

## 1. Governance

### 1.1 Apologies for Absence

### 1.2 Declaration of Interest

Board Members are advised to declare a pecuniary or non-pecuniary interest on any item in the Agenda.

### 1.3 Election of Chairman

### 1.4 Election of Vice Chairman

### 1.5 Minutes of the Meeting held 14 June 2022

#### Present

Mr Martin Belton (Chairman)	MB
Mr Michael Dougherty	MD
Mr Douglas McTaggart	DMT
Mr John Oldridge	JO

#### In attendance on behalf of JBA Consulting, Clerk, Engineer and Environmental Adviser:

Mr Paul Jones	PJ
Mr Mark Joynes	MJ

#### Apologies for Absence

**2022.25** An apology was received from John Barker.

#### Declaration of Interest

**2022.26** There were none.

#### Minutes of the Meeting held 25 January 2022

**2022.27** Minutes of the last meeting were circulated with the meeting papers. The minutes were taken as read. **DMT proposed and JO seconded the Minutes be approved for signature by the Chairman**, all in agreement.

#### Matters Arising Not Discussed Elsewhere

**2022.28** There were none.

#### CEO's Report

The Clerk's report was read and approved.

#### Matters Arising

**2022.29 Public Bodies Review:** PJ informed the Board IDBs would be involved in the review and the treasury would be looking into non-governmental organizations.

- 2022.30 Overhaul of the Sewer System:** PJ said the plans would be published in the summer of 2022. DMT asked whether the scope was local or national and PJ confirmed it would be national. PJ informed the Board the Plan looked to reduce permitted Combined Sewer Overspills into watercourses. From the Board's perspective the priority should be to reduce overspills, as sewage promotes regrowth in drainage ditches.
- 2022.31 Red Diesel:** PJ said the IDBs believe their activities to be agriculture-related. He said an exception had been granted without a known deadline
- 2022.32 Pesticide Users:** PJ noted the need for anyone using pesticides to register with DEFRA but the Board Contractor had not undertaken spraying on watercourses.
- 2022.33 Humber Strategy:** PJ informed members the Environment Agency were gathering information as to whether pumping stations were high, medium or low priority. He said the Board had submitted Cross Drain PS and that the *value* of all land, property & infrastructure in the catchment was important, not solely the number of households. He also said the focus should be on the frequency of flooding rather than just the impact of a one-off events.
- 2022.34 Carbon Calculator:** PJ informed the Board the Environment Agency carbon calculator was not thought to be suitable for IDBs but should help with other NGOs.
- 2022.35 Election Year:** PJ informed the Board 2022 is an election year and set out the procedure. 31 October 2022 will see the end of the current three-year term, with a new Board coming into place on 1 November 2022. He asked the Board to approve the following procedural arrangements: i) To confirm the appointment of JBA Consulting as returning officer. ii) A draft register of electors was prepared on 1 April 2022 and has been advertised on the Board's website. The Board were asked to consider any representations made by the public and approve the register. iii) It was proposed to receive nominations by post and the last date for return of the nomination papers should be Friday 7 October 2022. If there are more candidates nominated than the number of elected members, then a poll would be arranged and the date for that poll would be Friday 28 October 2022. MB proposed that the Board accept all the proposals, this was seconded by DMT and approved by Members.
- 2022.36 Management Services:** PJ set out the Boards option to extend the existing contract for a further five years, as per the clause in the current contract. DMT asked if the same terms applied. PJ said yes, but an allowance would be made for inflation.

## Finance Report

The Financial report, copies of which had been circulated with the meeting papers, was considered and adopted by Members.

## Matters Arising

- 2022.37 Rating:** The finance officer reported all rates & the special levies for the year ending 31 March 2022 had been received with a £0.01 credit balance overall. He also informed the Board the first instalment of the special levy for the year ending 31 March 2023 had been received and that 99.8% of the drainage rates for that year had been received.
- 2022.38 Internal Audit:** The finance officer also gave a brief summary of the internal audit report, copies of which had been distributed to members before the meeting. No major issues were reported. The longstanding issue with a nominated member from East Riding of Yorkshire Council was briefly discussed. DMT noted that the Internal Auditor mentioned the proportion of the Board's income from ERYC was low, making this a relatively minor issue. DMT asked about the possibility of turbines in the district increasing the annual value. PJ said the officers would report back on this issue.

