was queried whether the Recycling Centre had contacted the Board regarding installation of a pipe to discharge water into the Board's watercourse. The DO confirmed that officers were unaware of this, and that consent would not be issued without the agreement of the relevant landowner.

**1870. Minutes of the previous Full Board Meeting**

1870.1. The minutes of the previous meeting held on 22<sup>nd</sup> January 2024 were reviewed.

1870.2. Minute 1862.2 – Change Goit Drain to Goat Drain. **Action BD Sec.**

1870.3. It was PROPOSED by Mr P Chantry and SECONDED by Mr R Hall and UNANIMOUSLY RESOLVED that the Board approve these minutes as a true record of that meeting.

**1871. Matters Arising**

1871.1. Minute 1788.4 – Swang PS upgrade was confirmed as paused pending the outcome of the asset replacement fund policy. However, the DO confirmed that he had discussed maintenance with a potential contractor, and that the doors had since been replaced.

1871.2. Minute 1830.8 – Investigate amalgamation and cost model – confirmed as ongoing.

1871.3. Minute 1854.6 – Investigate the Land Drainage Act and contact NR in relation to badger setts. The CEO advised that Network Rail were required to adhere to the same regulations as the drainage board however, they were not in contravention of the byelaws, even though the badger sett is on their land.

1871.4. The Board queried how this could be resolved and discussed the difficulty of installing piles in the vicinity of protected species.

1871.5. It was suggested that notice might be served on Network Rail, as the riparian owner, due to impediment to flow. The DO advised that he would contact Network Rail in relation to this.  
**Action DO.**

1871.6. Minute 1861.1 – To contact the Environment Agency in relation to potentially contaminated runoff from the recycling centre. It was noted that residents had also raised concerns separately regarding this matter. Confirmed as ongoing.

1871.7. Minute 1862.2 – DO to speak with contractor regarding agreed maintenance – confirmed as resolved.

1871.8. Minute 1862.4 – Swang PS doors leaking, confirmed as resolved.

1871.9. Minute 1862.7 – Arrange for technical staff to collect and scan Mr Chantry's documents. Confirmed as ongoing pending construction of file store. **Action DO**

## **1872. Annual Risk Register and Health & Safety Review**

1872.1. The CEO presented the proposed risk register for 2024/25 and advised that although most of the key risks had been scored the same as the previous year, the risks concerned with ensuring an adequate budget and sufficient reserves in case of disaster or exceptional weather, had increased to the highest score of '9', due to the depletion of the Board's reserves to £26.5k at 31/03/24.

1872.2. It was highlighted that the Board had faced two exceptional events this year, with high energy costs and extremely poor weather. The CEO commented that this had been the case for many Boards, particularly those with pumping stations, but small IDBs such as Dempster were less able to absorb such shocks and hence at greater risk of insolvency.

1872.3. It was PROPOSED by Mr P Chantry and SECONDED by Mr P Jacklin and RESOLVED BY MAJORITY that the Board approve the revised risk register for 2024/25.

1872.4. Mr M Backhouse and Mr M Johnson ABSTAINED.

1872.5. The CEO went on to explain that as part of the adopted Health and Safety Management System, there was a requirement for the Board to review progress on an annual basis.

1872.6. The CEO gave a report of relevant actions over the previous year, highlighting that operational staff who work within the Board's district had received a robust training programme, and that regular meetings had been held to review Health and Safety procedures at both management and staff levels, allowing concerns or suggestions to be put forward.

1872.7. It was PROPOSED by Mr M Backhouse and SECONDED by Mr P Chantry and UNANIMOUSLY RESOLVED that the Board note and accept the annual review of the Health and Safety Management System.

