

WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

Minutes of the ninety eighth meeting of Witham First District Internal Drainage Board held on Tuesday, 27th September 2016 in Branston Booths Village Hall, Lincolnshire at 2pm.

Present:

Mr. R.A. Fletcher	Chairman.
Mr. P. Gilbert	Vice Chairman.
Mr. E. Applewhite.	
Mr. D. K. Busby.	
Mr. B. Charlesworth.	
Mr. T. Gilbert.	
Mr. W.R.B Grantham.	
Cllr. G. Hewson.	
Mr R. Hickling.	
Mr. A.G. Hodgson.	
Mr. D. Jackson.	
Mr. L. Maplethorpe.	
Mr. S. Maplethorpe.	
Mr. A.R. Means.	
Cllr. J. F. Money.	
Dr. V. Stanton.	
Cllr. P. Vaughan.	
Mr. A.S. Whitehead.	

In attendance:

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

2043 Apologies for absence.

Apologies for absence were received from Mr. D.C Armstrong, Mr. S. F. Cobb, Mr. J. R. Crust, Cllr. R. Cucksey, Mr. M.D. Harrison, Mr. D.G. Leggate, Mr. S.B. Leggate, Mr. I. J. Mair and Cllr. C.R Oxby.

2044 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.

2045 Chairman's Announcements.

The Chairman welcomed everyone to the meeting and highlighted the following:

- Resignation of Mr. Robert Hall.

It was confirmed that Mr. Robert Hall had resigned his membership of the Board, representing the Electoral Ward of Nocton and Branston Fen, with effect from 15th August 2016. Robert is no longer employed by Beeswax Farming Ltd and felt the seat should be represented by a member nominated by Beeswax.

Beeswax Farming Ltd. had been invited to nominate a new member.

- Training and Development Event, 08.12.16.

The Chairman advised members of an afternoon training event on Thursday, 08th December 2016 at The Pyewipe Inn near Saxilby. Members were asked to indicate whether or not they would be attending.

- Members' Code of Conduct & Register of Members' Interests.

Members were advised firstly that for completeness of the 2015/16 Register, one member had yet to complete their Members' Interests form for the Register held at Witham House. Members were also advised that forms for completion for 2016/17 would be available at the 15th November AGM.

2046 Minutes of the Board meeting, 07.06.16.

The Minutes of the Board's previous meeting held on Tuesday, 07th June 2016 were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

It was confirmed that all matters arising from the minutes were covered on today's agenda.

2047 Minutes of the Executive Committee meeting, 13.09.16.

The minutes of the Executive Committee meeting held on Tuesday, 13th September 2016 were proposed, seconded and APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

2047.1 North East Lindsey IDB (minute 4.1 refers).

The Chief Executive highlighted discussion at the Executive Committee, her attendance at the North East Lindsey IDB's Board meeting on 06.09.16 and the work to ensure a smooth transition of that Board's data onto the Group of 3 Boards' GIS, DRS and SAGE finance systems by 01.04.16.

It was confirmed that a scheduled of 'Excluded costs' had been drawn up. These were those costs which would remain wholly attributable to NEL IDB and outside the joint services arrangement. This included, for example, any tenancy agreement costs and running costs (like NNDR) on office premises if NEL IDB maintains an office separate to Witham House.

A revised Joint Services Agreement between the 4 Boards would be developed, to replace the April 2009 Joint Administration Agreement between the 3 Boards.

2047.2 Winter Works Programme 2016/17 (minute 4.3 refers).

Discussion about the winter works programme for 2016/17 at the Executive Committee meeting on 13.09.16 was highlighted. The proposed programme had been presented to the 07.06.16 Board meeting and Mr. Steve Cobb had expressed concerns at the subsequent Executive Committee meeting that the proposed 3 miles of de-silting in the Heighington and Sandhill Fen area appeared light in comparison with previous programmes.

The Director of Operations and Engineering Services confirmed that he had subsequently visited the area to assess whether further de-silting works were required on watercourses, but he had concluded this did not seem necessary. He reassured Members that despite fewer miles of de-silting this year, there would be revetment work and toe stoning work (eg on Main Engine Drain). The programme would be flexible to accommodate necessary works but it did not appear at this stage that further de-silting would be needed.

2048 Minutes of the Joint Services Committee meeting, 25.07.16.

The minutes of the Joint Services Committee held on Monday, 25th July 2016 were NOTED, together with the recommendations from the Committee to the Board.

MATTERS ARISING:

2048.1 Future Office and Depot provision (minute 9 refers).

The discussion about the need to provide a replacement depot for Upper Witham and whether or not it was desirable to seek to combine depot functions was highlighted. This had led also to discussion as to whether or not the reprovision of Witham House office accommodation should be included in the brief and the view from the Joint Services Committee that indeed it should.

