

WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

Minutes of the eighty fifth meeting of Witham First District Internal Drainage Board held on Tuesday, 11th February 2014 at Washingborough Village Hall.

Present:

Mr. R. Fletcher– Chairman
Mr. P. Gilbert – Vice Chairman
Mr. E. Applewhite.
Mr D.C. Armstrong
Mr J. R. Crust
Mr R. Hall
Cllr. G. Hewson.
Mr. R. Hickling
Cllr. D. Jackson.
Mr. B.S. Leggate.
Mr. L. Maplethorpe.
Mr. N. Maplethorpe
Mr. S. Maplethorpe.
Cllr. J.F. Money.
Mr. N. Osborne.
Cllr. C.R. Oxby.
Dr. V. Stanton.
Mr. E.H. Tonge.
Mr. A.S. Whitehead.

In attendance:

Mrs. Jane Froggatt	Chief Executive
Mr. Martin Shilling	Director of Operations
Mr Steve Larter	Interim Finance Officer
Mrs. Anna Wilson	Finance and Rating Assistant

1873 Apologies.

Apologies for absence were received from Mr S. F. Cobb, Cllr. R. Cucksey, Mr. T. Gilbert, Mr. M. D. Harrison, Cllr. R. Kendrick, Mr. S. B. Leggate, Mr. J. Mair, Mr. D. R. Means and Cllr. P. Vaughan.

1874 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. Mr. A.S. Whitehead declared a personal interest in Item 1894, as the Farm Manager for Haverholme Park Farm Partnership as did Mr. N. Osborne as a member of the Sleaford Navigation Trust. Cllr. J.F. Money declared an interest in enforcement case FE-171-2013-ENF, as owner of the adjacent development site.

1875 Chairman's Announcements.

- Mr. Ted Grant.

The Chairman advised the Board of the death on 27th December 2013 of Mr. Ted Grant, former Chairman of Witham 4th IDB, former Lincolnshire representative on the Regional Flood Defence Committee and father of James Grant, the current Witham 4th IDB Chairman. He and Norman Osborne had represented the Board at the memorial service in Old Leake Church on 17th January.

- Mr. David Fullwood.

Mr. David Fullwood, IDB Engineer well known to ADA and various IDBs throughout his career, died on 26th January 2014. His funeral was in Scunthorpe on 06th February.

- Volvo Excavator EC 160DL.

The Chairman advised members that the Board's new tracked Volvo excavator, only delivered on 23rd September 2013, had been vandalised on 06th/07th January whilst parked overnight at Dorrington Fen. Fuel and tool boxes were stolen and there was some limited damage to the vehicle in the process. It has been repaired, is back in use and the £850 approximate cost of repairs is being processed as an insurance claim.

- Winter Programme.

The winter 2013/14 programme had now started, with sludging on Dales Drain Head (South) progressing well.

- Support to City of Lincoln Mayor's Charity.

Cllr. Pat Vaughan, member of the Board, is Mayor of Lincoln this civic year. The Chairman highlighted two events to members which he invited them to support in aid of the Mayor's nominated charity, the Motor Neurone Disease Association.

- Sky Dive.

In early April, Pat Vaughan would be doing a sponsored tandem Sky Dive.

- Concert at The Chapter House of Lincoln Cathedral on Wednesday, 19th February at 7.30pm.

There is a Concert on Wednesday, 19th February at Lincoln Cathedral by Fieri Consort. Tickets are £15, including cheese and wine, available from the Cathedral shop.

- Scopwick Enforcement Case.

The Board was aware of an enforcement investigation at 71, Main Street in Scopwick. This case involves a 300mm culvert near the property, at the point it diverts under the road into two 150mm old clay pipes. Water backs up and there had been previous flooding.

The Chairman had been made aware, by the resident, of problems once again and he had asked the Board's Officers to convene a multi-agency meeting (involving AWS, Western

Power, Lincolnshire County Council Highways, the Board etc). The meeting took place on 06th February, which the Board's Engineer attended, and LCC agreed to improve the situation by replacing the old twin pipes and repairing a collapse in the roadside pipe further downstream.

- Timberland Diesel Pumps Open Days.

The Chairman confirmed to members that this year the Open Days at Timberland would be on Sunday, 01st June and on Saturday, 13th September. He encouraged members to attend and talk to members of the public, over 70 people having attended the last open day.

