

WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

Minutes of the ninety ninth meeting of Witham First District Internal Drainage Board, incorporating the Annual General Meeting, held on Tuesday, 15th November 2016 in Branston Booths Village Hall at 2pm.

Present:

Mr. P. Gilbert **Chairman (from minute 2067).**
Mr. D. Armstrong **Vice Chairman (from minute 2069).**
Mr. E. Applewhite
Mr. P. Carrott
Mr. B. Charlesworth
Mr. S. F. Cobb
Mr. R.A. Fletcher
Mr. T. Gilbert
Mr. M. Harrison
Mr R. Hickling
Mr. A.G. Hodgson
Mr. D. Jackson
Mr. D.G. Leggate
Mr S. B. Leggate
Mr I.J. Mair
Mr. L. Maplethorpe
Mr. S. Maplethorpe
Mr. A.R. Means
Cllr. P. Vaughan

In attendance:

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

This being the Board's AGM, the Chief Executive chaired the meeting, until minute number 2068. She welcomed Mr. Paul Carrott, as a new member of the Board and representative for the Electoral ward of Nocton and Branston Fen, to his first meeting.

2064 Apologies for absence.

Apologies for absence were received from Mr. D. K. Busby, Mr. J. R. Crust, Cllr. R. Cucksey, Mr. W. R. B. Grantham, Cllr. G. Hewson, Cllr. J. F. Money, Cllr. R. Oxby, Dr. V. Stanton and Mr. A. Whitehead.

2065 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.

2066 Outgoing Chairman's address.

Mr. Bob Fletcher reflected on his five years as the Board's Chairman and thanked members and officers for the support provided to him in the role. He had thoroughly enjoyed his time in office.

2067 Election of Chairman of the Board.

The Chief Executive invited nominations for the role of Chairman. Mr. Peter Gilbert was proposed by Mr. Steve Cobb and seconded by Mr. David Jackson. There were no further nominations and members unanimously elected Mr. Peter Gilbert as Chairman for the ensuing year.

2068 Chairman's Announcements.

Mr. Peter Gilbert thanked members for electing him as Chairman. He accepted the role as an honour and privilege, particularly so as he explained he was now the fourth generation of his family to hold the position. He was looking forward to serving the Board well and to working with Members and Officers.

He then thanked and paid tribute to the Board's outgoing Chairman, Mr. Bob Fletcher, stating that he would be a difficult act to follow in terms of leadership and direction he had provided for the Board and the enthusiasm he maintains for good land drainage and flood protection. He paid tribute to the achievements of the Board during Bob's term of office including the investment in new plant and machinery, ensuring the Board's Operatives have the right equipment to do a high quality job. He had instigated a programme of repair and refurbishment of the flat roofs on 5 of the Board's pumping stations. Bob was one of the first Chairmen to sign up to a PSCA, in November 2013, enabling the Board to undertake maintenance works for the EA on their main watercourses within the Board's drainage district. Bob's major contribution to ensuring that joint services between the group of 3 IDBs run smoothly was highlighted, this having been key in developing the confidence of North East Lindsey IDB to join the Group from next April. The time and commitment that Bob had given to raising the profile of land drainage was acknowledged, be this the stands at various shows or Timberland Diesel Open Days. He had also been steadfast in his support for the modernisation of governance arrangements within the industry, to build a solid reputation for the Board for the future.

In thanking the outgoing Chairman for his contribution, it was acknowledged that Bob Fletcher would remain a source of advice to the Board through his continuing role as a Board member and as Chairman of the ADA Lincolnshire Branch.

2069 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 2017.

Mr. David Armstrong thanked members for electing him to the role.

2070 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 2017. These were the Chairman (Mr. Peter Gilbert), Vice Chairman (Mr. David Armstrong), Mr. Steve Cobb, Mr. Bob Fletcher, Mr. Mark Harrison, Cllr. David Jackson, Mr. Simon Maplethorpe and Cllr. Ron Oxby.

2071 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 2 members to deputise on the Committee.