### **1873. Accounting Statements and Annual Return**

- 1873.1. The DPF reported 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 tabled copies of the internal audit report to Members.
- 1873.2. The DPF gave a summary of the accounts, starting with income, confirming that this was mostly as had been budgeted for.
- 1873.3. Mr Phillipson queried the correlation between drainage rates and special levy income and the CEO provided a brief explanation of how the annual drainage rate was set to determine the budget.
- 1873.4. Turning to expenditure, the DPF explained that there had been some overspend on electricity costs and pumping station maintenance, including replacement flap valves on Swang PS. Overall, this had resulted in a deficit of £15,710, which was approximately £10k more than anticipated. She explained that a deficit of £5k had been planned, following the serviceability works carried out on Earnshaw Drain in March 2023.
- 1873.5. Mr Johnson queried if the serviceability works had been appropriately budgeted for in 2023/24. The DO responded advising that the funds from 2022/23 had been carried into 2023/24 to complete the piling works, however the flap valves, which were a necessity, had needed to be funded via the Board’s reserves.
- 1873.6. With no further questions on the accounts, the CEO requested that the Board consider the “Annual Governance Statement with Internal Controls” and indicate their agreement or disagreement with each statement, before proceeding to read the eight annual governance statements.
- 1873.7. It was PROPOSED by Mr Chantry and SECONDED by Mr M Backhouse and UNANIMOUSLY RESOLVED that the Board approve the Annual Governance Statement for 2023/24.
- 1873.8. It was PROPOSED by Mr M Backhouse and SECONDED by Mr J Phillipson and UNANIMOUSLY RESOLVED that the Board approve the Accounting Statements for 2023/24.

### **1874. Budget Refresh**

- 1874.1. The CEO introduced the item, explaining that due to the Board’s delicate financial position, the refreshed budget no longer included serviceability works for piling and re-grading. He put it to members that they may wish to consider the prospect of amalgamating with another IDB(s) to improve their long-term sustainability.
- 1874.2. Mr Chantry queried if funds could be raised part way through the year via donations from Members. The CEO advised that this would be highly unusual, not in keeping with good governance and ultimately unsustainable in the long term.
- 1874.3. Mr Johnson queried how many Boards within the YHDB consortium did hold sufficient levels of reserves, meeting the target 75% of operating expenditure.

- 1874.4. The CEO explained that the issue with Dempster’s reserves was not to do with the 75% target, but the fact that the sum held in reserves (£26.5k), would not even cover a major pump breakdown. He went on to try and make the point, giving the example that other Boards may hold reserves at just 30% of their operating expenditure, but their reserves figure might be £300k, enabling them to withstand financial shock.
- 1874.5. Members raised concerns about retaining autonomy and appropriate prioritisation of maintenance if the Board were to merge with others.
- 1874.6. The CEO responded that he recognised this reaction from previous amalgamations but this did not concern him, going on to say that there would be elected members from all parts of the amalgamated drainage district to ensure adequate representation, and that a board operating on a strategic basis would prioritise maintenance appropriately.
- 1874.7. Mr Johnson queried what would happen to the Board’s funds if it were to amalgamate. The CEO explained that for a determined period, rates across the “old” board areas could be differentiated for a time, however all funds would be collectively held by the new amalgamated board.
- 1874.8. The CEO requested permission to engage in conversations with neighbouring Boards in relation to amalgamation, in the interests of supporting this Board’s future financial sustainability but also in the interests of improving the efficiency of delivering land drainage services overall.
- 1874.9. It was UNANIMOUSLY RESOLVED by Members present, that the CEO begin discussions with neighbouring boards in relation to amalgamation.
- 1874.10. It was PROPOSED by Mr P Chantry and SECONDED by Mr P Jacklin and UNANIMOUSLY RESOLVED that the Board approve the revised budget for 2024/25.

#### **1875. Invoices Paid and Accounts Settled**

- 1875.1. The Chair referred to the schedule of invoices paid for the fourth financial quarter for 2023/24 and invited questions from the Board.
- 1875.2. The DO explained that the numerous electricity invoices and credit notes were due to adjustments arising from government subsidies.
- 1875.3. It was PROPOSED by Mr M Backhouse and SECONDED by Mr R Hall and UNANIMOUSLY RESOLVED that the Board note and approve the record of Invoices Paid and Accounts Settled, totalling £14,750.73 (net) for the last financial quarter.

