

Minutes of the one hundred and third meeting of Witham First District Internal Drainage Board, incorporating the Annual Public Meeting, held on Tuesday, 21st November 2017 in Branston Booths Village Hall at 2pm.

Present:

Mr. P. Gilbert **Chairman**
Mr. E. Applewhite
Mr. D. K. Busby
Cllr. I. Carrington
Mr. S. F. Cobb
Mr. R.A. Fletcher
Mr. T. Gilbert
Mr. M. Harrison
Cllr. G. Hewson
Mr R. Hickling
Mr. A.G. Hodgson
Mr. D.G. Leggate
Mr S. B. Leggate
Mr I.J. Mair
Mr. L. Maplethorpe
Mr. S. Maplethorpe
Mr. A.R. Means
Cllr. C. R. Oxby
Cllr. P. Vaughan

In attendance:

Miss. Jayne Flower Executive Assistant
Mrs. Jane Froggatt Chief Executive
Mr. Martin Shilling Director of Operations and Engineering Services.

This being the Board's Annual Public Meeting, the Chief Executive chaired the meeting, until minute number 2150.

2148 Apologies for absence.

Apologies for absence were received from Mr. D. C. Armstrong (Vice Chairman), Mr. P. Carrott, Cllr. M. Clarke, Mr. J. R. Crust, Mr W. Grantham, Mr. D. Jackson, Cllr. J. F. Money, and Dr. V. Stanton.

2149 Declarations of Interest.

Declarations of interest were received from members nominated by City of Lincoln Council and North Kesteven District Council, in matters relating to their respective Councils.

2150 Election of Chairman of the Board.

The Chief Executive invited nominations for the role of Chairman. Mr. Peter Gilbert was proposed by Cllr. Pat Vaughan and seconded by Mr. Bob Fletcher. There were no further nominations and members unanimously elected Mr. Peter Gilbert as Chairman for the ensuing year to November 2018.

2151 Chairman's Announcements.

Mr. Peter Gilbert thanked members for electing him as Chairman. He was looking forward to continuing to serve the Board well and to working with Members and Officers.

The Chairman welcomed one new member to the Board, of the two members nominated by North Kesteven District Council. Cllr. Ian Carrington was welcomed to his first meeting. Cllr. Mike Clarke had tendered his apologies for the meeting.

The Chairman advised members of the death on 09th November of Mr. Tony Worth, CVO. Tony was a former Lord Lieutenant of Lincolnshire and Chairman of the International Bomber Command Memorial Centre project. Tony died aged 77, after a short illness with cancer. Some members knew Duncan Worth, Tony's son who farms near Holbeach, is a member of South Holland IDB and is also the current Chairman of the ADA Welland and Nene Branch. The Board's condolences were offered to Tony's wife Jenny, to Duncan and the family.

2152 Election of a Vice Chairman of the Board.

Mr. Peter Gilbert invited nominations for the role of Vice Chairman. Mr. David Armstrong was proposed, seconded and (there being no further nominations) elected unanimously as Vice Chairman for the forthcoming year to November 2018.

2153 Election of eight members to the Board's Executive Committee.

Eight members were proposed, seconded and (there being no other nominations) elected to the Executive Committee for the forthcoming year to November 2018. These were the Chairman (Mr. Peter Gilbert), Vice Chairman (Mr. David Armstrong), Mr. Steve Cobb, Mr. Bob Fletcher, Mr. Mark Harrison, Mr. D. Jackson, Mr. Simon Maplethorpe and Cllr. Ron Oxby.

2154 Election of three members and two deputies to the Joint Services Committee.

Three members were proposed, seconded and, there being no further nominations, elected to membership of the Joint Services Committee for the forthcoming year. These were the Chairman (Mr. Peter Gilbert), the Vice Chairman (Mr. David Armstrong) and Mr. Bob Fletcher. Mr. Steve Cobb and Mr. Mark Harrison were proposed, seconded and, there being no further nominations, elected as the two members to deputise on the Committee.

2155 Board and Executive Committee meeting dates 2018.

Board Meetings Branston Booths Village Hall at 2pm:

- Tuesday, 30th January.
- Tuesday, 22nd May.
- Tuesday, 25th September.
- Tuesday, 27th November (+APM).