1876 Minutes of the Board's meeting and AGM held on Tuesday, 5th November 2013.

The Minutes of the Board's previous meeting and AGM held on Tuesday, 5th November 2013 at Washingborough Village Hall were APPROVED as an accurate record.

MATTERS ARISING:

Public Sector Co-operation agreement (page 500 refers).

Following approval of the PSCA between the Board and the Environment Agency on 05.11.13, it was confirmed that the Board was one of the first in the Country to undertake works for the E.A. on this basis. The Board had completed works at Anwick Catchwater, as a rechargeable works job of £1,500.

Highland Water Claim 2013/14 (page 551 refers).

It was confirmed that since the meeting on 25.10.13 which the Chairman and Chief Executive attended, no written proposal had yet been received from the E.A. to ask the Board to absorb a reduction in the 2013/14 Highland Water Claim, equating to 16% of the total or £2,160. The Chief Executive had not raised the matter with the E.A. There was a first meeting of a group, to simplify the payment formula, on Friday, 14.02.14 but this would not address the 2013/14 claim.

Works at Digby (page 552 refers).

Works at Digby were now complete, including clearing of the watercourse adjacent to Station Road and the public footpath.

Five Mile Development, Washingborough (page 553 refers).

The Board's Engineer and Director of Operations had visited the site, meeting with representatives of Mark's Specialist Transport, following confirmation from North Kesteven District Council Officers and evidence that Campbell Construction Ltd. was in administration. The commutation sum of £12.5k remains on account with the Board's Solicitor, pending completion of the agreed drainage scheme. As Campbell Construction would not now be fulfilling the agreement, the Board's Officers had assessed what works needed to be completed.

One new concern had arisen, which was beyond the scope of works the Board might consider. This was some necessary underpinning of the unadopted road, adjacent to the lagoon at Five Mile.

Members felt there would be merit in a round table discussion between all parties, with the aim of seeing whether between North Kesteven District Council, the Board and site occupiers at Five Mile (like Mark's Specialist Transport) there was agreement to complete necessary works.

Closure of Accounts 2012/13

The Chief Executive had produced a Briefing Note for the national Association of Drainage Authorities' Policy and Finance Committee meeting, held on 29.01.14, to outline the anomalies in the treatment of fixed assets (Box 9 of the IDB1 Annual Return) raised by External Auditors (Grant Thornton) as an 'Other Matters report' on the 2012/13 accounts. Following discussion and the need for clarity in the closure of the 2013/14 accounts, she had agreed to assist ADA in the production of interim IDB guidance.

1877 Minutes of the Joint Administration Committee meeting on 2nd December 2013.

The minutes of the Joint Administration Committee meeting held on 2nd December 2013 were APPROVED as an accurate record and the recommendations to the Board were noted.

MATTERS ARISING:

Joint Administration Apportionment

The Chief Executive highlighted page 3, the summary of discussion about the contributions made by each of the 3 IDBs to the joint administration arrangement. Since 01.04.09 the contribution to costs have been set at 40% Upper Witham, 30% each for Witham First and Witham Third.

The Joint Administration Committee had agreed in principle that the funding formula should be reviewed and that, in principle, a fairer apportionment would be 40% Upper Witham, 35% Witham Third and 25% Witham First. However, members were asked to note that the Joint Administration Committee felt that the 2014/15 budgets should be constructed on the basis of the existing arrangement, with an analysis of impact being done for any changes to be potentially implemented from 01.04.15.

1878 Minutes of the Executive Committee meeting on 28th January 2014.

The minutes of the Executive Committee meeting held on 28th January 2014 were APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

All matters arising were covered by the agenda.

1879 Financial Performance to month 9 of 2013/14, as at 31st December 2013, and forecast year end position as at 31st March 2014.

The financial performance report set out the position as at month 9 of 2013/14, 31st December 2013. Against an income and expenditure budget for the period there was a surplus variance of £95,486. This was expected at this point in the year, when tranche two Special Levy income had been received in November and the bulk of drainage rates. However, there was a further 3 months of expenditure for 01.01.14 to 31.03.14 yet to be incurred, with little additional income due.

An analysis of all likely spend for the remaining 3 months of 2013/14 had been undertaken and the report set out a projected 31st March 2014 position that was broadly balanced, with only a £5k surplus. This projected position, however, had been cautious in all estimates, so the position may improve on a £5k surplus.