#### **1876. Capital Programme**

*Prime Minister’s Announcement - £75m*

- 1876.1. The CEO reported that the Prime Minister had announced earlier in the year that up to £75m of funding would be made available for IDBs for storm recovery and asset improvement expenses, on the condition that the funding would be spent by 31<sup>st</sup> March 2025.
- 1876.2. It was confirmed that bids had already been submitted for sunk costs in relation to extraneous electricity costs arising from the severe winter weather, as well as for slips and pump failures.
- 1876.3. He explained that the bid for electricity costs had been calculated based on average costs from the previous two years, whereby any costs over 50% of the average had been deemed extraneous.
- 1876.4. The CEO and DO explained that bids for any remedial works yet to take place or for any asset improvements, such as to pumping stations, must be achievable within the stipulated timeframe, therefore proposals to install fixed permanent pumps would unfortunately not be feasible.
- 1876.5. Mr Johnson queried the chamber capacity of the Inlet pumping station, to which the CEO advised that the installation of a 12" diesel pump may be achievable.
- 1876.6. The DO clarified that [if the bid was successful] monies could be claimed for works which had already been completed, if they had been carried out as a result of the winter storms.
- 1876.7. Both the Chair and Mr M Johnson queried the total bid amount sought for Dempster IDB and the CEO confirmed that for Tranche 1 (reimbursement of extraneous costs), £80k had been requested.
- 1876.8. In relation to Tranche 2, the CEO confirmed that bids could be submitted for schemes which largely benefit agricultural areas, thus giving an opportunity to bid for schemes that would not normally qualify for grant funding.
- 1876.9. Mr Backhouse queried if a [site] meeting could be held with [interested] members in relation to any future piling works, the DO suggested that he could facilitate this.
- 1876.10. The CEO explained that due to the upcoming Tranche 2 bidding process, combined with the exceptionally challenging delivery timescales, he was seeking delegated authority to be given to the Chair and himself to expend capital of up to £300k per project should funds become available.
- 1876.11. The CEO went on to explain that, for the same reasons, he was also seeking authority to negotiate procurement based on procurement thresholds for services set at the legal maximum of £214,904 for services and/or £300k for capital works.
- 1876.12. It was PROPOSED by Mr M Backhouse and SECONDED by Mr J Cowling and UNANIMOUSLY RESOLVED that the Board gives delegated authority to the Chair with the CEO, 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.
- 1876.13. The CEO gave his apologies and left the meeting.

### **1877. Planning & Development Control**

1877.1. The DO advised that there were no matters to report for the period January to March 2024.

### **1878. Maintenance**

1878.1. The DO presented an electronic version of the 2024/25 maintenance programme, which was subject to amendment in view of the current financial situation.

1878.2. Members voiced some concerns that chemical weed maintenance had not been as positive as had been expected.

1878.3. Mr Phillipson highlighted areas which he considered may be more appropriate for mechanical de-weeding rather than chemical spraying. The DO highlighted that the cost would be fourfold that of chemical spraying, but suggested it might become a possibility if funds were received in response to the upcoming bids.

1878.4. It was PROPOSED by Mr J Cowling and SECONDED by Mr J Phillipson and UNANIMOUSLY RESOLVED that the Board approves the annual maintenance programme for 2024/25.

### **1879. Membership**

1879.1. The DPF confirmed that there was nothing to report for this item, but that the appointed members were due to be reviewed by the local authority.

### **1880. Date of Future Meetings**

1880.1. The dates of future meetings were confirmed as follows:

- ADOC Consortium Committee - Monday 25<sup>th</sup> November 2024 at 9:30am.
- Full Board meeting - Monday 27<sup>th</sup> January 2024 at 1:00pm.