**UPDATE:** Further to the enquiry with regard to the wind turbines. The newly enacted Environment Bill gives IDBs the opportunity to revalue the land and buildings that fall within their district. So yes, the value of the wind turbines would be included and would increase the total annual value of the Board. The result of which would see a reduction in the penny rate to generate the same level of income as at present. The Clerk will bring further details for members perusal at the next meeting of the Board.

**2022.39 External Audit:** Members noted that external audit for the year ended 31 March 2022 would shortly be underway and would take place within the required timescales.

**2022.40 External Audit – Annual Governance Statement:** Members were asked to consider and approve the Annual Governance Statement contained within Section 1 of the Annual Governance & Accountability Return. After reviewing the assertions **DMT proposed, MB seconded, and members approved the statement.**

**2022.41 Budget Comparison:** Members noted the information.

**Accounts for the Year Ended 31 March 2022:** Members reviewed the Accounts that were circulated with the meeting papers, and they agreed to approve the accounts as presented. They noted the lower incoming owing to the insurance claim in the previous year, partially offset by the increase in drainage rates & special levies. MJ noted that most of the expenditure categories showed the costs incurred were approximately the same as the previous year, but with significant variances for four categories. These were additional pumping costs in the previous year, modelling costs in the reporting year, pumping station refurbishment costs in the previous year and much higher pumping station running costs in the previous year. He informed the board the surplus of £2,099.09 left the Board with reserves of £18,583.56 on 31 March 2022. JO asked about the variance in administration costs. MJ explained it related to higher insurance costs owing to more claims and general uncertainty in the industry. MJ reminded the Board they have an appointed insurance broker who was able to negotiate the most favourable terms possible in the circumstances, and there was little more the Board could do to reduce costs. MJ briefly discussed the figures on the balance sheet and the reserves on 31 March 2022 of £18,583.56.

**2022.42 External Audit – Accounting Statements:** Members were asked to consider and approve the Accounting Statements contained within Section 2 of the Annual Governance & Accountability Return, which were a summary of the accounting statements previously approved. **DMT proposed, JO seconded, and members approved the statement.**

**2022.43 Schedule of Payments:** The Board approved for signature by the Chairman a schedule of payments made since the last meeting totalling £19,764.52, of which £3,384.16 were paid by direct debit or approved by the Officers only. DMT asked about a payment to a contractor made in February 2022. MD explained the contractor submitted a single invoice for the whole year. **MB proposed the Board approve the schedule and JO seconded.**

**2022.44 Five Year Budget Comparison:** Members noted the information. MJ discussed the expected increase in utility costs over the coming years and the draft increase in rates to cover these expected increases.

## Engineer's Report

The Engineer's report was read and approved.

## Matters Arising

**2022.45 Associated British Ports:** PJ said he had had an update from ABP and a permanent access ladder had been installed at river-side, and that the plan is to replace the entire door. While the replacement door is underway, the system will rely on the other non-return valve. However, PJ also said no timescales were yet available for the

replacement. A brief discussion followed. PJ said he will advise the Board when the dates are available. PJ confirmed the Environment Agency had reported back on likely owner / responsible parties for the structure, and it appeared that ABP were responsible for the whole structure up to the road. PJ said the officers would seek confirmation from ABP, however, the Board would have to consider their options legally as well as the structure falls outside the Drainage District. DMT said APB own the Shipcote Drain and there was an old rental payment they made for a section of the field. PJ said the whole plot was unregistered up to the main river on the Land Registry website. MD affirmed ABP officers had claimed that the access opening into the structure is nothing to do with the IDB. PJ said ABP have accepted responsibility for the riverside door as the site is located outside the Board's jurisdiction the Board could work with the EA as part of main river. PJ said ABP have accepted responsibility to a certain degree. MD agreed, saying they erected security fencing and supplied locks. MB said the site is slippery and potentially dangerous.