Members noted the discussions to date and the preference from the Joint Services Committee to have a replacement Upper Witham depot (not a combined one for all Boards) and, subject to Upper Witham's Board supporting this, a joint office at the same location.

The Chief Executive reported that she had met with Andrew Payne, Senior Partner at Sills & Betteridge, on 22.08.16 to commission a revised Joint Services Agreement between the 4 Boards from 01.04.17 (he wrote the existing 01st April 2009 Joint Administration Agreement). He had provided advice on how the issue of Upper Witham owning the site, replacement depot and replacement joint office accommodation might be pursued as fair to all parties.

It was noted that this issue had now been delegated to Upper Witham IDB's Finance and General Purposes Committee for an initial feasibility study and a progress report would be provided to the next Joint Services Committee meeting on 05.12.16.

2049 Chief Executive's Report.

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

2049.1 Efficiency Requirements.

A common theme emerging is the approach to IDBs from Councils who pay Special Levy seeking assurances of the drive for efficiency savings and seeking an early indication of the penny rate to be set for 2017/18 and beyond. The following meetings had been held across the 3 Boards:

- South Kesteven District Council, Policy & Development Group meeting on 20.05.16 (& subsequent Scrutiny Committee on 13.09.16).
- North Kesteven District Council Officer meeting on 09.06.16.
- City of Lincoln Council, 04.08.16 (regarding all 3 Boards).
- East Lindsey District Council, 16.08.16 (further meeting 12.12.16).

2049.2 Insurances 01.07.16 to 30.06.17.

Since the Board's last meeting on 07.06.16, the range of insurance policies had been renewed for the period 01st July 2016 to 30th June 2017, via Towergate, the Board's broker. The total cost of policies in 2015 had been £23,016.86 compared with the 2016 cost of £25,466.55. The policies were detailed as:

Policy Type	2015 Renewal Premium	2016 Renewal Premium	Provider
Commercial Combined	£10,147.56	£11,058.04	Allianz Insurance plc
Loss Recovery	£318.00	£400.77	Lorega at Lloyds
Engineering Inspection	£1,829.73	£1,957.26	Allianz Insurance plc
Engineering Insurance	£325.60	£287.55	Allianz Insurance plc
Hired in Plant	£580.00	£608.45	Allianz Insurance plc
Professional Indemnity	£1,193.30	£1,284.34	Dual security with Liberty Mutual Insurance, Arch Insurance Company, Everest Syndicate and CAN Hardy Syndicate at Lloyds
Directors and Officers	£612.15	£682.36	Dual security with Liberty Mutual Insurance, Arch Insurance Company, Everest Syndicate and CAN Hardy Syndicate at Lloyds
Motor Fleet	£7,753.47	£8,864.75	Allianz Insurance plc
Motor Legal Expenses	£151.05	£213.53	ARAG
Commercial Legal Expenses	£106.00	£109.50	DAS Legal Expenses
Total	£23,016.86	£25,466.55	

Of the £2,449.69 increase to Witham First DIDB in insurance costs for 2016, £785 is related to the increase in Insurance Premium Tax (IPT).

Some of the issues to highlighted from W1's policies included:

- Drainage combined policy (Allianz Insurance) – Employer's Liability, Public & Products Liability, liability in respect of clean-up costs from accidental pollution limit increased to £500,000 in any one claim.
- £2 million Directors' & Officers' liability & corporate liability.
- Professional indemnity cover of £2 million, any one claim (breach of professional duty, loss of documents to £250k, fidelity liability, libel & slander, breach of copyright).
- Motor Policy, for any driver, comprehensive, £250 excess, £75 windscreen excess or £125 if not insurer recommended repairer, all trailers and attachments valued <£50,000.

The most significant element of the increase in insurance costs for Witham First DIDB was the motor fleet policy which had increased by £1,111.28 (£8,864.75 in 2016, compared with £7,753.47 in 2015). This reflects changes over the last 12 months such as the addition of 3 new Isuzu D Max 4 x 4 vehicles.

2049.3 Partnership Approach to Catchment Management.

It was reported that a group had been convened, to work to Terms of Reference approved at the RFCC meeting on 15.07.16, in order to consider how best to maintain watercourses and related assets on a catchment basis. The aim being to look at which flood risk management authority is best placed to carry out the maintenance of those assets and how to maximise the EA's 5 year revenue funding settlement with Defra (2016/17 being year 1). The Board would be kept abreast of progress on this project.

Members received and NOTED the Chief Executive's report and update.

2050 ADA Lincolnshire Branch's recommended pay settlement for both 2015/16 and 2016/17.

A paper had been circulated with the agenda which set out the background to the ADA Lincolnshire Branch's recommended pay settlement for both 2015/16 and 2016/17.