The Interim Finance Officer then took members through the projected ups and downs in all main budget headings, to provide an explanation of the projected £5k predicted surplus. He highlighted that, for example, on electricity only £22.5k had been spent for the first 9 months of 2013/14 against an annual electricity budget of £70k (and in sharp contrast to the overspend position in 2012/13) but that he had assumed a proportionately higher spend for the remaining 3 months of the year. Similarly, in discussion with the Chief Executive and Director of Operations, the projected year end position includes £40k as an estimate for the bank slip repair on Twenty Foot Drain at Chapel Hill, which may not be spent in this financial year.

Members NOTED the financial position as at 31st December 2013 and the projected year end small surplus position as at 31st March 2014.

1880 Statement of Expenditure for the period 01st October to 31st December 2013.

The Schedule of Expenditure incurred for 3 months from 01.10.13 to 31.12.13 had been circulated. It totalled £274,110.35 gross, £248,268.71 net of £25,841.64 VAT. It included £16,210 (£13,545 net of VAT) for purchase of the Board's replacement van, a Peugeot Partner van. It also included External Auditor fees of £1,920 (£1,600 net) for the required Audit of the IDB1 Annual Return. Various electrical works totalling £2,630 net were also undertaken at the Depot to fulfil Health and Safety requirements.

Members NOTED the Schedule of Expenditure.

1881 The Board's Risk Register.

A revised Risk Register had been circulated with the agenda. The original one had been developed via a seminar for the Chairmen, Vice Chairmen and Officers of all 3 Central Lincolnshire IDBs with the Internal Auditor on 28.05.12. It is reviewed and submitted to the Board twice a year.

This version uses the 5 IDB objectives agreed in May 2012 and sets out the corporate risks, assurances, gaps in assurance and the resulting action plan to manage, if not mitigate, risk. Members approved the revised Risk Register.

1882 Internal Auditor's Interim Report on 2013/14.

The Internal Auditor's independent, interim report on 2013/14 had been circulated. His final report on the year would be completed for the Board's 24th June 2014 meeting.

Members' attention was drawn to his main findings, summarised on page 2, which stated there had been a continued improvement in financial systems helped by the introduction of new accounting and payroll systems and a change of Bank Account. He had found some operational issues, but acknowledged that these were being addressed. For example, because of a change in finance personnel, bank reconciliations did not commence until September 2013 (from 01.04.13) but a monthly system of reconciliation is now in place.

At the end of the report is the management action plan, agreed between the Internal Auditor and Chief Executive, so that members can track progress.

The report acknowledged that the majority of agreed system recommendations from the 2012/13 audit have been implemented. The Auditor will visit again from 26th to 28th February inclusive.

Members received and NOTED the interim Internal Auditor's report on 2013/14 which gave an 'adequate assurance' rating at this point in the year.

1883 Five year plant, vehicle & machinery programme.

A proposed Plant Vehicle and Machinery programme for 5 years starting in 2014/15 was considered. It included a record of purchases since 2010/11 for information and, at the request of the Executive Committee, it stated the Board's current replacement policy which is:

- Excavators, 5 -7 years.
- Tractors, 6-9 years.
- Motor vehicles, 6-9 years.
- General equipment, 4-10 years.

In the context of the Board setting its budget for 2014/15, it is the first year of the programme for next year which members were asked to approve.

In that first year it is proposed to purchase a replacement tractor (for FY03 ZRJ) at an estimated cost of £55k and trade in estimate of £15k, a replacement wheeled excavator at an estimated cost of £110k and trade in estimate of £21k and also a weed bucket at an estimated cost of £6k with a trade in value of £800. The programme for 2014/15 was, therefore, an anticipated expenditure of £171k, which with trade in income of £36.8k meant there was an estimated net expenditure of £134.2k.

Members noted the recommendation from the Executive Committee and APPROVED the first year (2014/15) of the five year plant, vehicle and machinery programme which had been included in proposed budgets for 2014/15.

