

## WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

**Minutes of the one hundredth meeting of Witham First District Internal Drainage Board held on Tuesday, 31<sup>st</sup> January 2017 in Branston Booths Village Hall at 2pm.**

*Present:*

Mr. P. Gilbert	<b>Chairman</b>
Mr. D. Armstrong	<b>Vice Chairman</b>
Mr. E. Applewhite	
Mr. D. Busby	
Mr. B. Charlesworth	
Mr. J. R. Crust	
Cllr. R. Cusksey	
Mr. R.A. Fletcher	
Mr. T. Gilbert	
Mr. W.R.B. Grantham	
Cllr. G. Hewson	
Mr. D. Jackson	
Mr. S. B. Leggate	
Mr. L. Maplethorpe	
Mr. A.R. Means	
Cllr. J. F. Money	
Cllr. C. R. Oxby	
Dr. V. Stanton	
Cllr. P. Vaughan	
Mr. A. Whitehead	

*In Attendance:*

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

### **2085 Apologies for absence.**

Apologies for absence were received from Mr. P. Carrott, Mr. S.F. Cobb, Mr. M.D. Harrison, Mr. R.C. Hickling, Mr. A.G. Hodgson, Mr. D.G. Leggate, Mr. I.J. Mair and Mr. S. Maplethorpe.

### **2086 Declarations of Members' Interests.**

Members nominated by the 2 Councils declared interests relating to their respective Councils (City of Lincoln Council and North Kesteven District Council).

### **2087 Chairman's Announcements.**

The Chairman reminded Members who had not yet completed their entry for this year's Register of Members' Interests to do so. Following each November AGM, the new

Register is compiled and held at Witham House as both protection for the Board and indeed for individual Members. It is one of the Board's governance requirements, reviewed by the Internal Auditor.

Katherine Davies, Team Secretary at Witham House, had decided to retire on Sunday, 09<sup>th</sup> April. Kath will have worked for Upper Witham IDB, and in the last 5 years for the group of 3 Boards, for over 41 years and members wished to thank her for her service and wish her well for the future.

### **2088 Minutes of the Board Meeting and AGM, 15.11.16.**

The Minutes of the Board's previous meeting and AGM held on Tuesday, 15<sup>th</sup> November 2016 were proposed, seconded and APPROVED as an accurate record.

#### *MATTERS ARISING:*

##### 2088.1 Branston Island (minute 2074.5 refers).

It was reported that following communication of the Board's decision on 27.09.16 to levy drainage rates on the parcel of land known as Branston Island, the Environment Agency's longstanding tenant had indicated his intention to appeal against the decision. Attempts had been made to elicit the grounds for such an appeal and to arrange a meeting with the occupier of Branston Island.

##### 2088.2 Land Value transfer rate per hectare from 'agricultural land and buildings' to 'other land' (minute 2080 refers).

It was confirmed that, following the Board approving the recommendations to set a land transfer rate of £8,063.73 per hectare for both City of Lincoln Council and North Kesteven District Council and to apply this to land transfers since 1993 with a consequent recalculation of Annual Values and adjustments to ensure a 'fair distribution' as at 31.12.16, both Councils had been notified in writing of this decision and the impact upon Special Levy from 01.04.17. In the case of North Kesteven District Council, the Council had also been notified about the related issue of land movements from agricultural land to other developed land between 01.01.16 and 31.12.16 and the further impact on Special Levy from 01.04.17. There were no land movements in the period affecting City of Lincoln Council.

The Chief Executive highlighted a letter dated 26.01.17 she had received from North Kesteven District Council's Chief Executive. Copies of this letter had been circulated to members at the start of today's meeting and members were asked to consider the letter, prior to later being asked to adhere to the decision of 15.11.16 and to set the Annual Value based on this transfer rate of £8,063.73 per hectare.

Members noted the update and the content of the letter dated 26.01.17 from North Kesteven District Council.