Members were reminded that last year 1% had been 'paid on account', pending a joint recommendation from staff and management sides of ADA's Pay and Conditions Committee. No joint agreement had been reached in 2015/16 or in 2016/17 and UNISON was proposing to ballot for industrial action. No pay award had been made from 01st April 2016.

The ADA Lincolnshire Branch Chairman (Bob Fletcher) and Secretary (Peter Bateson) had organised a meeting of Lincolnshire IDB Chairmen and Chief Executives on 02.06.16 to find a solution acceptable to all parties for both 2015/16 and 2016/17, yet within Treasury guidance to smaller public bodies.

A proposed pay settlement across both financial years, arising from that forum, had been sent to both the Chairman of the Pay & Conditions Committee and to staff side. This proposed settlement had been put to a ballot by staff side, through UNISON, which closed on

15.07.16 and which supported the proposed settlement for both years. ADA's Lincolnshire Branch had supported the pay settlement at its meeting on 14.07.16.

On 18.08.16 ADA's Lincolnshire Branch Chairman issued a letter to all Lincolnshire IDBs recommending the following pay settlement to Boards (it was noted that individual Boards have the discretion as to whether or not to accept the ADA Branch's recommendations):

- *"The pay increase for IDB employees is recommended at 1% for 2015/16 and 1% for 2016/17.*
- *In addition, a one off non-consolidated 0.4% payment be made for 2016/17 but it is accepted that implementing this or otherwise, is a matter for individual Boards to determine".*

Cllr. Lance Pennell was the 3 Boards' representative on the Pay and Conditions Committee. The position of the Board's Executive Committee meeting on 13.09.16 was also noted, the Committee recommending this be approved in full.

The recommended pay settlement was proposed, seconded and AGREED as 1% for 2015/16, 1% for 2016/17 and a one-off, non-consolidated sum of 0.4% in 2016/17.

2051 Health and Safety.

A Briefing Note on aspects of recent Health and Safety activities across the 3 Boards and recent incidents in the 3 Boards had been circulated with the agenda. Recent activities included:

- Cope Safety Management Ltd (www.jwcope.co.uk) are the external provider of a Health & Safety advisory service to all 3 Boards.
- In 2015 the Works Manager (Ian Coupland) successfully completed a Nebosh General Certificate in Health & Safety, supported by two Boards, to enable him to fulfil the 'informed client' lead as part of his role.
- The Works Manager is working with COPE to review 'Risk Assessments' and 'Method Statements', rebranding these to be applicable (but generic) for all 3 Boards. New ones would be undertaken for one off schemes specific to a particular Board.
- The 3 Boards' HR Consultant (Sarah Walden) is reviewing a range of policies for the 3 Boards, including ones which have relevance to Health & Safety, eg. Lone Working Policy.
- Refresher training for Operatives of all 3 Boards was undertaken 28.06.16.
- A review of training requirements and training records is to be undertaken.
- Availability and use of PPE constantly under review and re-enforced.
- Recent improvements had been undertaken at Witham Third and Upper Witham Depots, eg. designated pedestrian walkways at both and level concrete flooring at Upper Witham.

It was noted that there had been incidents on all 3 Boards, as follows:

- Upper Witham IDB – minor tractor fire.

One of Upper Witham's Operatives experienced overheating and a small fire on the CLAAS tractor. This was caused due to a build-up of dry grass and dust in a recess around the exhaust system. The fire was successfully extinguished using an on board fire extinguisher and also water from a nearby house. The cause has been addressed

by drilling two large holes in the underplate, to allow debris to fall through or to be expelled using a compressor. This had had no detrimental impact on the Operative or that Board's tractor.

- Witham Third DIDB – personal injury.

One of the Witham Third's Operatives tripped over the teleporter tines in the workshop area of the depot on 29.06.16. He was taken to Louth M.I.U. where a dislocated finger without fracture was diagnosed. Due to the length of time absent from work (11 days), the incident became reportable under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) and the Director of Operations and Engineering Services reported the incident accordingly.

On 06.09.16 the Board was notified that a personal injury claim is being pursued against the Board, which the Board will discuss with Allianz insurers and seek to defend.

- Witham First DIDB - staff issue.

A member of Witham First DIDB staff raised his concerns about repetitive neck and chest pain, allegedly from the operating of a rear mounted flail whilst constantly looking over his shoulder from the tractor cab.

An independent assessment of the Operative's working position was undertaken by COPE in early August. Whilst it is acknowledged that the issue cannot be completely resolved unless the rear mounted flail is replaced by a side mounted version, a couple of recommendations were made to considerably reduce the impact. The recommendation to install cameras with an in-cab screen hence reducing the amount of time looking backwards over the shoulder was implemented and the outcome is being monitored.