**2022.46 Natural England:** PJ informed members the output from the data loggers is expected to be complete by the autumn and there will be an update in the next meeting papers. MB said they may wish to extend another year, but he initially refused when the possibility was raised. The initial plan was to extend to around July 2022. MB said he had spoken to various people and that it had been the driest season ever. He asked whether that counted against the Board. PJ said yes it would. DMT said there was still plenty of water in the system. MD said level in the dyke at the bottom of the system is only approximately 6" from the top. PJ said that as long as there was any link between the moors and adjacent land that monitors would benefit from remaining in place to provide the best results on interconnectivity and outputs (even if interim) would be expected for the Board by Autumn. MB expressed concern the Board would hear nothing back. DMT said as long as they can measure and correlate with rainfall, they would be able to confirm it has *not* been a normal season. PJ agreed and said the Board could prove as much if the monitors were kept in place. MB said he would respond to an email he received to agree to retain monitors.

**2022.47 Ordinary Watercourses:** MB drew the Board's attention to one watercourse where it was reported they needed to repair damaged pipes. In fact, the pipe was not badly damaged but had certainly moved. He also said the sandbags had been replaced. PJ said he and the Chairman and contractor had a meeting set up for the following week to agree this year's maintenance. MB said the contractor was considering purchasing a new 360° excavator. DMT said was it was bigger than most currently in use. MB said the current head was larger than the one the new machine was fitted with. A discussion on the contractor arrangements followed.

### Environmental Report

The Environmental Report circulated with the Meeting Papers was read and approved.

### Health & Safety Report

The report which was circulated to members was read and noted by members.

### Any Other Business

**2022.48 Swinefleet Drain:** MB said Board Member John Barker has asked about the outfall at Swinefleet Drain and if it is beneficial to the Board to keep it clear. Reedness & Swinefleet Drainage Board will ask their contractor to maintain the drain, but it may be Board has to pay a contribution. DMT said the Board could potentially pay a contribution, but any agreement should have a caveat about the Boards pumping. Reedness & Swinefleet DB are the landowner for the Warping Drain and are required to permit flow as a riparian owner; however, as two adjacent drainage boards, they could work together as it benefits the Board's district. MD asked whether Reedness & Swinefleet DB were still receiving payments in relation to Thorne Moors. DMT said from their point of view, if it

floods now, the Board can't just install a pump without the other IDB's permission to discharge. He said if we spend more money, it should allow us to pass on more water. PJ said any additional cooperation would be useful and could benefit the Board in a flood situation. PJ asked if MB should perhaps approach the Reedness & Swinefleet chairman? MB said discussions could already be underway & they may want a contribution. PJ said the moor owners are upstream landowners. They also have a right to seek an order on those downstream to keep it flowing. If Warping Drain is clear, it could be a benefit and the Board may be prepared to make a contribution. The only alternative is if the moor owners seek an order. DMT said with the Board's finances any contribution made be insignificant. MB said an officer from Natural England had been in contact seeking a discussion about water levels, etc. MD asked if the chairman has been advised of a date. MB said he had not. MB said Julian Smalls would be taking over from Tim Kohler and that he would like a discussion on a revamp of the moors. MB said he will be going back to a farmers' meeting, rather than a drainage board.

**2022.49** DMT raised at query over membership due to a possible change in ownership, and wanted confirmation of the nomination process. MJ advised the current period of office ended on 31 October 2022. MJ said he would give an update.

**UPDATE** The legislation allows for a ratepayer of the Board to nominate any person to become a Board member. Providing that the proposer has paid their drainage rate charge and the nomination form is completed to the satisfaction of the Returning Officer. The nominee does not have to be a ratepayer or live in the area but is expected they would have an interest in the IDB.

#### **Date of next meeting**

**2022.50** The meeting was closed at approximately 3:10pm. The next main meeting will take place at 2:00pm on Tuesday, 10 January 2023, 2:00pm, with the venue likely to be Swinefleet Village Hall once again.

## **1.6 Matters Arising not discussed elsewhere**