

HUMBER BRIDGE BOARD

ANNUAL GENERAL MEETING

10<sup>th</sup> June, 2009

PRESENT:-

Councillors D. Barkworth, K. Branson, M. Bristow, S. Chaytor, P. Davison, P. Ellis, J.L. Fareham, D.W. Gemmell, M. Glew, A.K. Gosling, A.C. Gurevitch, A.J. Healand, A.K. Ibson, A. Smith, M. Taylor (deputising for Councillor Burton), T. Turner (deputising for Councillor Fleetwood), M. Uzzell, K. Vickers, D. Wells, and J. Wilkinson.

IN ATTENDANCE:-

Mr. K. Ryley (Clerk to the Board), Mr. P. Hill (General Manager and Bridgemaster), Mr. N. Marshall (Business Manager), Mr. M. Fox, Mr P. Bucknall and Miss L. Ellis (Corporate Finance and Democratic Services, Hull City Council).

APOLOGIES:-

Councillors I.G. Fleetwood, N. Burton, R. Hudson, and A. Williams, and Mr. M. Hudson (Treasurer).

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| 3927 |  | <p><b>APPOINTMENT OF CHAIRMAN – Agreed</b> – That Councillor D. W. Gemmell be appointed Chairman of the Board until the Annual General Meeting in 2010.</p> <p>Councillor Gemmell took the Chair.</p>   |
| 3928 |  | <p><b>APPOINTMENT OF DEPUTY CHAIRMAN – Agreed</b> – That Councillor K. Vickers be appointed Deputy Chairman of the Board until the Annual General Meeting in 2010.</p>  |
| 3929 |  | <p><b>COUNCILLOR G.E. (TED) APPLEYARD</b> – The Chairman reported the recent sad death of Ted Appleyard, who had been a continuous member of the Board, representing North Lincolnshire Council, since the the Board was established. He reminded members that Mr Appleyard had worked throughout this long period for the betterment of the Bridge and the local people who used it. The Board had received letters of thanks from Mr Appleyard’s family thanking the Board for their support and sympathy at this time.</p> |

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		Members stood for a minute in silent tribute to Ted Appleyard.
3930		<b>DECLARATIONS OF INTEREST</b> – No declarations of interest were made in respect of the items that follow below.
3931		<p><b>MINUTES</b> – Members referred to Minute 3917(d), regarding their previous decision that the Treasurer report back on a proposed Board policy on excluding from the list of organisations used for investment of surplus funds any banks that still rewarded their employees through the use of bonuses, in terms of its likely effect on the Board's investment strategy.</p> <p>Mr. Fox reported that officers were seeking to identify viable criteria for differentiating financial institutions in this way and would report to the next meeting.</p> <p>A member referred also to the discussion at Minute 3917 regarding the issue of the Board only supporting ethical investments and suggested the Board have a report on this aspect also.</p> <p><b>Agreed –</b></p> <p>(a) That the Minutes of the meetings held on 11<sup>th</sup> February and 27<sup>th</sup> February, 2009, having been printed and circulated, be taken as correctly recorded and be signed by the Chairman, and</p> <p>(b) that, with regard to the issues referred to above, the Treasurer report to the next Board meeting on 14<sup>th</sup> October 2009.</p>
3932		<p><b>MINUTES OF THE MEETING OF THE GENERAL PURPOSES AND STAFFING COMMITTEE OF 8<sup>TH</sup> MAY, 2009 – Agreed</b> – That the minutes of the meeting of the above Committee held on 8<sup>th</sup> May, 2009, be received.</p>
3933	1	<b>COMPOSITION OF THE BOARD</b> – The Clerk submitted details of the current membership of the Board following changes and appointments made by the respective constituent authorities.