Members received and NOTED the position in respect of health and safety.

2052 External Auditor's Notice of Closure on the IDB Annual Return 2015/16.

A paper had been circulated with the agenda which reported that, following the Board approving its Annual Return for 2015/16 (subject to External Audit) at its 07.06.16 meeting and this being subsequently submitted to the External Auditor Grant Thornton, the Auditor had completed the audit and issued on 07.09.16 an unqualified Audit Opinion on the Annual Return 2015/16 (received on 12.09.16).

It was reported that, although there was no issue affecting this year's clean audit opinion, the External Auditor had issued a report on "Other matters not affecting our opinion which we wish to draw to the attention of the Board for the year ended 31st March 2016", as follows:

"Order of signing the Annual Governance Statement (Section 1) and the Accounting Statements (Section 2).

The body has considered, approved and signed the Annual Governance Statement (Section 1) and the Accounting Statements (Section 2) on the same day and under the same minute reference. The Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement must be considered, approved and signed before the Accounting Statements at Section 2 by resolution of members of the authority meeting as a whole. In future, the body

should ensure that the minute references clearly demonstrate the Annual Governance Statement was considered, approved and signed before the Accounting statements”.

Whilst the Board does consider and approve the Annual Governance Statement before considering the Accounting Statements and this is recorded as such in the Minutes, the recommendation that the Board ACCEPTS the ‘other matters not affecting our audit opinion’ was approved and it was RESOLVED to have the two separate minute numbers accordingly next year for the 2016/17 Annual Governance Statement and the Accounting Statements, and in future years.

It was noted that the Board had issued the Notice of Conclusion of Audit on 14.09.16 and this had been advertised accordingly at both the depot (in the drainage district) and on the Board’s website (www.witham-1st-idb.gov.uk).

It was noted that this audit opinion and publication of the ‘Notice of Conclusion of Audit’ concludes 2015/16.

2053 Financial Performance Report to 31st August 2016, Month 5 of 2016/17.

A financial performance report for the first five months of 2016/17 to 31st August 2016 had been circulated with the agenda.

In summary, this showed that against a 31st August profiled surplus position of (£332,266), the actual position was a slightly lower surplus position of (£323,830), i.e. a negative variance between profile and actual of £8,436.

There was no single factor accounting for the £8,436 negative variation from profile, but this was not a materially significant variation at this stage in the year. Of more concern was the further variation that would show in the next financial report once the cost of the 2 Timberland pump lifts was confirmed, estimated at circa £40,000, as there was a budget of £20,000 for pump refurbishments in approved 2016/17 estimates.

In terms of the overall income position to 31.08.16, income was (£34k) ahead of profile. Rechargeable works income from the EA was (£5k) ahead of profile, due to the way the EA is this year paying monthly on account, rather than lump sums on particular works on completion.

Highland Water claims had been submitted to the EA with the balance of (£1,506) on the actual 2015/16 claim plus 80% (£10,040) of the total estimated claim of (£12,550) due as income to the Board by 30.09.16. Also on income and of significance, a Flood Defence Grant in Aid (FDGiA) payment of (£34k) had been received by the Board towards the Branston Fen Scheme. The scheme comprises the 3 elements of a new control panel, a catchment study (both of which are underway) and a pump refurbishment at a later stage. A further (£5k) is to be drawn down from the EA in 2016/17.

On expenditure, joint administration recharges to 30.06.16, conservation costs, consents and enforcements, PWLB loan repayment, etc, were all on target against profiled spend. The first IDB precept payment to the EA for £41,515.50 had been made in May 2016 and the second payment was due by 30.11.16.

On drainage rates, a collection rate of 94.4% had been achieved as at 07.09.16, with (£489,306.00) income collected. With refunds, value changes, new assessments etc, a further £22,672.95 had yet to be collected. Final reminders had been posted to account holders on 12.09.16 and a Court date was set for outstanding account holders on 30.11.16.

Bank balances and investments as at 07.09.16 were set out as follows:

Natwest	£ 172,434.59
Co-op (to be transferred)	£ 1,766.43
Nationwide Instant Access	£ 326,252.63
Nationwide 95 Day Notice	£ -
Total	£ 500,453.65

Members received and NOTED the financial position as at month 5 of 2016/17.

2054 Statement of Expenditure for the period 1st May to 31st August 2016.

The Statement of Expenditure incurred for 4 months from 01st May to 31st August 2016 had been circulated with the agenda and was presented by the Finance & Ratings Officer.

Expenditure totalled £303,907.16 gross or £277,520.98 net of £26,386.18 VAT. Of this, £2,562.37 was rechargeable to other bodies.