Executive Committee Meetings, Witham First Depot at 2pm:

- Tuesday, 16th January.
- Tuesday, 08th May.
- Tuesday, 11th September.
- Tuesday, 13th November.

The four Boards' joint Summer Inspection was proposed for Wednesday, 04th July. Members APPROVED the 2018 meeting dates, as set out.

2156 Register of Members' Interests.

A copy of the Register of Members' Interests form had been circulated with the agenda. Members were requested to complete and return the form, ensuring an up-to-date entry is maintained. Members were reminded that the information held may be subject to disclosure, e.g. arising from a Freedom of Information (FOI) request and that the Register is available at Witham House for public access, on request. It is intended as protection for both the Board and for individual members.

2157 Minutes of the Board meeting, 19.09.17.

The Minutes of the Board's previous meeting held on Tuesday, 19th September 2017 were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

2157.1 Letter from JBA Consulting regarding North East Lindsey IDB (minute 2136.1 refers).

The Chief Executive reported that no response from JBA had been received to the rebuttal of their challenge to the model of Joint Services between the four Boards, rather than a procurement process by NELDB. Therefore, the matter would now be considered closed.

2158 Minutes of the Executive Committee meeting, 07.11.17.

The minutes of the Executive Committee meeting held on Tuesday, 07th November 2017 were proposed, seconded and APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

There were no matters arising all being covered by the agenda.

2159 Chief Executive's Report.

The Chief Executive's report had been circulated with the agenda. Issues highlighted included:

2159.1 Internal Audit Service.

The Chief Executive advised members that following a joint procurement process for a replacement Internal Audit service, it had been agreed at a Lincolnshire Clerks' meeting on 06.10.17 to award the contract to TIAA. Three tenders were received, being namely Assurance Lincolnshire, TIAA and Streets. Using a 50% price and 50% quality scoring / ranking system, the Clerks agreed that the contract should be awarded to TIAA. An initial mobilisation meeting for the contract for the four Boards had been held with Chris Harris, Audit Director at TIAA, on 14.11.17. Steve Cobb queried if there was a "get out clause" and the Chief Executive advised that the five year contract would be reviewed and renewed annually.

Members received and NOTED the report and update.

2160 Financial Performance Report to 31st October 2017, Month 7 of 2017/18.

The Chief Executive presented the Financial Performance Report to 31.10.17, month 7 of 2017/18, which had been circulated with the agenda.

The budget profile anticipated a 31.10.17 surplus of (£391,501) in comparison with the actual surplus position of (£453,163). Hence, there was a positive variance of (£61,662) at this point in the year. Members were reminded that although this was a very healthy position for the Board, it was still early in the financial year and some spend areas would be incurred in the coming months. However, at this stage there were no significant issues of concern. The position is summarised as follows:

	2017/18 Budget	Profiled Budget	Actual	Variance
	£	£	£	£
Income	(843,617)	(820,528)	(898,076)	(77,548)
Board & General Admin	15,023	6,394	7,143	749
One Off Schemes	25,000	0	25,304	25,304
Conservation	1,750	1,297	851	(446)
Depot	12,274	10,219	11,221	1,002
Drains	301,454	225,736	228,745	3,009
Pumping Stations	182,346	77,966	66,410	(11,556)
Joint Admin/Witham House	89,040	46,892	49,957	3,065
Consents & Enforcement	10,035	0	0	0
Director of Operations/Engineers	51,114	35,349	33,070	(2,279)
Contrib to Reserves/Pay Contingenc	20,000	0	12,870	12,870
PWLB	30,889	13,668	13,559	(109)
Rechargeable Works	20,000	9,872	19,162	9,290
EA Precept	84,692	42,346	41,516	(831)
FRS17 Pension Adjustment (net)	0	0	0	0
Wages & Plant Holding Account	0	(40,712)	(64,893)	(24,181)
(Surplus)/Deficit	0	(391,501)	(453,163)	(61,662)

The overall income position of the Board as at 31.10.17 was (£78k) ahead of profile. All Special Levies had been received for the year. Highland Water claims had been submitted to the Environment Agency and paid for the balance of 2017/18 actual (£3,284) and for 80% (£10,960) of 2017/18 Estimate (£13,700). The balance adjusted for actual 2017/18 spend will be payable in September 2018. There was an inaccuracy of £1,000 in the payment, which the EA had acknowledged, and the remaining sum due to the Board was expected this week.