2072 Board and Executive Committee meeting dates 2017.

Board Meetings Branston Booths Village Hall at 2pm:

- Tuesday, 31st January.
- Tuesday, 30th May.
- Tuesday, 19th September.
- Tuesday, 21st November (+AGM).

Executive Committee Meetings, Tilney Dales Depot at 2pm:

- Tuesday, 17th January.
- Tuesday, 16th May.
- Tuesday, 05th September.
- Tuesday, 07th November.

2073 Members' Code of Conduct and Register of Members' Interests.

A copy of the Members' Code of Conduct, approved by the Board on 30.04.13, had been circulated with the agenda as an aide memoire. In addition, a copy of the associated Register of Members' Interests form had been circulated. 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.

2074 Minutes of the Board meeting, 27.09.16.

The Minutes of the Board's previous meeting held on Tuesday, 27th September 2016 were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

2074.1 North East Lindsey IDB (minute 2047.1 refers).

The Chief Executive reported on progress in North East Lindsey IDB joining the existing group of 3 IDBs from 01.04.17. She had attended a second NEL IDB Board meeting on 08.11.16 and a temporary member of staff had been appointed to help with the migration of NEL data on to computerised systems (GIS and DRS initially). Members from NEL had been invited to Witham House on 08.12.16 and to the subsequent development session that afternoon.

2074.2 Future Office Provision (minute 2048.1 refers).

It was confirmed that Upper Witham IDB was taking the lead in considering reprovision of that Board's depot facility on the North Hykeham Meadow Lane site, which Upper Witham owns. The secondary issue of whether or not the brief should include the provision of office accommodation, to replace the existing Witham House, was also part of the feasibility study delegated to Upper Witham's Finance & General Purposes Committee.

It was confirmed that an initial feasibility study document would go to the Joint Services Committee meeting on 05.12.16, as a written update and briefing on the current position.

Members noted that a feasibility study was being led by Upper Witham IDB.

2074.3 Partnership Approach to Catchment Management Group (minute 2049.3 refers).

An update was provided on the work of the Lincolnshire and Northamptonshire wide PACM Group, a group convened following the RFCC meeting on 15.07.16 to consider how best to maintain watercourses and related assets on a catchment basis between respective flood risk management authorities.

The work was outlined as looking across catchments by:

- Developing an approach to understand and align flood risk and water level management within a system to achieve multiple benefits.
- Take a local level review of all benefits and costs of asset systems.
- Look at partnership management options for unfunded or part-funded systems, including asset transfer, Internal Drainage Board (IDB) boundary changes and the impact of limited resources, promoting efficiencies and ensuring options are fit for purpose.
- Draw this together in an operations-focused document to assess the best management options for a system that is aligned with strategic plans already in place.

The work was being addressed in three phases, as follows:

Phase 1: January 2016 - March 2017.

- Develop a guidance document and assessment tool to assess management of a catchment for flood risk, water level management and additional benefits.
- Scope out demonstration catchments in the area to promote this new approach locally and nationally.

Phase 2: April 2017 – March 2018.

- Test the guidance document on previously identified demonstration catchments and ensure it is fit for purpose and achieves the aim of the work.

Phase 3: April 2018 onwards – implementation.

- Apply the principles of catchment management through the guidance document across the Anglian Northern RFCC area.

It was noted that the Chief Executive was a member of the Group, chaired by LMIDB's David Sisson, and there were representatives on it from the EA, other IDBs, LCC and Northamptonshire CC. Either she or the Director of Operations & Engineering Services would be attending meetings/workshops, as this was a significant issue for Boards. Progress would be periodically reported to the Board.

2074.4 ADA Lincolnshire Branch Pay Settlement for 2015/16 and 2016/17 (minute 2050 refers).

It was confirmed that, following the Board approving the ADA Branch's recommended pay settlement, the 2016/17 1% recurrently in baseline wages and salary scales plus the non-consolidated 0.4% in 2016/17 had been paid to all staff in November pay.

2074.5 Branston Island (minute 2056 refers).

It was confirmed that the decisions taken by the Board on 27.09.16 in respect of Branston Island had been communicated in writing to both the Environment Agency, as the land owner, and to the occupier of the land.