1884 The Board's Budget Estimates for 2014/15.

Members had received the proposed budget estimates for 2014/15 with the agenda. It was explained that the draft budget had been prepared based on the detailed work completed on 2013/14 as at 31.12.13, the projected 31.03.14 position forecast from this and after discussion on required schemes for next year. A comparison was provided of 2013/14 approved budget to 2014/15 proposed budget and the assumptions used to construct the proposed budget were stated (eg. 2% drainage rates/special levy increase, 1% pay award, 2% increase in NNDR, 5% increase in insurance costs, 5% increase in water rates, 2% increase in EA precept, highland water 16% administration element of claim at £2k is included, one off schemes all removed and a joint administration formula with 30% contribution to costs by the Board). On electricity, given the volatile nature of expenditure, the budget was left at £70k.

A summary of the proposed budget for 2014/15 showed an estimated gross income of £745,401 which was offset by expenditure to the same value, allowing a balanced budget to be set, on the assumptions stated.

The Interim Finance Officer took members through proposed changes to the treatment of Fund Balances, recommending that the Board adopts a policy of holding a general “Revenue Reserve” of 10% to 15% of estimated gross income and with other monies being recategorised to specific renewal funds as follows:

<u>Fund Balances</u>	<u>2014/15</u>
Revenue Reserves	(£100,000)
Plant & Vehicle Renewal Fund	(£ 9,167)
Office Computer Renewal Fund (delete and meet from Revenue)	NIL
Pumping Station Renewal Fund	(£75,000)
AWC Renewal Fund (delete and combine under a generic PS Renewal Fund).	NIL
Total	<u>(£184,167)</u>

After discussion, the proposed budget estimates were APPROVED for 2014/15, including:

- Year 1 of the plant, vehicle and machinery programme from reserves at £171k gross, or £134.2k net of trade-in values estimated at £36.8k, with the depreciation impact accounted for in the budget estimates.
- A balanced budget, based on the stated assumptions, with gross income and expenditure of £745,401 in 2014/15. These assumptions included a 2% increase in the penny rate.
- Adoption of a policy of holding a general ‘Revenue Reserve’ of 10% to 15% of estimated gross income.
- Establishment of a generic ‘Pumping Stations Renewal Fund’, for the maintenance of the fabric of the buildings (including roofs) and the pumps in pumping stations. This fund would incorporate the previous AWC Renewal Fund.

1885 Annual Value as at 31st December 2013, setting the rate and Special Levy 2014/15.

Members had received with the agenda a paper setting out the annual value brought forward from 31.12.12 and the in-year movements for land from agricultural rate to Special Levy between 31.12.12 and 31.12.13.

The land movements in that period were detailed as follows and APPROVED by the Board:

<u>Plan</u>	<u>Field</u>	<u>Area</u>	<u>Parish</u>	<u>Council</u>
TF0855	1715	0.809	Digby	North Kesteven District Council
TF0855	2815	0.809	Digby	North Kesteven District Council
TF0855	2908	0.461	Digby	North Kesteven District Council
TF1656	3756	0.247	Billinghamay	North Kesteven District Council
TF1463	2742	0.170	Blankney	North Kesteven District Council
TF 1761	3690	0.202	Martin	North Kesteven District Council

Taking into account these land movements, the land valuations as at 31st December 2013, upon which Drainage Rates and Special Levies are calculated, were APPROVED at £4,528.091 (or £3,192,039 after differential rating is applied), as follows:

	<u>Sub-District 1</u> £	<u>Sub District 2</u> £	<u>Total</u> £
Drainage Rates	362,886	2,015,742	2,378,628
City of Lincoln Council	1,418,032	0	1,418,032
North Kesteven District Council	445,836	285,595	731,431
Total	2,226,754	2,301,337	4,528.091
Differential Rating	40%	-	-
Adjusted Totals	890,701	2,301,337	3,192,039

Furthermore, the Board APPROVED a 2% increase in the 'penny rate' and the following were the revised 'penny rates' for 2014/15 (in comparison with the baseline 2013/14) and had the impact of increasing the Board's planned income from Drainage Rates from £466,075 to £475,351 (+ £9,276):

<u>Penny Rate</u>	<u>Sub-District 1</u> pence	<u>Sub-District 2</u> pence
Current	8.6270	21.5670
+ 2% 2014/15	8.7992	21.9979

The Board then considered the impact on Special Levies, based on the approved 2% increase and including the rebasing of the Annual Value for the land transfers:

<u>Special Levy</u>	<u>City of Lincoln Council</u> £	<u>North Kesteven District Council</u> £	<u>Total</u> £
Current 2013/14	122,330.78	99,987.85	222,318.63
New 2014/15	124,775.47	102,054.96	226,830.43
Difference	2,444.69	2,067.11	4,511.80
Increase	2.00%	2.07%	2.03%

It was noted that the two issues of a 2% increase in the penny rate and separately the land transfers for North Kesteven District Council meant that particular Council faced a 2.07% increase Special Levy. However, it was pointed out that the Council would benefit from an increase in Council Tax income from the transferred land in question.