FDGiA payments of (£42k) had been received for the continuation of the Branston Fen scheme, (£12k) for a Branston pump lift and associated works and (£30k) for the Billingham & Timberland Catchment Study.

A commutation payment (£12.7k) has been received for the Five Mile Enterprise Park at Washingborough. The issue had been ongoing since 2007 so it was pleasing to report that the agreement was now signed and the funds transferred. It was confirmed that this meant the Board had now adopted the Five Mile System for future maintenance from the storage lagoon and downstream.

The sale of the Ford Ranger had generated (£3k) income.

On drainage rates performance, as at 31.10.17 there was an excellent collection rate of 99.0% (or £481,855.83 had been collected). There was a £4,658.62 outstanding balance. A Court date had been set of 04.12.17 and pre court letters were despatched on 12.10.17. All historical outstanding rating queries had been resolved and only in year queries remained.

Bank balances and investments were set out as follows, as at 01.11.17:

Natwest	£ 229,509.08
Co-op (closed)	£ -
Nationwide Instant Access	£ 578,036.04
Nationwide 90 Day Notice	-
Total	<u>£ 807,545.12</u>
PWLB Loan – Balance	
Outstanding	<u>£ 244,468.68</u>

(Original loan £354,480 for 14.5 years from 17/12/2012. Maturity date 17.06.2027).

Funds will be transferred from Natwest following receipt of Special Levies to reduce risk of large balances held within current accounts.

Members received and NOTED the financial position of the Board as at 31st October 2017.

2161 Schedule of Expenditure, 01.09.17 to 31.10.17.

The Schedule of Expenditure for the two months' period 01st September to 31st October 2017 had been circulated with the agenda and was presented by the Chief Executive.

Gross expenditure totalled £150,490.84 or, net of £16,194.03 VAT, £134,296.81. Of this, £1,480.25 was recharged to other bodies.

Items highlighted to or raised by members included:

- item 14 - £1,368.73 (net) to G&J Peck for the Case Tractor Service. Mr S. Cobb queried the high cost and asked if service packages had been considered to reduce costs. The Director of Operations & Engineering confirmed that warranties were included in purchase prices and that yes, service plan options were now evaluated as part of purchase decisions.
- items 37 & 38 – Payments of £9,587 (net) and £14,140 (net) to Jeremy Benn Associates Ltd for Billingham & Timberland catchment study. This was reimbursed by FDGiA grant monies.

Members received and NOTED the expenditure incurred between 01.09.17 and 31.10.17.

2162 Health and Safety.

An update on Health and Safety matters had been circulated with the agenda.

Three of the four Boards including Witham First DIDB use COPE as their external health and safety advisors. A combined annual review meeting was held, both to review the work in each Board over the last year and to discuss priorities for the forthcoming year. Issues discussed included:

- The lone worker Buddy system introduced in summer 2017 was due to be reviewed on 06th December.
- The Overhead Cable Avoidance course had been completed for this year, therefore all Operatives can continue to use the Suparules provided to measure overhead cables, allowing them to work under and parallel to overhead cables.
- Witham First access bridge to Ringmoor Pumping Station is still being investigated (and options developed and costed to improve the situation).
- Faraway Pumping Station weed screen platform options are currently being reviewed and evaluated.
- An Operative from each Board had attended a one day course covering “Stem Injecting” to inject Japanese Knotweed and Giant Hogweed.

Members received and NOTED the update on Health and Safety.

2163 Financial Regulations and Statement of Internal Control.

A revised set of Financial Regulations and Statement of Internal Control had been circulated with the agenda together with an accompanying summary of the main proposed changes from the previous version approved in November 2015.

It was outlined that the main purpose of the updates was to further clarify guidance, e.g. in paragraphs FR 4.2 and FR 4.3 on how to deal with inter bank transfers. At paragraph FR 7.5 the wording had been changed to refer to generic ‘merchant services’, rather than specifically to ‘Worldpay’ the current card services provider. Paragraph FR 7.9 specified the threshold at which cash should be banked by Witham House staff at £1,000 aggregate.

Following discussion members APPROVED the Financial Regulations subject to a minor change to wording in the final paragraph, FR24.1 to state: “These Regulations, approved by the Board in November 2017 would therefore require review by ***no later than*** November 2020”.