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		<p>The Chairman welcomed Councillors Davison and Wilkinson (East Riding of Yorkshire Council), Councillor Healand (Hull City Council), and Councillor Wells (North Lincolnshire Council) as new members.</p> <p><b>Agreed –</b></p> <ul style="list-style-type: none"> <li>(a) That the composition of the Board be noted and the new members be welcomed;</li> <li>(b) that the General Manager and Bridgemaster liaise with members to arrange for an Induction Day, as required, and</li> <li>(c) that letters be sent to retiring members thanking them for their services to the Board.</li> </ul>
3934		<p><b>DATES AND TIMES OF MEETINGS</b> – The Clerk submitted proposed dates for meetings of the Board in 2009/10.</p> <p><b>Agreed –</b></p> <ul style="list-style-type: none"> <li>(a) That the Board meet on Wednesdays 14<sup>th</sup> October, 2009, 10<sup>th</sup> February and 9<sup>th</sup> June, 2010 (AGM) starting at 10.30 a.m., at the Bridge Administration Building;</li> <li>(b) that the Chairman determine dates for any additional meeting in cases where consideration needs to be given to urgent business, and</li> <li>(c) that meetings of the General Purposes and Staffing Committee, Appeals Committee, Urgent Matters Sub-Committee, and Audit Committee be held as and when necessary.</li> </ul>
3935	2	<p><b>APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES FOR 2009/10</b> – The Clerk submitted details of the allocation of seats in 2008/09 with current vacancies.</p> <p>The Chairman sought the Board's views as to whether they wanted to elect respective chairmen and deputy chairmen at this meeting of the Board or at the first meeting of each committee/sub-committee.</p>

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		<p><b>General Purposes and Staffing Committee – Agreed –</b> That nine members comprise the Committee, and that Councillors Bristow, Chaytor, Davison, Fleetwood, Gemmell, Glew, Ibson, Vickers, and Williams be appointed members of the General Purposes and Staffing Committee until the Annual General Meeting in 2010, and that the quorum for the Committee be three. Chairman and Deputy Chairman to be elected at the first meeting.</p>
3936		<p><b>Appeals Committee – Agreed –</b> That six members comprise the Committee, and that Councillors Barkworth, Chaytor, Ellis, Fleetwood, Healand and Vickers be appointed members of the Appeals Committee until the Annual General Meeting in 2010, and that the quorum for the Committee be three. Chairman and Deputy Chairman to be elected at the first meeting.</p>
3937		<p><b>Urgent Matters Sub-Committee – Agreed –</b> That six members comprise the Sub-Committee, and that the Chairman and Vice Chairman, together with Councillors Gurevitch, Hudson, Smith, and Williams be appointed members of the Urgent Matters Sub-Committee until the Annual General Meeting in 2010, and the quorum for the Sub-Committee be three. Chairman and Deputy Chairman to be elected at the first meeting.</p>
3938		<p><b>Audit Committee – Agreed –</b> That six members comprise the Committee, and that the Chairman and Vice Chairman, together with Councillors Bristow, Gurevitch, Chaytor and Fleetwood be appointed members of the Audit Committee until the Annual General Meeting in 2010, and the quorum for the Committee be three. Chairman and Deputy Chairman to be elected at the first meeting.</p>
3939	3	<p><b>PROPOSED PUBLICATION OF BOARD MINUTES –</b> The Clerk submitted a report which sought the approval of members of the Bridge Board to publish the Minutes of all meetings of the Board on the Humber Bridge website.</p>
		<p><b>Agreed –</b></p> <p>(a) That the previous Minutes of meetings of the Humber Bridge Board dating from January 2004, be made available on the Humber Bridge website;</p>