The Board AGREED the 2014/15 Special Levies for City of Lincoln Council at £124,775.47 and for North Kesteven District Council at £102,054.96.

The Board mandated the Chairman and Chief Executive to sign the 'Rate Book' and apply the Board's seal.

Although not affecting the setting of the Annual Value, Drainage Rates and Special Levies for 2014/15 there followed discussion on the comparatively low land transfer value at £216.90 per hectare from agricultural to Special Levy. This was an area for review before 2015/16.

1886 Drainage Rates write-offs and drainage rates outstanding 2013/14.

The write-off of drainage rates is a matter reserved to the Board. A paper had been circulated with the agenda, which was presented by the Finance and Rating Officer, Anna Wilson.

The Board's policy is that unpaid Drainage Rates of less than £2.50 are not pursued. There were 4 accounts outstanding as at 21.01.14 in this category:

<u>Account</u>	<u>Value £</u>
0136	0.52
0159	2.16
0195	1.81
0523	2.42
Total	<u>6.91</u>

Members of the Board APPROVED the write off of £6.91 across the 4 accounts, as listed.

The second write-off request concerns account 0191, land at Branston Island in an Environment Agency washland scheme of 94 hectares on the northern bank of the River Witham that is subject to flooding as required. The drainage rates value for 2013/14 is £1,258.43 and the Board AGREED the write-off of this sum.

The Board does pursue debtors where the debt is greater than £2.50 and it was confirmed that the following 6 accounts proceeded to Lincoln Magistrates' Court on 30.01.14 and Liability Orders were granted:

<u>Account</u>	<u>Value £</u> <u>(including Court costs)</u>
0085	968.43
0304	228.33
0328	52.08
0386	129.48
0404	102.99
0659	68.90
Total	1,550.21

Members noted that overall drainage rates collection performance was good at 99.7%, with only a total of £1,550.21 owed to the Board across 6 accounts. Most of this debt was with one account, 0085 where £968.43 is owed to the Board. This account holder regularly withholds payment until the point that Bailiffs are appointed by the Board and then pays in full.

Having approved the write-offs at outlined, members noted the residual £1,550.21 owing to the Board which was being pursued.

1887 Local Government Pension Scheme – Employer’s Contribution Rate.

A Briefing Note had been circulated with the agenda which set out the revised Employer’s Contribution Rates (ECRs) from IDBs to the Lincolnshire Local Government Pension Scheme from 01.04.14.

The original proposition received from Mouchel, pension administrator for Lincolnshire County Council, had been received on 22.11.13 and represented a significant increase for most IDBs. Witham First DIDB had been an exception in that the original proposal of a 24.3% ECR from 01.04.14 together with a cash contribution of £7k in 2014/15, £8k in 2015/16 and £8k in 2016/17 represented a calculated overall ECR of 28.8% and, therefore, a £2,690 reduction on the 30.5% ECR being paid in 2013/14.

This had arisen from the Actuary’s triennial valuation of the Fund as at 31st March 2013 and an assessment of required contributions for 3 years from 01st April 2014.

The proposition had been amended for other IDBs in Lincolnshire following a meeting on 17.12.13. A revised proposition had been circulated by Mouchel on 23.12.13 which was also acceptable to the Actuary. The Board’s position remains as originally proposed and this had been included in budget setting.

Members NOTED the revised Employer Contribution rate of 24.3% and the £7k cash contribution of 4.9% required in 2014/15, against the base 2013 pension cost of £47,668 at an ECR of 30.5%. The new pensions cost to the Board for 2014/15 was £37,978 plus the cash sum of £7k, giving a total new cost of £44,978, or a calculated new rate of 28.8% (a saving of £2,690 in 2014/15).

1888 Director of Operations’ Report .

Members had received the Director of Operations’ Report with the agenda for the period 01.10.13 to 31.01.14 and this was presented by Martin Shilling, together with an updated verbal presentation.