2164 Treasury Management (Investment & Borrowing) Policy.

The report had been circulated with the agenda and the Chief Executive introduced this new policy by advising members of its main objectives, namely:

- Ensuring Boards have sufficient day to day cash flow to meet their obligations
- To diversify risk by spreading surplus cash across a sufficient number of counterparties
- To borrow, if required, in the most prudent way (although the process for borrowing is largely prescribed for IDBs in the Land Drainage Act 1991).

Further objectives included:

- Maintaining bank balances at optimum operational amounts
- Investing 'core cash' rather than holding it in current accounts
- Protecting the amount (capital) invested
- Maintaining liquidity
- Considering various funding options for capital purchases.

It was outlined that this Policy was an abridged version of that which Council nominated members would be familiar with in Councils, given the comparative investment values and risk. Members APPROVED the Treasury Management (Investment & Borrowing) Policy which would be uploaded to the Board's website www.witham-1st-idb.gov.uk

2165 ADA Lincolnshire Branch's recommended Pay Award for 2018/19.

A report had been circulated with the agenda. The Chief Executive advised members that the ADA Lincolnshire Branch met on 19.10.17 and agreed the pay settlement for 2018/19, as recommended by the Pay and Conditions Committee meeting on 20.09.17.

As staff pay was, however, a matter reserved to individual Boards, each Board was asked to adopt the pay settlement for 2018/19 as recommended by the ADA Lincolnshire Branch meeting of 19.10.17. This was as follows:

If the Public Sector Pay Cap is still in force then a 1% pay award will be applied across all rates.

If the Public Sector Pay Cap is lifted then 90% of the National increase in annual earnings, as published in the Sunday Times on the last Sunday in January, will be applied across all rates.

The committee recommend that all employee's positions are reviewed and assimilated onto the White book spine points where a Board has not already completed a Job evaluation exercise.

Members AGREED to adopt the ADA Lincolnshire Branch settlement as set out.

2166 Director of Operations & Engineering Services' Report.

The Director of Operations and Engineering Services' Report had been circulated with the agenda and was presented, together with a verbal update. This included:

- **Planned Maintenance Programme**

The planned summer maintenance programme continued throughout the period with the vast majority of the drains accessed from arable completed, apart from late cropping (sugar beet) fields. Conditions had remained favourable, on the whole, with only sporadic short periods of heavy rain to cause delays to progress, when access was not reasonable due to the wet ground conditions.

The watercourses for winter maintenance 2017/18 are:

- | | |
|---------------------------------------|--------|
| • Sleaford Drove Dyke | 0.56km |
| • Digby Beck North Branch | 0.58km |
| • Main Engine Drain – Heighington Fen | 0.98km |
| • Dorrington Bankside | 3.44km |

The work planned included de-silting of the channel bed to reinstate the original drain profile, the repairing of slips and the removal of bushes and trees that would obstruct access for the Board's plant and machinery. Formal Notices had been sent to the occupiers of the land to which entry would be required and advising those opposite site that work would be undertaken during the winter months.

- **Pumping Stations**

The Environment Agency had undertaken substantial works to secure the vehicular access to the Farroway Pumping Station, following a slip on the bank of the Billingham Skirth that undermined the access track. Initial reinstatement work was completed in late July. Further work had commenced in early November, with completion due before Christmas. This will see the steel sheet piling trimmed to the profile of the embankment and the slip itself reinstated and loose material removed from the channel bed.

- **Grant in Aid Schemes**

The final part of the scheme at Branston Fen Pumping Station was programmed for completion this financial year. The first of the two pumps had been removed for refurbishment and a new station house door had been fabricated. This work required the de-watering of the intake sump, as the pumps sat on a plinth within the sump, and would need to be cleaned before the pumps were re-commissioned. The contract included for the refurbishment of both submersible pumps [last lifted in 2000] with the first pump being re-commissioned in mid-December. It was most likely that the second pump would be removed early in 2018.

Work had commenced on the catchment study of the Timberland & Billingham Fen area. The initial phase of the study was the topographical survey of all the Board's maintained channels and the intake sumps of the pumping stations. The work was nearing completion. Work to assess the hydrology [rainfall, channel flows, absorption of rainfall by the soil etc.] of the catchment had commenced. The project would be fully funded by the Environment Agency's FDGiA programme.