2075 Minutes of the Executive Committee meeting, 01.11.16.

The minutes of the Executive Committee meeting held on Tuesday, 01st November 2016 were proposed, seconded and APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

2075.1 Winter Works Programme 2016/17 (minute 6.4 refers).

Discussion at the Board's Executive Committee about the extent of planned de-silting works in the Heighington and Sandhill Fen area was drawn to members' attention. The Director of Operations and Engineering Services reiterated why 3 miles of de-silting works, not more, was warranted this winter. He reassured members that further winter works, like bushing works, would be undertaken in the area.

2076 Chief Executive's Report.

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

2076.1 Members' Development Session on 08.12.16.

Members were asked to confirm whether or not they would be attending the event at The Pyewipe Inn on Thursday, 08th December 2016 starting at 2pm.

2076.2 North East Lindsey IDB joining the existing Group of 3 IDBs.

NEL IDB's Chairman, Mr. Julian Hargreaves, had announced at the ADA Lincolnshire Branch meeting on 20.10.16 that, after considering a range of options, the Board would be joining the existing Group of 3 Witham Boards from 01.04.17.

It was reported that, following a meeting with the Boards' Solicitors, Sills & Betteridge, on 22.08.16 a revised Joint Services Agreement between the 4 Boards is to be developed for 01.04.17. A first draft is to be completed for 25.11.16 in order that this can be discussed at the next Joint Services Committee meeting on 05.12.16. It was noted that three members of NEL IDB had been invited to join the Joint Services Committee from 05.12.16 onwards.

Members received and NOTED the report and update.

2077 Financial Performance Report to 31st October 2016, Month 7 of 2016/17.

The Finance Manager presented the financial performance report to 31.10.16, month 7 of 2016/17, which had been circulated with the agenda.

The budget profile anticipated a 31.10.16 surplus of (£344,309) in comparison with the actual surplus position of (£317,616). Hence, there was an adverse variance of £26,693 at this point in the year. Although the position was overall in surplus, it was pointed out that this adverse variance did include the cost of one pump refurbishment at Timberland Pumping Station (which at £22k exceeded the total pumps lift budget) but it did not include the cost of the second pump refurbishment, also likely to be circa £20k.

The overall income position of the Board as at 31.10.16 was (£35k) ahead of profile. This was largely due to (£34k) income having been drawn for the Grant in Aid funded Branston scheme (the £79k total scheme being the new control panel, the catchment study and the refurbishment of one pump). A further (£5k) was due to be drawn down in 2016/17, with the remaining grant for the pump lift being due in 2017/18. In terms of costs incurred for Branston, payments so far were £13k for the catchment study and £30k for the Control Panel.

In terms of expenditure, in addition to pump refurbishment costs at Timberland, there was an £8k adverse variance on depot expenditure. This was made up of £6k wages (which may be timing of pay runs) and £1.5k on oils and lubricants. Maintenance of machines was £6k over budget. Electricity expenditure was, however, in accordance with profile at this point in the year. All other budgets were broadly as per profile.

On drainage rates performance, as at 04.11.16 there was an excellent collection rate of 99.0% (or £478,765.38 had been collected). There was a £4,748.34 outstanding balance, due largely to the removal of poultry units. A Court date had been set of 30.11.16 for liability orders on the few outstanding account holders.

Bank balances and investments were set out as follows as at 04.11.16:

Natwest	£ 212,014.77
Co-op (to be transferred)	£ 4,261.49
Nationwide Instant Access	£ 326,252.63
Nationwide 90 Day Notice	-
Total	£ 542,528.89

Whilst this was a healthy current position, it was highlighted that it included the drainage rates income and the second tranche of Special Levy income from both North Kesteven District Council and City of Lincoln Council. There would be no further significant income anticipated until May 2017, so balances would now gradually reduce over the next few months.

Members received and NOTED the financial position of the Board as at 31st October 2016.

2078 Statement of Expenditure, 01.09.16 to 31.10.16.

The Statement of Expenditure for the 2 months' period 01st September to 31st October 2016 had been circulated with the agenda and was presented by the Finance and Rating Officer.