The summer maintenance programme 2013 had been substantially completed, with flails completing the usual programme by 30.11.13 and the two tracked excavators continuing weed cutting from bank side access strips and landward cesses to 31.01.14.

Winter 2013/14 maintenance had commenced with bushing work at a number of locations, including Farroway Bankside and Walcott Soak Dyke. The winter de-silting programme had

also started on Dales Drain Head (South) at Billingham Pumping Station. The full programme was detailed and copies were available for members.

As part of the Board's rolling programme of culvert and syphon maintenance, culverts in Digby village, Digby Fen, Walcott Common and Timberland Fen had been cleared by ADC (East Anglia) Ltd. using the suction and water pressure machine. The Director of Operations outlined that at circa £900 per day, this was a cost effective way of cleaning 6 to 9 culverts per day. Some culverts would be cleared by hand during the winter months as conditions and resources allow.

The Board's workforce attended the syphon under New Cut, which had been obstructed by brash and litter, and the obstructed water from Evans Dyke had flooded 2 fields upstream. The Board assisted EA staff on Saturday, 25th January and the obstruction was removed with the Board's Atlas excavator. The EA has been asked to consider installing a screen to prevent a recurrence.

A list of intended bank slip repairs in 2014 was highlighted to members.

Electrical work had been completed at Timberland PS depot to ensure that the electrical circuits are safe and compliant with current health and safety requirements. Low voltage lighting had been installed in the workshop and storage sheds, together with a new 30 amp fuse board and 16 amp/30 amp sockets in the workshop areas. In addition, emergency lighting had been installed within the office and diesel pump house.

As the Chairman had reported, the Board's new Volvo EC16-DL tracked excavator was subject to diesel theft from its main tank during the night of 06th/07th January. The Police attended site and the overall damage and repairs is subject to a claim with the Board's insurers. The machine had been secured and parked on the landward cess of Dorrington Bankside Drain at Pringle Corner.

Rechargeable works on behalf of the EA. under the Public Sector Co-operation Agreement, had been completed with weed cutting at Anwick Catchwater Drain along its entire length from Cobbler's Lock to its outfall into Farroway Drain. It is hoped this will be regular maintenance work undertaken for the EA, in channels that have a significant positive effect upon the Board's maintained system and surrounding area.

The Board's workforce had also undertaken work on behalf of Lincolnshire County Council on riparian watercourses on Station Road in Digby. This comprised de-silting of an open watercourse, lowering of an access culvert and the clearing of a road culvert. This arose from the remedial works proposed following the heavy rainfall events of 2012 in Digby.

Members received and NOTED the Director of Operations' Report.

1889 Report on Planning Applications.

The schedule of planning applications considered by the Board's Engineer for the period 11th October 2013 to 21st January 2014 had been circulated.

Those applications on which comments were submitted on behalf of the Board, together with a summary of those comments was received and noted by members.

1890 Report on Consents & Enforcements.

A report detailing consents and enforcement cases, both within the drainage district and in the extended rainfall catchment, had been circulated with the agenda.

Catchment enforcement case FE-171-2013-ENF at 71, Main Street, Scopwick was highlighted, mentioned earlier by the Chairman as subject to a multi-agency discussion. Cllr. John Money declared a personal interest in the case, as the landowner of the adjacent development site. It was noted that LCC had agreed at the meeting on 06.02.14 to replace the road crossing culvert and a collapsed section on the roadside length further downstream.

Members NOTED the report.

1891 Generic IDB Enforcement and Consent Concordat.

The Consents and Enforcements Officer to the 3 IDBs, Garry Winterton, had developed a generic Enforcement Policy for intended adoption and use by all the IDBs who undertake extended catchment work for Lincolnshire County Council (as the Lead Local Flood Authority). It had been developed in consultation with IDB Engineers across Lincolnshire and taking into account advice from Legal Services Lincolnshire, Solicitors to Lincolnshire County Council.

The intent was to agree a common and consistent approach to cases, based on advice that this puts each IDB in a stronger position should there be a challenge, say, to enforcement action by a third party.

Members APPROVED the concordat, noting this will be made available to the public on the Board's website.

1892 Culverting Policy.

Upper Witham IDB's Engineer, Ken Pratt, had developed a Culverting Policy to standardise practice across Upper Witham, Witham First District and Witham Third District IDBs. He had received input from staff within the other two Boards. This had been circulated with the agenda and was submitted to each of the Boards for approval.