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		<p>(b) that the Minutes of each future Bridge Board meeting be made available on the website not more than 10 working days after the meeting, once approved by the Clerk, and the Chair and Vice-Chair of the Board, subject to the minutes being clearly marked draft and “unconfirmed”, until they are approved or amended by the Board, at its next meeting, and</p> <p>(c) that the Standing Orders of the Bridge Board be amended to reflect these decisions.</p>
3940	4	<p><b>ANNUAL REVIEW AND STATEMENT OF ACCOUNTS 2008/09 – ANNUAL ACCOUNTS</b> – The Treasurer submitted a report which provided members with the Annual Statement of Accounts showing an analysis of the Board’s financial activity for the year ended 31<sup>st</sup> March, 2009.</p> <p><b>Agreed –</b></p> <p>(a) That the Financial Statements for 2008/09 be approved, in accordance with section 10 of the Audit and Accounts Regulations 2003, subject to submission to the Audit Committee;</p> <p>(b) that the transfer of £0.9m be made from the Revenue Balance to the Maintenance Fund, and</p> <p>(c) that the Board review the conclusions within the Governance Statement and the Chair be given approval to sign this as a true representation of the Bridge’s position, subject to any comments of the Full Board.</p>
3941	5	<p><b>Management Report</b> – The General Manager and Bridgemaster submitted the Management Report for 2008/09, which summarised the Board’s arrangements for administering, operating and maintaining the Bridge.</p> <p><b>Agreed</b> – That the report be noted.</p>
3942	6	<p><b>General Manager and Bridgemaster’s Annual Review</b> – The General Manager and Bridgemaster submitted a report which reviewed the operation and maintenance of the Bridge for the period 1<sup>st</sup> April, 2008 to 31<sup>st</sup> March, 2009.</p>

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		<b>Agreed</b> – That the report be noted;
3943	7	<p><b>Traffic Report</b> – The General Manager and Bridgmaster submitted the Traffic Report for the year ended 31<sup>st</sup> March, 2009, which provided details of the number of vehicles using the Bridge by category.</p> <p><b>Agreed</b> – That the report be noted.</p>
3944	8	<p><b>TREASURY MANAGEMENT – ANNUAL REPORT</b> – The Treasurer submitted, for information, a report which provided a commentary on the Treasury Management activity for the financial year 2008/09, as required by the Board’s Treasury Policy Statement.</p> <p><b>Agreed</b> – That the report be noted.</p>
3945	9	<p><b>PARAPET REMEDIATION PROPOSALS – PROGRESS REPORT</b> – The General Manager and Bridgmaster submitted a report which advised the Board of the current progress of works in providing an enhanced level of containment for pedestrians and cyclists using the Humber Bridge footways.</p> <p><b>Agreed</b> – That the report be noted.</p>
3946	10	<p><b>CABLE INSPECTION AND DEHUMIDIFICATION</b> – The General Manager and Bridgmaster submitted a report which advised the Board of current progress on the inspection of the main cables at the Humber Bridge and the early findings of that inspection.</p> <p><b>Agreed</b> – That the report be noted.</p>
3947		<p><b>MAJOR MAINTENANCE</b> – The General Manager and Bridgmaster tabled, for information, a GANT chart which illustrated the timelines for delivery of major maintenance projects that significantly affect the budget of the Bridge Board, and identified prime elements of major schemes moving forward this year. He commented in detail regarding the projects and provided an update on the main elements and how this work fitted in with major projects.</p>

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		<p data-bbox="518 353 662 394"><b>Agreed –</b></p> <p data-bbox="518 427 1013 468">(a) That the report be noted, and</p> <p data-bbox="518 501 1369 640">(b) that, in future, the General Manager and Bridgemaster provide this information with the Board papers, so that it is circulated prior to the meetings of the Board, for members' consideration.</p>
3948		<p data-bbox="518 674 1369 891"><b>OPERATIONAL PROCEDURES</b> – The General Manager and Bridgemaster tabled, for information, a document which identified, in tabulated format, the procedures discussed at the General Purposes and Staffing Committee held on 8<sup>th</sup> May, 2009, and which showed the stage of development of the documents in preparation as at 7<sup>th</sup> June 2009.</p> <p data-bbox="518 925 1013 965"><b>Agreed</b> – That the report be noted.</p>
3949	11	<p data-bbox="518 999 1369 1178"><b>HUMBER BRIDGE TOLLS ENQUIRY – PROGRESS REPORT</b> – The Clerk submitted a report to update members of the Board on the outcome and costs of the recent Public Inquiry into the proposed inflation-linked increase in toll fees for the Humber Bridge for 2008.</p> <p data-bbox="518 1211 1369 1350">The Clerk said that had had hoped to have clear information about the outcome of the Inquiry for this meeting but, for a number of reasons, the Transport Minister's decision would be delayed.</p> <p data-bbox="518 1384 1369 1675">With regard to the Board's previous decision to seek fresh negotiations with the Government over the Debt Agreement for the Humber Bridge, the Minister had indicated that he will not enter into discussion regarding the wider issues until he has made a decision on the current toll increase proposal. The financial effects of this delay in increasing the level of tolls had been taken into account in the Board's current budget.</p> <p data-bbox="518 1709 1369 1921">The Clerk added that, if the decision of the Minister was not to agree the application for a toll increase, the Board would want to have an urgent special meeting, in order to be clear of the financial and other implications and to determine the most appropriate course of action. Members would also need to request that representatives of the Bridge Board</p>