The following items or queries were highlighted:

- Items 23,24 and 25: £8,950, £3,100 and £950 to BWB Consulting Ltd. as interim payments on the Branston Fen Catchment Study (FDGiA funded).
- Item 47: £41,515.50 to the EA as the IDB precept 2016/17 (payment 1 of 2).
- Items 94 and 95: £12,700 and £10,160 as interim payments 1 and 2 to Inter Lec Ltd towards the Branston Fen PS new control panel.
- Items 133 to 137: 5 payments totalling £2,269 to SM Allen & Sons for PSCA works for the Board on Digby Beck April to August 2016 (recharged to the EA).
- Items 176 to 185: 10 payments totalling £25,140.34 to Townergate Risk Solutions for renewal of the Board's insurances 01st July 2016 to 30th June 2017.

Following discussion, members NOTED the expenditure incurred for the 4 months to 31st August 2016.

2055 Special Levy developed land calculation and revised Land Transfer Value applicable to both North Kesteven District Council and City of Lincoln Council.

A paper had been circulated with the agenda, following discussion at the Board's Executive Committee meetings on 12.04.16 and 13.09.16, setting out the basis of the calculation of the land transfer value at which land within the Board's drainage district is transferred from 'agricultural land and agricultural buildings' to 'other land' and an apparent historical inaccuracy.

The paper set out the background as to how Annual Value is set each year as at 31st December and how this is then used for the forthcoming financial year's 'Penny Rate' setting from 01st April. In effect, the Annual Value for Special Levy purposes represents the total of all the Annual Values of 'other land' (ie not agricultural land or agricultural buildings) as at the start of the 1993 rating system plus any subsequent land transfers since that date (usually when the land has been developed for housing, business, infrastructure or recreation). The land transfers to 'other land' are made at an average transfer rate, or value of all the 'other land' annual values as at 1992, divided then by the total area covered by these parcels of 'other land'.

The crux of the issue was outlined as the transfer value of £216.90 per hectare used by Witham First DIDB since 1993 being very low and investigatory work confirming that the transfer value is inaccurate. The calculations had been reviewed and confirmed by the Board's Internal Auditor.

Work to investigate, determine the correct transfer rate and assess the impact for drainage rates, North Kesteven District Council and City of Lincoln Councils was outlined. A meeting had been held between the Chief Executive, Finance Manager and Head of Finance at North Kesteven District Council on 09.06.16 in order to give early warning of the historical inaccuracy and that if it is corrected it will particularly affect North Kesteven District Council's Special Levy payable from 01.04.17 by £53k per annum based on 2016 (and will affect City of Lincoln Council as and when any land transfers to 'other land' occur). Equally, in terms of apportioning correctly, it will reduce the proportion paid by drainage rates account holders.

The Chief Executive briefed members that an advance copy of the paper coming to the Board had been sent to North Kesteven District Council and on 23.09.16 an objection had been raised by North Kesteven District Council. The detail of this counter-argument had been shared with the Board's Internal Auditor and was summarised for Members.

There followed discussion about the need to ensure the Board has the correct transfer value in place when land movements are calculated as at 31st December 2016 (and thereafter each December), the review undertaken independently by the Internal Auditor which concurs that the value is inaccurate historically and should be reset at an Average Annual Value per hectare of £8,063.73.

Cllr. Gary Hewson suggested that the income undercharged to North Kesteven District Council over the last 23 years meant, in effect, that the total payable had been apportioned and subsidised by City of Lincoln Council and drainage rates payers and this should be corrected for 2017/18 onwards.

Following discussion, the Chief Executive suggested that rather than ask the Board to agree recommendations today, she and the Finance Manager should seek to address North Kesteven District Council's concerns, obtain a peer review of the work undertaken and give the Internal Auditor a further opportunity to comment. She felt that the Board should therefore acknowledge that at the next meeting on 15.11.16 the Board would need to determine the land transfer rate, so this is resolved before 31.12.16, but that in the interim the Board AGREED to approve the following recommendations in principle:

- 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 per hectare, 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).
- notify the two Councils (City of Lincoln and North Kesteven District Council) of the revised land transfer rate of £8,063.73 per hectare.

2056 Branston Island.

Following discussion on 13.09.16 at the Board's Executive Committee, a paper had been circulated with the agenda which set out the current position in respect of Branston Island and which set out a recommended revised way forwards.

Members were briefed on Branston Island, an area of 94.452 hectares within Witham First DIDB's drainage district, owned by the E A and subject to an Agricultural Holdings Act Tenancy Agreement dated 06.04.1984. The area has the ability to be used as a washland area by the EA when required, but any compensation/easement agreement is between the EA and their tenant.