The intent was to set out what business, individuals and local communities may expect from the 3 Boards in respect of proposals to culvert watercourses. The intent was to ensure also that Boards act consistently and are less likely to be successfully challenged.

The policy stated the preferred position that no watercourse should be culverted unless there was an overriding need to do so because:

- culverting introduces an increased risk of blockage (with consequent increase in flood risk).
- the ecology of the watercourse is likely to be degraded by culverting.
- culverting may complicate maintenance.

The Policy then set out criteria against which applications for culverting would be considered and the consent procedure to be followed by each Board within its drainage district or by the relevant Board when it was acting on behalf of the Lead Local Flood Authority (Lincolnshire County Council) in the Board's extended rainfall catchment under Section 23 of the Land Drainage Act 1991.

The Policy stated that there is no opportunity to provide retrospective consent for works that had been completed and, therefore, any unconsented works would be considered as an enforcement issue. Consideration of enforcement action would follow the Enforcement and Consent Concordat (which the Board had just approved).

Members were content to APPROVE the Culverting Policy for adoption by the Board, noting that this will be made available to the public on the Board's website.

1893 Policy for the Adoption and Scheduling of maintenance of watercourses.

A proposed Policy for the scheduling of watercourses had been circulated with the agenda, the intent being to agree a common policy across the Board, Upper Witham IDB and Witham Third District IDB. Each IDB had received individual requests for the adoption and maintenance of watercourses and each does not currently have in place an approved policy, by which the Board can evidence consistency in its decision making.

The Executive Committee had been content to recommend the Policy to the Board, subject to a caveat about criterion 2, that the watercourse should have more than one riparian owner/occupier. Members of the Executive Committee suggested that, as recently larger blocks of land are in single ownership within the drainage district, this criterion may be unreasonably restrictive if applied rigidly.

The Board was content to APPROVE the policy, as written, but would apply it with some flexibility in respect of criterion 2. It was noted that the Policy would be made available on the Board's website.

1894 Request from Haverholme Park Farm Partnership for the Board to adopt a stretch of the Old River Sleas for maintenance.

A Briefing Note had been circulated to members which set out the basis of a request, from Haverholme Park Farm Partnership, to the Board for adoption of a stretch of the Old River Sleas, which is currently the Environment Agency's main river. Mr. Adrian Whitehead had earlier declared a personal intent in this item, as Farm Manager for the Partnership. Mr. Norman Osborne declared a personal interest as a member of the Sleaford Navigation Trust.

Following a site visit on 23.01.14, the Executive Committee's proposition to the Board was that rather than the Board adopt the watercourse (which would involve a process of the EA de-maining the stretch of the river), we initially take a partnership approach to clearing the stretch of river concerned (including the outfall into the new River Sleas), establishing whether this achieves the desired result. The site visit suggested that the watercourse could be improved, there was evidence of the tree growth, leaf debris and weeds which would obstruct the channel significantly in the summer.

After discussion it was AGREED that, rather than the Board adopt the watercourse as originally requested, the Board would:

- ascertain whether the EA would consent the Board to undertake works on their main river, under the flexibilities agreed in the Public Sector Co-operation Agreement (PSCA) which the Board approved as a 5 year agreement on 05.11.13.
- ascertain whether Haverholme Park Farm Partnership would be willing to meet the costs of the Board undertaking the necessary weed cutting and clearing of the watercourse (estimated at 5 days, so at a price to be confirmed but <£2,000).
- before the works are commenced, ascertain whether the EA would be willing to undertake/enable the Board to undertake some clearance of the outfall at the point the Old River Slea outfalls into the New River Slea.

1895 Position statement on Timberland Delph Bank raising and crest armouring.

Members had received a position statement from the Engineer, Alan Gardner, on the completion of the recent scheme by the EA to prevent a breach of Timberland Delph banks as was threatened in December 2012. This had been averted by temporary emergency works by the Board's workforce, alongside EA staff, in December 2012 with the Delph overflowing from a number of bank low spots into Martin Fen and Timberland Fen.

Works commenced on 14.10.13 and were completed on 29.11.13, with the Board's Engineer making site inspections on 23.10.13 and 20.01.14, with two EA Engineers.