Gross expenditure totalled £151,872.77 or, net of £16,581.49 VAT, £135,291.28. Of this, £262.91 was recharged to other bodies.

Items highlighted to members included:

- item 36 - £7,160.00 (net) to Inter Lec Ltd as the third interim payment on Branston Fen Control Panel (FDGiA grant funded).
- item 37 - £953.80 (net) to K & W Mechanical Services Ltd for repairs to the Prolec (height limiter) on the Volvo Excavator.
- item 55 - £20,138.00 (net) to Shoebridge Engineering Ltd for pump (no.2) lift and refurbishment at Timberland PS.
- item 69 - £1,274.22 (net) to TDL Equipment Ltd for repairs to the Atlas Excavator.
- items 77,78,79,84 and 85 – Payments to Upper Witham and Witham Third District IDBs for the second quarter joint services recharges to 30.09.16.

Members received and NOTED the expenditure incurred between 01.09.16 and 31.10.16.

2079 Health and Safety.

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

All 3 Boards use COPE as their external health and safety advisors and a combined annual review meeting was held on 18.10.16, both to review the work in each Board over the last year and to discuss priorities for the forthcoming year. Issues discussed included:

- Accident reporting, documentation and records keeping.
- Personal Injury claims.
- Designated Hi-Viz working areas.
- Near miss accident training and reporting for Operatives in all 3 Boards.

- Risk assessments ('safe systems of work'), triple branded and similar index. Hazards identification, assessment and scoring system depending on likelihood and severity of impact. Control measures to reduce likelihood (and to a lesser extent, severity).
- Review of range of policies to be updated or developed, with consistent approach and clarifying responsibilities. Setting out the 'what' we do, as 3 Employers, from a health and safety legal perspective. These included asbestos, confined spaces, CDM regulations, control of contractors, electric fires/heaters, first aid at work, hazardous substances, health and safety, lead, LOLA (lifting), lone working, manual handling, PPE, stress, safety signs and signals, vibration, working equipment, plant checks, WTD (what it is, breaks, and opt out) and working at height.

Members received and NOTED the update on Health and Safety.

2080 Land Value transfer rate per hectare from 'agricultural land and buildings' to 'other land'.

At its last meeting on 27.09.16 the Board had considered the issue of the land transfer value per hectare from 'agricultural land and buildings' to 'other land' under the Land Drainage Act 1991. Since 1992/93 the transfer value used per hectare had been £216.90 and the correct transfer a value has been calculated at £8,063.73 per hectare.

The Board had approved in principle the revised land value transfer rate but had deferred the formal decision on applying it until the November meeting in order:

- to allow further discussion with North Kesteven District Council.
- to enable a peer review of the issue (via ADA).
- to enable the Internal Auditor a further opportunity to comment.

It was outlined that, following the Board meeting, the report was circulated to ADA and a number of colleagues at other Drainage Boards to seek a wider input to this difficult and complex issue. Overall, the feedback was that the Board was correct to ensure a fair distribution of the rating burden and was therefore correct to amend the land transfer value if it ensured a more appropriate distribution.

A further meeting also took place with the Head of Finance & Resources at NKDC, the Chief Executive and Finance Manager from this Board on 27th October 2016. Whilst the principles of the issue are accepted by both sides, it is the potential impact on the Council Tax which is the major concern of NKDC. There are a number of technical arguments around the funding of the Special Levy within Councils and how the cost falls on Council Tax payers, Business Rate payers and how Government grant has historically been received to offset this (albeit a direct link can no longer be made). There are also a number of counter arguments that can be made with regard to additional Council Tax, Business Rate and New Homes Bonus receipts (albeit with some offset for delivering additional Council services). The Chief Executive has offered that she and the Chairman attend an NKDC Scrutiny/CMT meeting to outline the position.

The Board's Internal Auditor has provided clear (email) advice that the correct, recalculated transfer rate should be adopted by the Board.

In summary there has been no fundamental additional information or issue raised relating to the base calculations. Whilst it is difficult for the Council, the financial stability of the Board is important and the Board has a duty to set an appropriate land value transfer rate.