The situation at present is that annually drainage rates liability is calculated on the land in question, based on the Board's pumped rate (rather than gravity rate). Historically, each year since before 2002 the Board has chosen to 'write off' the drainage rates owed to the Board. This write off appears to be a decision taken each year, rather than a formal decision to always do so.

Enquiries to the EA confirm that their tenancy agreement is clear that it is the tenant occupier who is liable for any drainage rates liability, rather than the EA as land owner.

It was highlighted that over the last 4 years, the Board had not invoiced and had written off the following drainage rates values for Branston Island:

- 2015/16 £1,306.04
- 2014/15 £1,283.58
- 2013/14 £1,258.43
- 2012/13 £1,225.35

The Land Drainage Act permits the Board to charge drainage rates on all land within the district which is capable of being farmed (agricultural land) and associated buildings (agricultural buildings). The understanding of the arrangement between the tenant and the Environment Agency is that the tenant can farm the land in exchange for a rent. The tenant is compensated by the Environment Agency for any losses if the land is subsequently flooded when used as a washland (e.g. for loss of crop). So the arrangement for compensation is entirely between those two parties.

As a comparison, it was pointed out that Upper Witham IDB also has areas classed as 'washlands' in its district. This is land near Broxholme and in Aubourn, used as part of flood alleviation schemes by the EA. This land is owned by either farmers or individuals, as opposed to the Environment Agency, who are then compensated by the EA should land be used for water storage. Upper Witham IDB collects Drainage Rates on these parcels of land in the drainage district, i.e. that the Board does not write off the drainage rates liability and income.

It was felt that it would be inappropriate to invoice the tenant for 2016/17 drainage rates given we are at mid-point in the financial year and, having not invoiced, it would not be now reasonable to collect the £1,325.63 due in this financial year. There was also discussion about whether the land on Branston Island should be formally transferred from the Board's Sub District 2 (pumped) to Sub District 1 (gravity) in accordance with Section 43 of the Land Drainage Act 1991, in recognition that its status has changed to gravity only (with no pump capacity).

Following discussion, the Board APPROVED the following:

- to write off the 2016/17 drainage rates, in the sum of £1,325.63.
- to commence collecting Drainage Rates for the parcel of land known as 'Branston Island' from 1st April 2017 (this view was advocated by the Board's Executive Committee on 13.09.16).
- to formally transfer the area of land known as 'Branston Island' from the Board's Sub District 2 (pumped) to Sub District 1 (gravity) in accordance with Section 43 of the Land Drainage Act 1991.
- to notify the tenant and the owner (the EA) of this decision, with any appeal to be initially considered by the Board in accordance with Section 45 of the Land Drainage Act 1991.

2057 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:

- Planned Maintenance Programme.

The planned summer maintenance programme had progressed well due to the combination of fine weather and dry ground conditions, the timing of various crop harvests along with the good performance of the Operatives and reliability of machinery.

- Pumping Stations.

Timberland Pump no.2 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 intake 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 circa £21,000 (net). The specialist scaffolding was £1,895 for one month hire.

To minimise the costs associated with the removal of pump no.2, provision of the work platform and crane, the decision was made to remove pump no.1. This pump is of a similar size to no.2 and had run similar hours, but had not demonstrated the same audible signs of failure.

Pump no.1 was lifted once no.2 was re-commissioned. It was immediately obvious that it was in a similar condition and that a similar amount of work was required. It is currently on the bench at Shoebridge Engineering and the repair bill is also likely to be circa £20k.

A fault has been identified with operation of the automatic weed screen cleaner at Chapel Hill Pumping Station and the one at Nocton Pumping Station, to date costing £164.34 and £200.16 respectively.

- Plant.

Repairs had been required to the Prolec height limiting devices on the Volvo EC160DL and Bomford flail.

- Workforce.

A flail Operator had reported upper limb discomfort and shoulder and neck pain. An independent assessment has been completed by COPE (the Board's Health & Safety advisors) and remedial measures implemented in August 2016.

- Public Sector Co-operation Agreement [PSCA].

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

- Public Displays.

The Board had participated in 2 displays recently. Firstly at Woodhall Spa Country show on 22nd May 2016. Plant and pictorial displays described the work undertaken by the 3 Boards in the area. The Board also contributed to the Association of Drainage Authorities' Lincolnshire Branch stand at the Lincolnshire Show on 22nd & 23rd June 2016.

An Open Day at Timberland Pumping Station was held on 5th June 2016, to demonstrate the work of the Board, and its history, with working demonstrations of the Ruston & Hornsby diesel engine and Ruston RB 10 dragline. A second Open Day, which was part of the programme of events under the Lincolnshire 'Heritage Open Days', took place on 10th September 2016.

- Winter 2016/17 Programme.

