



# Ouse & Humber Drainage Board

## MINUTES OF THE ANNUAL GENERAL MEETING HELD ON MONDAY 4<sup>TH</sup> NOVEMBER AT 24 INNOVATION DRIVE

<b>PRESENT</b>					
<b>Elected</b>	Mr T Featherby	Mr J Hick	Mr R Nicholls	Mr R Henley	Mr J Scutt
	Mr J wright				
<b>Appointed</b>	Mrs K West	Cllr N Wilkinson	Cllr L Bayram	Cllr P West	Cllr H Roberts
	Mr G Baxter	Cllr R Meredith	Mr J Traill	Cllr V Aitken	
<b>Apologies</b>					
<b>Elected</b>	Mr T Screeton	Mr C Mowforth	Mr B Maclean		
<b>Appointed</b>	Mr B Blackledge				
<b>Absent</b>					
<b>Elected</b>					
<b>Appointed</b>					
<b>In Attendance</b>					
<b>Officers</b>	Mr A McLachlan – CEO				
	Mrs A Larkin – Director of Policy & Finance				
	Mr R Towse – Director of Operations				
	Miss L Smith – Executive Assistant				

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

578.1. The CEO welcomed members and officers to the meeting, noting apologies from Mr T Screeton, Mr C Mowforth, Mr B Maclean and Mr B Blackledge.

**579. Order of the Meeting**

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

**580. Declarations of Interest**

580.1. Cllr Roberts confirmed he provides ecology advice to the consorotium.

**581. Additional Agenda Items**

581.1. Mr R Nicholls requested the Board discuss the adoption of Ellerker Beck.

581.2. It was agreed that this would be considered under item 23 – Petitions.

**582. Health & Safety**

582.1. No incidents were reported.

582.2. The DO explained that the H&S system has been working well and that a procedure is in place for all staff to report and record near misses when required.

**583. Natural Environment**

583.1. Cllr Roberts drew attention to the Board's biodiversity action plan and advised on how accurate reporting can have a positive impact on the Board's maintenance schedule and support the application for permit licenses with Natural England, for instance, to carry out work in areas where there have been reports of badger sightings.

583.2. The CEO informed members that ADA have written to Defra to request information on how much the EA spends on mitigation work due to badgers.

583.3. Mr Traill notified members of the Waterlife Recovery Trust's work within the Lincolnshire region, supporting the humane control of non-native mink species, ultimately leading to their eradication. He confirmed that the Trust will be seeking interest from landowners and other partners to support with this programme.

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

584.1. The CEO drew attention to the minutes from the previous meeting and invited questions and comments from the Board.

584.2. In relation to minutes 573.5 & 573.6, Cllr Meredith advised that feedback had been received and that Yorkshire Water would be attending a meeting with the public at Ellerker village hall.

584.3. It was PROPOSED by Mrs K West and SECONDED by Cllr R Meredith and UNANIMOUSLY RESOLVED that the Board adopt these minutes as a true record of the previous meeting.

**585. Minutes of the Executive Committee Meetings**

585.1. The CEO highlighted minutes from the Executive Committee meetings, for noting.

**586. Matters Arising**

586.1. None raised.

**587. Appointment of Chairman**

587.1. It was PROPOSED by Cllr Meredith and SECONDED by Cllr L Bayram and UNANIMOUSLY RESOLVED that the Board appoint Mrs K West as Chair.

587.2. No further nominations were received, and Mrs K West accepted the appointment.

**588. Appointment of Vice-Chairman**

588.1. It was PROPOSED by Cllr Meredith and SECONDED by Mr R Henley and UNANIMOUSLY RESOLVED that the Board appoint Mr T Featherby as Vice-Chair.

588.2. No further nominations were received and Mr T Featherby accepted the appointment.

**589. Appointment of Executive Committee**

589.1. Cllr V Aitken arrived.

589.2. The CEO explained that the purpose of the Executive Committee was to scrutinise and analyse the Board's finances and sometimes confidential matters in greater detail, whilst making recommendations to the Full Board for their consideration.

589.3. Cllr N Wilkinson expressed an interest in joining the Executive Committee.

589.4. It was PROPOSED by Mr J Scutt and SECONDED by Mr J Traill and UNANIMOUSLY RESOLVED that the Board appoint Mrs K West, Mr T Featherby, Mr J Wright, Cllr V Aitken, Mr G Baxter, Cllr H Roberts, and Cllr N Wilkinson to the Executive Committee.