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have an urgent meeting with the Minister, to discuss the Board's position.

General discussion took place around issues arising from the report, including the possible need, when the Minister's decision was clear, for the Board to again consider whether it should make representations to the Minister on the introduction of a reduced toll, sufficient to meet the ongoing costs of maintaining the Bridge. In addition, a member requested that the Board, at a future meeting, formally consider the independent research commissioned into this by the four Humber local authorities.

The Clerk commented that, dependent on the outcome of the Minister's decision, there was a need to bring a report clarifying the Board's legal position over any decision by members which appeared to breach the terms of the current Debt Agreement with the Government, given its likely serious financial implications and possible breach of the Board's statutory obligations. With regard to the research undertaken by the four authorities and the Humber Chamber of Commerce, this could be requested from the people who commissioned it, if members wished, although it had not been felt germane to the role of the Board as it was not clear that the Board had any ability to do anything with the research.

**Agreed –**

- (a) That the information contained in the report be noted;
- (b) that discussion on the issues arising from this matter be adjourned to a future meeting of the Board when the Minister's decision on the proposed toll increase was known, and
- (c) that, when the Board had received a decision from the Transport Minister concerning the current toll increase proposal, a special meeting of the Board be arranged quickly, subject to member availability and to ensuring officers had enough time to work through the implications of the Minister's decision, so as to be able to advise Board members accordingly.

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3950		<p><b>EXCLUSION OF PRESS AND PUBLIC – Agreed</b> – That in accordance with the provisions of Section 100(A)(4) of the Local Government Act, 1972, the public (including the Press) be excluded from the meeting for the following item of business, minute 3951, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3, of Part 1 of Schedule 12A of the Act.</p>
3951	12	<p><b>LAND TO THE NORTH OF THE HUMBER BRIDGE – UPDATE ON THE OPTIONS FOR THE DEVELOPMENT AND SALE OF THE SITE</b> - The Clerk submitted a report which referred to the meeting of the Humber Bridge Board on 20<sup>th</sup> June, 2001, when, at minute 3456, the Board agreed to enter into a collaboration agreement with Bridgeland Developments Limited (BDL) and Hessle Trees Limited (HTNL) (Golf Club), on how the parties would seek jointly to develop land in their respective ownerships within the vicinity of the Bridge.</p> <p>The purpose of the report was to outline to the Board the progress of negotiations with BDL to agree the terms of an Equalisation Agreement for the development of the joint land holdings respectively owned by the Board, BDL, and Hessle Trees Nurseries Ltd (Golf Club), and to seek the Board's approval for that Agreement, a copy of which was attached.</p> <p><b>Agreed –</b></p> <p>(a) That the draft Equalisation Agreement between Bridgeland Developments Limited (BDL), the Humber Bridge Board (HBB), and Hessle Trees Nurseries Limited (HTNL), relating to the joint marketing, development and sale of a composite property holding adjacent to the Humber Bridge, shown on the drawing attached to the report, be approved;</p> <p>(b) that, subject to consultation with the Chairman and Deputy Chairman and the matter coming back to the Board for decision, authority be delegated to the Clerk and Treasurer of the Board to continue the collaboration with BDL and HTNL regarding the proposed joint development and sale of the land holdings, based on the terms of the Equalisation</p>

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		Agreement, and
		(c) that the developer be asked to attend the next Board meeting to provide members with a further presentation on the current nature of the proposed development on these sites being submitted to secure planning permission.

10.06.09