After discussion, the Board APPROVED the following recommendations:

- the land transfer rate be set at a revised average £8,063.73 per hectare for both City of Lincoln Council and North Kesteven District Council (there being no traceable record of the Board having formally agreed, recorded and notified to the 2 Councils the current transfer value of £216.90 which has been applied since 1993).
- the new rate of £8,063.73 is applied to land transfers since 1993 and annual values are recalculated based upon this revised rate.
- that this is adjusted accordingly as at 31st December 2016 (along with any other land transfers that have taken place between 01.01.16 and 31.12.16).
- that the Board notifies the two Councils (City of Lincoln and North Kesteven District Council) of the revised land transfer rate of £8,063.73 per hectare.

2081 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 had progressed well. All those reaches accessed from arable fields had been completed and Operatives were now working on lengths accessed by grass strips and access tracks or roads.

- Pumping Stations.

The second Timberland Pump (no.3) had been removed, refurbished and re-commissioned by Shoebridge Engineering Ltd. The removal of the pump required the lowering of the water within the system and the installation of a temporary working platform. The station's in-take sump has very restricted access and no permanent means of access to carry out maintenance or inspection of the pumps *in-situ*.

The various parts of the pump demonstrated severe wear in and around the bottom bearing. Its failure resulted in excessive wear of the main shaft and impellor. The loss of restraint to the impellor resulted in contact between the impellor blades and the pump casing. The estimated cost of the refurbishment of the pump is approximately £20,000. The pump had been re-commissioned last week.

The faults identified with the automated weed-screen cleaners at Nocton Fen, Timberland and Chapel Hill stations had been rectified.

- Grant in Aid Scheme.

The new pump control panel had been installed in Branston Fen Pumping Station and was now operational. As part of this Defra Grant in Aid scheme, a catchment study is also in progress and a draft report should be available to the Board later this month. The final part of the scheme will be the lifting and refurbishment of both pumps during next year, 2017/18.

- Plant.

No significant repairs had been reported except that required to the air conditioning unit of the 2012 Atlas 140W and the Prolec height limiting device on the Volvo EC160. All items of plant had otherwise continued to perform as expected.

- Public Sector Co-operation Agreement (PSCA).

The Board had received written instructions to undertake a programme of PSCA work for the EA similar to that requested in 2015/16. In total, the value of the work has been estimated at £39,130 during 2016/17.

This includes the mowing of raised embankments on Sandhill Beck, Farroway Drain, Digby Beck and Anwick Catchwater Drain. The Board had also completed weed cutting on these watercourses in addition to Ruskington Catchwater. As is usually the case, Witham Third District IDB carried out some vegetation clearance on the Farroway Drain on behalf of the Board, as their 15m long reach excavator was more appropriate.

A meeting was held with the Environment Agency on 03rd November when the amount of work allocated to the Board under this PSCA agreement was discussed and the programme for the forthcoming three years was verbally confirmed.

The use of the Board's workforce to complete additional work during the winter months was also discussed. This type of work would include bushing of reaches of raised embankments adjacent to main river.

Members received and NOTED the report and presentation.

2082 Engineering Services Report.

The Engineering Services Report had been circulated with the agenda.

An objection submitted to North Kesteven District Council was highlighted to members, ie on an application for 199 dwellings on land south of Grantham Road and West of Northfield Road in Sleaford. The objection was on the grounds of the lack of an approved scheme for the provision, implementation, and future maintenance of a surface water drainage system.

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

2083 Any Other Business.

2083.1 Willow Trees, Thorpe Tilney Fen.

Mr. Simon Maplethorpe highlighted the significant number of willow trees growing adjacent to the River Witham at the top of Thorpe Tilney fen, near Kirkstead Bridge.

The Director of Operations and Engineering Services advised that he had provided a list of required bushing/tree works on the lower Witham to the EA some 3 or 4 years ago. He would raise the matter with EA colleagues.

There being no further items of business, the meeting closed at 3.35pm.

2084 Date, Time and Place of the Board's Next Meeting.

The Board's next meeting was confirmed for Tuesday, 31st January 2017 at 2pm in Branston Booths Village Hall.

..... Chairman Date
W1st BM15.11.16