- **Plant**

Tenders had been issued for the provision of a new tractor/flail combination in line with the agreed plant replacement programme for 2018/19. This purchase would replace the Claas Axion 810 & Bomford T81-81flail combination purchased in 2011 and 2012 respectively and was scheduled for delivery by 30th June 2018.

A repair to the Herder flail was required, when the ring on the slew ram arm failed during operation.

- **Public Sector Co-operation Agreement [PSCA]**

Work was underway at various locations throughout the district on behalf of the Environment Agency. The majority of the work consisted of the cutting of raised embankment and vegetation clearance from channels, such as Anwick Catchwater, Farroway Drain, Digby, Sandhill and Leasingham Becks and Ruskington Catchwater Drain. This programme of work would continue until 31st March 2018.

Other pieces of re-chargeable work had been undertaken by the workforce on behalf of rate payers.

- **Study Tour Amsterdam November 2017**

The Chairman and Vice Chairman, accompanied by the Chief Executive and Director of Operations and Engineering, participated in a tour of a number of sites relevant to the work of Drainage Boards in and around Amsterdam between 31st October and 2nd November.

The tour was arranged by the Lincolnshire Branch of ADA and included visits to the FloodEx exhibition in Amsterdam, a beach re-nourishment scheme, demonstrations of partnership working in providing disaster response to flood events, coastal embankment assessment & refurbishment and water saving techniques used in the operation of large green house operations.

Members received and NOTED the report and presentation.

2167 Engineering Services Report.

The Engineering Services Report had been circulated with the agenda.

It was highlighted to members that an application had been submitted for the erection of a detached dwelling (outline with all matters reserved) for land adjacent to the Old Rectory, Tattershall Road, Tattershall Bridge (FD-3639-2017-PLN) and in the absence of a suitable Flood Risk Assessment the Board had objected to the proposed development. The Board had supported the objection raised by the Environment Agency and the reasons for it.

Members received and NOTED the report and the comments submitted to Local Planning Authorities.

2168 Consents and Enforcements

A Consents and Enforcements report had been circulated with the agenda. Cases were summarised as follows

Byelaw Consent Applications - District

Reference	Location	Applicant	Details	Date
FD-3702-2017-CON	Canwick Fen Drain, Lincoln Eastern Bypass	Carillion Construction	Temporary access culvert	
FD-3708-2017-CON	Middle Drain, Nocton Fen	Beeswax Dyson Farming	Replace existing culvert by longer one	

Section 23 Land Drainage Act Consent Applications – District

Reference	Location	Applicant	Details	Date
None				

Section 23 Land Drainage Act Consent Applications – Extended Area

The Board acts as Agent for Lincolnshire County Council, the Lead Local Flood Authority.

Reference	Location	Applicant	Details	Date
FE-3704-2017-CON	B1191, 300m North of Navenby Lane	Mr A Houlder	Access culvert for dwelling	

Enforcement Issues – District

Reference	Location	Description /Comments	Actions
FD-2653-2016-ENF	White House Farm North Kyme	Otter fence erected	Case closed
FD-3184-2017-ENF	The Drove Sleaford	Maintenance required	Awaiting remedial works NKDC
FD-3629-2017-ENF	69 Fen Road, Timberland Fen	Fallen tree in watercourse	Awaiting response

Enforcement Issues – Extended Area

Reference	Location	Description /Comments	Actions
FE-3192-2017-ENF	B1189 Thorpe Tilney, Lincoln	Possible maintenance required	Watercourse not in bad condition and will advise owner
FE-3236-2017-ENF	Warehouse, Station Road, Potterhanworth	Flooding from watercourse	LCC to jet road culvert, awaiting update

Members noted the report on Consents and Enforcements and it was highlighted that the memorandum of Understanding, whereby the Board provides the consents and enforcements service for Lincolnshire County Council (as the LLFA) in its extended catchment, was due for review and renewal from 01.04.18.

2169 Any Other Business.

There were no further items of business and the meeting closed at 3.55pm.

2170 Date, Time and Place of the Board's Next Meeting.

The Board's next meeting was confirmed for Tuesday, 30th January 2018 at 2pm in Branston Booths Village Hall.

..... Chairman Date
W1st BM15.11.16