**590. Financial Position**

590.1. The CEO drew attention to documents within the meeting papers for the latest financial position, firstly explaining that due to the additional funding received from the government this year (£110k of which has already been received in the bank), this has impacted the income trend somewhat as this money had not been planned for in the original budget.

590.2. As a result of the funding, additional resources (plant and machinery) had been acquired, to meet the programmes of work, and therefore the expenditure trend was assumed to be greater at the end of the financial year than what had been anticipated in the original budget.

- 590.3. The CEO confirmed that additional programmes of work would be completed by the Board's operational teams using Board-owned machinery, which would increase the resource expenditure, but as the funding had increased the income, the final figures should balance.
- 590.4. The CEO confirmed that £95k had been received which covered a large amount of electricity costs from last year, and that £25k had been received which had paid for a scheme completed at Yokefleet.
- 590.5. As income was expected to be significantly more than expenditure, there would be a sum placed into the Board's reserves at the end of the financial year.
- 590.6. Other expenditure highlighted was the cost of a new storeroom for archiving purposes, built in the Board's workshop, which was slightly over the expected budget, however this was a shared consortium cost.
- 590.7. The CEO notified Members of a non-fault, road traffic collision which had written off a Board owned vehicle, the cost of which had been recouped through insurance.
- 590.8. Electricity billing was reported to be slightly behind, and that operations were ongoing to install real-time electricity monitoring at Board-owned pumping stations to allow for more accurate reporting.
- 590.9. Cllr Wilkinson highlighted that the purchase of manual equipment was nearly three times more than had been budgeted for, to which the DO confirmed that this was due to ongoing schemes such as 'LAPSIP', whereby extraneous costs would be reimbursed through the capital schemes.

## **591. Rates**

- 591.1. The DPF reported that 95% of the drainage rates income had been received, with £52,343 outstanding. Approximately £12,938 was owed by ratepayers who had entered into late payment agreements and there were 7 accounts on hold due to pending or recent changes, totalling approximately £12,648.
- 591.2. A further £30,470 was owed by ratepayers who had failed to pay. Summons' had been sent to 32 ratepayers, with £100 costs added to each account. Subsequently, 7 of these had been settled, but for the remaining debtors, a court hearing was due to take place on 6th November 2024.
- 591.3. The DPF advised that the outstanding balance was greater than usual for the time of year, largely due to one ratepayer owing an amount of £10.5k. She advised that due to the size of the sum, the Executive Committee had agreed to the option of instructing solicitors to assist with clarifying occupancy and pursuing the debt through the county court.

## **592. External Audit**

- 592.1. The DPF confirmed that the Annual Return document (AGAR) was returned on 9<sup>th</sup> September, concluding that there were "no matters giving cause for concern that relevant legislation and regulatory requirements have not been met."

### **593. Internal Audit**

- 593.1. The Chair drew attention to the final internal audit report for 2023/24. The DPF confirmed that there were no areas of concern reported.
- 593.2. The DPF then invited the Board to consider the following in respect of the internal auditor, in accordance with National Audit Office guidance:
- the independence of the internal auditor during the year under review.
  - agree the internal audit programme of work, having regard to the authority's identified risks, during the year under review.
  - be satisfied regarding the competence of the internal auditor and that there is a signed letter of engagement in place.
- 593.3. She referred to relevant documents enclosed within the meeting papers, including the internal audit plan.
- 593.4. It was PROPOSED by Mr R Henley and SECONDED by Cllr H Roberts and UNANIMOUSLY RESOLVED that the Board considers the independence of the internal auditor, agrees the internal audit programme of work, having regard to the authority's identified risks and satisfies itself regarding the competence of the internal auditor, confirming there is a signed letter of engagement in place.

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

- 594.1. The Chair referred to the schedule of invoices and invited questions from the Board.
- 594.2. Mr R Henley queried payments made for a "watch pack" and "crop loss".
- 594.3. The DO advised that the watch pack payment referred to devices that monitor the vibration levels of hand tools to ensure that operational staff across the consortium were operating within their upper limit levels under the Hand Arm Vibration Regulations.
- 594.4. He explained that the crop loss payment was due to the widening of Paternoster drain, which had used some of the adjacent landowner's field. The landowner was therefore reimbursed from capital monies obtained for the scheme.
- 594.5. The Chair noted that the Board were paying for the rental of a bowser and queried whether it would be cheaper for the Board to purchase their own. The DO explained that the rental had originally been intended to be short-term, and agreed it may be cheaper to purchase one instead.
- 594.6. Mr Traill queried the £22k spent on repair works, to which the DO advised this was fully funded by a capital scheme for work at Howden Dyke.
- 594.7. Mr J Scutt queried a payment made to Towergate Insurance. The CEO explained that this was a fixed fee paid to the insurance brokers for renegotiating the insurance contracts.