The original works agreed as part of this £40k scheme are as follows, together with additional works undertaken:

- removal of 4 trees (subsequently, 3 additional trees had been removed, including a large one opposite Glebe Farm).
- armouring the crest at the point of existing lowest bank level of 3.36mAOD with geotextile and trench sheet piling.
- raising banks at 6 low spots, by between 50mm and 110mm to 3.5mAOD using locally gained material and ground stabilisation mesh.
- in addition to the planned scheme, a 6 inch diameter cast iron pipe had been removed from within the bank that had been part of the former Martin Fen PS and may have been contributing to seepage through the bank.
- completion of armouring, earthworks and grass seeding.

It was envisaged that the raising of low spots would reduce the average frequency of overflows from the Delph from once in 2 years to once in 5 years, with all water within the 1 in 5 year's event being discharged at the specific point of the newly armoured crest in a controlled manner.

There remained one issue to agree with the EA. Information on the Board's pump capacity and electricity costs had been provided to the EA but the payments system to cover the Board's costs of pumping any additional water had yet to be finally agreed (ideally by 31.03.14).

Members noted the update, the nature of works and completion of the scheme in November 2013.

1896 Position statement on the Bank Slip at Twenty Foot Drain, Chapel Hill.

A position statement on this Bank slip repair had been circulated, given the quotation for repairs by an external contractor was £87.5k plus VAT and had been deemed too expensive.

The Board's Engineer would develop an alternative scheme to stabilise the banks by flattening the batters. A berm may be included, which would allow some environmental enhancement. Pleasingly, photographs taken during repairs in 2003 suggest the buried concrete may not be as substantial as thought. These had been shown to members in the Director of Operations' presentation. The reinstatement of the slips will remove the obstruction to the low level flow within the Board's system, improving the performance of the Twenty Foot Drain and reducing the frequency of pump starts at Chapel Hill PS.

It was noted that there is an allowance of £40k for the scheme in the 2013/14 budget. This may now not be spent as the scheme is likely to be developed for implementation in drier ground conditions in summer 2014/15.

Members received and NOTED the position statement.

1897 Potential Transfer of 18 Bridges and Culverts to Lincolnshire County Council.

A Briefing Note had been provided with the agenda. The Board had used best endeavours to prove title to the 18 structures, a prerequisite requested by Lincolnshire County Council to agreeing the transfer of ownership and thereby future maintenance responsibility of the structures, for the agreed 2012/13 commutation sum of £354k.

Following the Board's Chairman, Vice Chairman, Chief Executive and Director of Operations meeting with the Board's Solicitors on 11.10.13 and the way forward being agreed by the Board on 05.11.13, i.e. a Part 8 friendly claim in the Chancery Division as a Court of unlimited jurisdiction, attempts had been made to agree this as the joint way forward with Lincolnshire County Council.

The Chief Executive gave a verbal update to the report, outlining that the Board's Solicitor had advised her that Lincolnshire County Council was not willing to use the Part 8 route and she felt, regrettably, the two authorities were at an impasse.

The current position was NOTED and the Chief Executive would seek a meeting with Lincolnshire County Council's Officers, their Legal Advisors and the Board's Solicitor to try and establish a way forwards.

1898 Draft Business Plan 2014/15 to 2016/17.

A draft Business Plan had been circulated and comments on format and content were invited.

The draft was NOTED and that a finalised version would come to a subsequent meeting of the Board.

1899 The Environment Agency's Flood Risk Maps.

The EA issued new Flood Risk maps nationally on 12.12.13. These cover also surface water flood risk. Two links were provided as follows:-

<http://watermaps.environmentagency.gov.uk/wiyby/wiyby.aspx?topic=ufmfsw#x=497882&y=371145&scale=11>

<http://www.lincolnshire.gov.uk/residents/environment-and-planning/flood-risk-management/surface-water-flood-maps/118728.article>

1900 Any Other Business.

1900.1 Reciprocal support to Somerset.

Mr. Norman Osborne reported that Lincolnshire ADA Branch had made contact with Somerset IDBs to offer reciprocal support, once the water levels have subsided in Somerset.

1901 Date, Time and Place of the Board's Next Meeting .

The Board's next meeting was confirmed for **Tuesday, 22nd April 2014 at 2pm** in **Washingborough Village Hall.**

.....Chairman.....Date