Watercourse	Length (m)	Miles	Completed
Black Fen Lane Drain	417	0.26	0%
Bottom Carrier Drain	512	0.32	0%
Branston Beck	345	0.21	0%
Five Mile Roadside	1,375	0.85	0%
Main Engine Drain	930	0.58	0%
Middle Carrier Drain	509	0.32	0%
Middle Fen Lane Drain	961	0.60	0%
Total	5,049	3.14	0%

Members received and NOTED the report and presentation.

2058 Report on Consents & Enforcements

A report outlining the current position on consents and enforcement cases, both within the drainage district and in the extended rainfall catchment where the Board acts for and on behalf of Lincolnshire County Council as the Lead Local Flood Authority, had been circulated. Detail was as follows:

- **Byelaw Consent Applications**

Reference	Location	Applicant	Details	Date
FD-2804-2016-CON	Ulyatts/Whittakers Dykes, Timberland Fen	Beeswax Farming	Improvement/extension of two access culverts	02-06-16

FD-2891-2016-CON	Twenty Foot Drain, Tattershall Bridge	Anglian Water Services	Replacement water pipe beneath bed	30-08-16
FD-2960-2016-CON	Black Barn Drain, Chapel Hill	Mr John Palmer	Stock proof fence and row of shrubs	30-08-16

- Section 23 Land Drainage Act Consent Applications within the District**

Reference	Location	Applicant	Details	Date
FD-2744-2016-CON	Walcott Commons	LCC	Line existing culvert	27-04-16
FD-2837-2016-CON	Tattershall Bridge Road	Western Power	Access culvert	18-07-16
FD-2964-2016-CON	Sleaford	Network Rail	Emergency repairs to culvert	

- Section 23 Land Drainage Act Consent Applications within the Extended Area**

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

Reference	Location	Applicant	Details	Date
FE-2839-2016-CON	Wellhead Lane, Nocton	Stonewell Homes	Access culvert, watercourse realignment	21-06-16
FE-2871-2016-CON	Nocton Woods	Beeswax Farming	5no. access culverts	18-07-16
FE-2971-2016-CON	Holdingham	Persimmon Homes	Attenuated outfall into Field Beck	

- Enforcement Issues within the District**

Reference	Location	Description /Comments	Actions
FD-1970-2015-ENF	Sleaford fen - off Electric Road, Sleaford	Filled in watercourse	Watercourse cleared awaiting work on culvert
FD-2653-2016-ENF	White House Farm North Kyme	Otter fence erected	Awaiting inspection
FD-2723-2016-ENF	North Engine Drain, Washingborough	Unauthorised work watercourse	Awaiting reinsertion
FD-2954-2016-ENF	Railway line near Electric St Road, Sleaford	Collapsed culvert	Awaiting reinsertion

- Enforcement Issues within the Extended Area**

Reference	Location	Description /Comments	Actions
FE-2566-2016-ENF	Main Street, Dorrington	Pond may require maintenance	Price to clear pond & watercourse given to PC for work.
FE-2598-2016-ENF	Clay Pits Branston Booth	Outfall from clay pit blocked	Awaiting remedial works
FE-2847-2016-ENF	Station Road, Metheringham	Possible maintenance required	Awaiting joint inspection with LCC

The report on Consents and Enforcements was received and NOTED.

2059 Engineering Services' Report

The Engineering Services Report had been circulated and was presented by the Engineering Services Officer.

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

2060 FDGiA funded scheme at Branston (control panel, catchment study and pump refurbishment).

A verbal progress report was provided on the Branston scheme, which had so far levered in (£34k) Flood Defence Grant in Aid (FDGiA) monies via the EA in 2016/17, with a further (£5k) payment due to the Board in this financial year.

The scheme had 3 elements of a replacement control panel at Branston Fen Pumping Station, a Catchment Study and subsequently the refurbishment of one pump.

Inter Lec Ltd had installed the control panel and were commissioning it.

BWB were progressing with the catchment model and, upon completion, the results will be presented to the Board.

2061 Sustainable Drainage Systems (SuDs) and Lincolnshire IDBs' Adoption Policy.

A report had been circulated with the agenda which set out the background to the development of Sustainable Drainage Systems (SuDs) since the summer floods in 2007, largely as a result of surface water flooding following intense short duration rainfall events on local catchments causing overland flows exceeding the capacity of local drainage systems. The Engineering Services Officer (Guy Hird) presented the report and provided a more detailed presentation on the approach to SuDs across Lincolnshire.