594.8. It was PROPOSED by Mr R Henley and SECONDED by Mr J Wright and UNANIMOUSLY RESOLVED that the Board notes and approves the record of Invoices Paid and Accounts Settled to the value of £1,944,603.07 (net).

#### **595. Public Sector Agreements**

595.1. The DO recapped that the PSCA contracts awarded by the Environment Agency in previous years had not been renewed this year, but that a contract to complete works along the bank from Barmby Barrage to East Cottingwith had been, along with other works, generating substantial additional turnover for the Board.

595.2. The Board discussed how the PSCA work benefits the overall drainage of the Ouse and Humber District and adjoining districts.

#### **596. Development Control & Planning**

##### *Notable Developments*

596.1. The CEO confirmed that Heads of Terms had been agreed for the HOW-G residential development and that Officers had been involved in a meeting recently with the developers and the council, who were acting as the highways authority and contractor for installing the link road and drainage.

596.2. It had been agreed that the developer would pay for all drainage apparatus, and that the drainage board would seek a commuted sum to maintain these drainage systems in perpetuity.

596.3. The CEO confirmed that the outline planning had been approved with the drainage designs agreed in principle, and that the design of a new pumping station was being finalised.

596.4. The DO informed that recent discussions had been held with the developer / LPA regarding the large East Riding Solar Farm development, northwest of the Board's area.

596.5. He confirmed that the developer was offering over and above in relation to easements and access to watercourses and hence there were no current concerns from a drainage perspective. He added that the developer had agreed to cover the Board's legal expenses for dealing with the proposal.

596.6. The CEO noted that there was a significant application submitted to install three warehouses opposite the Board's depot at Stony Lane.

##### *Ongoing Planning and Enforcement Matters*

596.7. The DO confirmed that the Board was maintaining an objection for a 33- home development in Bubwith (24/00035/REFUSE) due to its proximity to a watercourse and drainage design.

596.8. He also confirmed that a preliminary enforcement letter had been sent to a riparian owner in North Howden requesting maintenance of a watercourse.

## *Consents*

596.9. The DO confirmed that there was a consent pending for alterations to a watercourse on Sands Lane, Holme on Spalding Moor, following receipt of assurances from the developer (related to 22/30276/CONDET).

596.10. He confirmed that a consent had been issued for the dewatering of a pond in Everingham.

## **597. Capital Programme**

### *2024 IDB Fund*

597.1. The CEO gave an update on the IDB Fund, explaining that £25m had been delegated to Civil Servants before the general election in July, and therefore secured (Tranche 1). To date the Board had received confirmation of **£676k** of funding, including an indicative confirmation of **£188k** for pumping station repairs, subject to some regulatory matters being satisfied, in all totalling **£864k**.

597.2. He clarified that, of the **£864k**, **£542k** was for sunk costs, including **£96k** for last year's extraneous electricity costs.

597.3. He explained that, to support the labour resources needed to deliver the additional works granted under Tranche 1, a member of staff had been employed on a one-year, temporary contract. Labour-only subcontractors had also been employed, and additional overtime offered to all operational staff.

597.4. The DO confirmed that the timber pointing doors at Yokefleet had been replaced, and that the sluice structure between Carr Lane and the River Foulness would be replaced.

597.5. He commented that the original plan to replace and install new doors on "Berlin Wall" had been dropped in favour of installing two new headwalls. He added that eventually, the structure would not be required.

597.6. The CEO reported that, so far, the Board had **£322k** of planned works to complete **in 24/25** including **£276k** of works that were planned to be delivered by the Board's own staff and resources. He clarified that this part of the capital programme had been delegated to the Executive Committee, from which the CEO had sought authority.

597.7. The CEO confirmed that if the deliverable part of the works [in the timescales allowed] were at less value than the, then a smaller claim would be made, unless a new scope could be agreed with the funder.

### *Capital Purchase of New Machinery*

597.8. The DO referred to a resolution of the Board (Minute 553.8), whereby the Board had authorised expenditure of £209k + part exchange for the purchase a new Spearhead Alpha Machine, in time for the 25/26 season.

597.9. The DO advised that although the quoted values for the machine remained as expected at £249k, the main dealership had changed, so it may be better to sell the Massey on the open market for a better part exchange value, in line with approved policy.

597.10. It was PROPOSED by Mr R Henley and SECONDED by Cllr N Wilkinson and UNANIMOUSLY RESOLVED that the Board ratify and approve the Capital Programme.

#### **598. Board Membership**

598.1. The CEO informed members that the Board had received notice from longstanding Board Member, Mr John Sweeting, of his intention to step down from the Board.

598.2. Mr Wright had made representations to the CEO prior to the meeting, suggesting that Mr Sweeting's son, Mr James Sweeting, be approached about potential membership of the Board.

598.3. The CEO confirmed that Mr James Sweeting had visited the Board's offices and indicated that he would be willing to be co-opted onto the Board should the Board so resolve.

598.4. Mr Hick requested that Mr John Sweeting be formally thanked for his contribution to the Board. **Action CEO**

598.5. It was PROPOSED by Mr J Wright and SECONDED by Cllr V Aitken and UNANIMOUSLY RESOLVED to co-opt Mr James Sweeting to the Board.

#### **599. Maintenance Update**

599.1. The DO reported that at end of October, 91% of the Board's maintenance district had been flailed and 52% of weed control had been completed. He added that flails were still running to complete the remainder.

599.2. The CEO advised that the technical team had three years' worth of data at their disposal, due to the trackers in all Board owned vehicles (and most contractor vehicles), enabling them to compare progress year to year.

599.3. Mr Wright queried if any complaints had been received regarding failure to complete watercourses. The DO advised that there had been fewer in comparison to last year, adding that the operators were continuing to work in any areas that may have been missed.

599.4. The Board discussed SFI schemes, and the CEO commented that it would be helpful for both farmers and IDBs if there was a clause stating that farmers would not be penalised if IDBs access land within the schemes for maintenance purposes.

599.5. Cllr V Aitken queried whether remedial works would be completed on Balkholme Road, to which the CEO advised that a bid had been placed within the '2024 IDF Fund Tranche 2' funding.



## **600. Petitions**

- 600.1. The Chair highlighted the petition received from a ratepayer, signed by several others, regarding inclusion of a watercourse at Yapley Marr Drain, to the West of Carr Lane, on the Board's maintenance programme.
- 600.2. The DO presented the watercourse electronically to members and highlighted that a significant amount of hedge and tree works would be required to access the watercourse.
- 600.3. The CEO advised that the watercourse ran adjacent to various landowners, whose agreement would be needed in order to enable this.
- 600.4. The Board discussed whether there was an existing maintenance strip, and whether that should be brought into a serviceable standard by the landowners prior to adoption.
- 600.5. It was requested that the CEO formulate an appropriate response to the petitioner. **Action CEO.**
- 600.6. Mr R Nicholls presented a verbal petition to the Board and requested that Ellerker Beck be considered for adoption and maintenance by the Board.
- 600.7. The DO identified the watercourse electronically to members, highlighting its catchment area, and where it meets Mill Beck.
- 600.8. It was noted that this watercourse serves a large part of the community with great impact. The CEO added that upland water contributions could be claimed from the Environment Agency for this watercourse, essentially making it a cost neutral maintenance asset.
- 600.9. It was PROPOSED by Cllr Meredith and SECONDED by Mrs K West and UNANIMOUSLY RESOLVED that the Board adopt Ellerker Beck as an addition to the maintenance map.
- 600.10. Cllr R Meredith advised that he would confirm this decision at the next Ellerker Parish Council meeting.

## **601. Policies**

- 601.1. The following policies were presented to the Board for their review and approval:
- Data Protection Policy
  - Environmental Policy Statement
  - Anti-Bribery Policy
  - Anti-Fraud & Corruption Policy
  - Whistleblowing & Confidential Reporting Code
- 601.2. It was PROPOSED by Cllr Meredith and SECONDED by Mrs K West and UNANIMOUSLY RESOLVED that the Board review and approve the above policies.

## **602. Date of Next Meeting (s)**

- Executive Committee – 20<sup>th</sup> January 2025

- Full Board – 10<sup>th</sup> February.