It was highlighted that SuDs aims to mimic the natural catchment processes, reduce run-off, encourage natural groundwater recharge, reduce pollution, enhance amenity and promote diversity. This was in contrast to the traditional piped system. SuDs features need to be maintained for the life of the development, this being a responsibility of the Local Planning Authority to deliver since April 2015, for new developments in general and specifically for major developments of over 10 properties. The LLFA (in Lincolnshire this being Lincolnshire County Council) became the statutory consultee for the 7 Local Planning Authorities and the Lincolnshire IDBs act as secondary consultees. Typical SuDs features include:

- permeable pavements.
- swales.
- filter strips.
- dry attenuation areas.
- wet attenuation areas.

The Engineering Services Officer outlined the position in Lincolnshire. Collectively the authorities would prefer that the assets are adopted and maintained by a responsible authority. To this end, Lincolnshire County Council Highways have developed and published a

“Development Road Specification and Construction Manual” (August 2016), available on the Council’s website. The specification incorporates SuDs features. It was noted that LCC Highways will adopt a number of features, including permeable pavements, providing these are adjacent to the highway and are constructed to the specification set out in the manual.

A further potential SuDs adopting body is Anglian Water Services, whose Board has confirmed it is committed to so doing. However, Health & Safety requirements have made it difficult for SuDs to be designed that fit into the development proposals for AWS to adopt and maintain. It is hoped these can be addressed such that AWS become the default adopting authority for the majority of SuDs in Lincolnshire (Severn Trent potentially to follow the precedent set by AWS).

SuD features are often incorporated into amenity space to provide dual use. As the District Councils are typically not adopting open spaces, it is unlikely they will adopt SuD features. The position of Parish Councils is unknown.

Within LCC’s manual for “Development Road Specification and Construction”, the provision for IDBs to adopt SuDs is included. The expectation is that any SuDs to be adopted by Boards would be of a type that can be maintained with existing plant and resources.

There followed discussion about a proposed SuDs adoption policy for IDBs in Lincolnshire, (which was included as an Appendix to the report) drafted by Karl Vines, District Engineer to South Holland IDB. The intent behind this SuDs adoption policy is that individual Boards maintain the flexibility and freedom to determine whether to adopt assets on a case by case basis and upon receipt of an appropriate commuted sum. But, in the interest of a consistent approach, all Boards are asked to agree a common framework within which these decisions are taken in a drainage district (and within an extended catchment, where there is a benefit to the drainage district).

The key features of the proposed SuDs adoption policy for IDBs within the ADA Lincolnshire Branch were stated as:

2061.1 “Adoption of SuDs within each IDB’s respective Drainage District.

IDBs will consider the adoption of SuDs within their respective Drainage Districts, where the SuDs cater for more than one property owner. The decision whether to adopt will be made:

- On a site specific basis
- Dependant on the IDB having had input to the design from an early stage so that:
 - Adequate access and working space is allowed around the SuDs for future maintenance with machinery.
 - Landscaping designs consider the future maintenance and access to the SuDs.
 - Space is allowed within the site design for deposition of arisings from the SuDs, whether it be annual weed cutting material or more infrequent mudding material, so that this did not have to be removed, but instead accommodated on site.
- Generally, for guidance, IDBs may only consider adopting the type of SuDs which:

- Are above ground and can be maintained using the equipment commonly used by IDBs, such as flails, basket cutters etc. for example storage ponds, swales, and flood storage areas (it is felt that other types of SuDs may better be suited for adoption by another authority).
- Have a maintenance regime similar to the rest of the IDB's infrastructure, e.g. cutting once or twice a year, (it is generally felt that SuDs infrastructure that needs maintaining much more frequently such as public open space or swales in front of properties may better be suited for adoption by another authority).

2061.2 Adoption of SuDs within each IDB's respective "extended area"

Those IDBs with "extended areas" may also consider adopting SuDs outside of their Drainage District, but within their "extended area", if doing so will be of a benefit to their Drainage District, subject to the same conditions as above.

2061.3 Adoption charges for IDBs to adopt SuDs.

A one-off upfront Adoption Charge will be payable, by the developer, to the IDB as part of the IDB's adoption procedure. This charge is based on the present value of the total maintenance cost associated with the SuDs over the design life of the development (usually 100 years unless it can be demonstrated to be less). The annual maintenance costs used to calculate this charge will be based on an agreed maintenance programme agreed as part of the SuDs consenting and adoption process".

Following discussion, it was proposed, seconded and AGREED to approve the Sustainable Drainage Systems (SuDs) Adoption Policy for IDBs in Lincolnshire, whilst noting that this provides a consistent framework for discussion with developers but that the Board will determine whether or not to adopt a SuDs feature on an individual case by case basis.

2062 Any Other Business

There were no further items of business.

2063 Date, Time and Place of the Board's Next Meeting.

The Board's next meeting and AGM was confirmed for Tuesday, 15th November 2016 at 2pm in Branston Booths Village Hall.

..... Chairman Date

W1st BM 27.09.16.