## **2089 Minutes of the Executive Committee Meeting, 17.01.17.**

The minutes of the Executive Committee meeting held on Tuesday, 17<sup>th</sup> January 2017 were proposed, seconded and APPROVED as an accurate record and the recommendations to the Board were NOTED, subject to one amendment. Mr. David Armstrong had tendered his apologies for the meeting and these were omitted.

### *MATTERS ARISING:*

#### 2089.1 ADA Lincolnshire Branch's Pay and Conditions Committee meeting, 17.01.17 (minute 15.1 refers).

Members were briefed that the Chairman and Chief Executive had attended a meeting of the Pay and Conditions Committee held on 17.01.17 and Employer and Staff sides had reached an agreement on 2017/18 pay which Staff side had agreed to put to a consultative ballot of their members, such that the results were available to the next ADA Branch meeting on 15.02.17.

The pay settlement proposed was 1% uplift as a recurrent, consolidated increase into wages and salaries for 2017/18 with a discretionary element of a further 0.4% non-recurrent, unconsolidated sum.

It was noted that staff side were due to ballot their members and, depending on the outcome, it was hoped that an agreed pay settlement could be recommended to the ADA Lincolnshire Branch on 15.02.17. If so, a recommended settlement for 2017/18 would come to the Board's next meeting on 30.05.17.

## **2090 Minutes of the Joint Services Committee Meeting, 05.12.16.**

The minutes of the Joint Services Committee meeting held on Monday, 05<sup>th</sup> December 2016 and recommendations to the 4 Boards were noted.

### *MATTERS ARISING:*

#### 2090.1 Joint Services Monitoring Report 2016/17, to 30.09.16 (minute 6 refers).

Members noted the discussion about the current year's joint services budget and that, as at 30<sup>th</sup> September 2016, the overall actual position against budget profile of a slight adverse variation of £5k on £398k budgeted spend. Budget performance was therefore on target at the mid-point in 2016/17.

#### 2090.2 Joint Services Agreement between the 4 IDBs from 01.04.17 (minute 7 refers).

Members noted the discussion on 05.12.16 about Version 3 of the proposed Joint Services Agreement between the 4 Boards from 01.04.17. The Joint Services Committee had agreed to recommend contribution rates for each Board and these had been used in the proposed Estimates 2017/18 for each Board. These were as follows and to be reviewed after 3 years:

- NEL DB 16.50% -

• UW IDB	33.40% (was 40%)
• W1st DIDB	20.90% (was 25%)
• W3rd DIDB	29.20% (was 35%)
Total	<u>100.00%</u>

2090.3 Proposed Joint Services Budget 2017/18 (minute 8 refers).

It was noted that the Joint Services Committee had been able to agree and recommend a 2017/18 budget for joint services to each of the Boards. Accordingly, this was the budget included within the proposed Estimates 2017/18 report on today's agenda.

Members noted the update and that the next meeting of the Joint Services Committee is on 15.05.17.

**2091 Chief Executive's Report.**

The Chief Executive's Report had been circulated with the agenda. After discussion, the following issues were agreed:

- Authority was delegated to the Chairman to sign the final version of the Joint Services Agreement between the 4 IDBs, to be operative from 01.04.17.
- that the Board should apply a discretionary policy to continue to digress from the ADA Lincolnshire White Book in relation to sick pay, such that the Board will continue to pay basic pay rather than the recommended (Section 8 of the White Book) average earnings over a minimum period of the previous 12 weeks. Members did wish this aspect of the White Book to be subject to review by the ADA Lincolnshire Branch's Pay and Conditions Committee.
- that, following the LGPS Pension Triennial revaluation exercise by the Fund's Actuary (Hymens Robertson) as at 31.03.16, the new Employer Contribution Rate for Witham First from 01.04.17 could reduce, as follows, over the next 3 years, but it was recommended given market volatility to maintain current 2016/17 contributions into the LGPS to position well:

Year	W1st
<b>Current Rate 2016/17</b>	24.3%
<b>Current lump sum</b>	£8,000
<b>Current combined rate</b>	29.2%
<b>Proposed Rates:</b>	
• 2017/18 Pension Rate	19.3%
• 2017/18 lump sum (cash)	£5,000
• 2017/18 combined rate	21.7%
• 2018/19 Pension Rate	19.3%
• 2018/19 lump sum (cash)	£5,000
• 2018/19 combined rate	21.7%
• 2019/20 Pension Rate	19.3%
• 2019/20 lump sum (cash)	£5,000
• 2019/20 combined rate	21.7%

Members AGREED to maintain the 2016/17 Employer contribution rate of 24.3% plus cash sum of £8,000 (ie combined rate of 29.2%) for the next 3 financial years rather than take the benefit of a reduction in contribution rate now.

Members received and NOTED the Chief Executive's report.

### **2092 Statement of Expenditure, 01.11.16 to 31.12.16.**

The Statement of Expenditure incurred for the 2 months to 31<sup>st</sup> December 2016 had been circulated with the Agenda and was presented by the Finance & Rating Officer.

Expenditure totalled £168,503.78 or, excluding £9,362.04 VAT, the net amount of £159,141.74. Of this, £8,966.79 was rechargeable expenditure to other bodies.

Items raised by or highlighted to members included:

- item 18: £41,515 to the EA as the second (and final) 2016/17 IDB precept payment.
- item 51: £1,265 to SM Allen & Sons for hand work on Digby Beck, which was recharged to the EA under the PSCA agreement.
- item 55: £16,253 (net) to Shoebridge Engineering Ltd for the second pump lift (pump No.3) and repairs at Timberland Pumping Station.
- items 77 to 84: payments to Witham Third DIDB, largely for works recharged to the EA under the PSCA (eg. on the EA's Anwick Catchwater, Farroway, Digby Beck, Ruskington Catchwater).

Members received the report and NOTED the expenditure incurred in the 2 months to 31.12.16.

### **2093 Financial Performance Report to 31.12.16, month 9 of 2016/17 and forecast year end outturn as at 31.03.17.**

The Financial Performance Report for the first 9 months of 2016/17, to 31<sup>st</sup> December 2016, had been circulated with the agenda and was presented by the Finance Manager.

In summary, the Board's profiled budget position as at 31.12.16 was a surplus of (£188,631). Against this profile, the actual position was a budget surplus of (£150,809), ie there was an adverse variance of £37,822. Whilst the individual budget variances were presented, the summary position reflected a significant additional cost this year of the two Timberland Pumping Station pump lifts (against a pump lifts budget of £20k, actual net expenditure on pump lifts was £38k).

On income, the Board's actual position at month 9 was (£51k) better than profile. Within this, rechargeable works income on PSCA works for the EA was (£26k) better than profile, accounting for a large proportion of this income variance at this point in the year.

Highland Water claims had been paid by the EA for the balance of (£1,506) on the actual claim last year 2015/16 and for 80% (£10,040) of the 2016/17 estimated claim of (£12,550). The balance on 2016/17 actual is due to be paid by the EA by 30.09.17.

Flood Defence Grant in Aid (FDGiA) income of (£34k) had been received towards the Branston Fen Scheme for a new control Panel and catchment study and a further (£5k) had been claimed and was anticipated income in 2016/17.

In terms of expenditure, on general administration this was on target. The Branston Fen scheme had not been included within the 2016/17 budget but when FDGiA grant funding was confirmed, the scheme was progressed with expenditure of £43k incurred, against grant income to date of (£34k). Expenditure on conservation measures was in line with budget. Depot expenditure as at 31.12.16 was £9k variance, reflecting additional wages recharges of £6k, a variance of £1k on repairs and maintenance and £1.5k variance on expenditure on oils and lubricants.

The most significant expenditure variance was, however, on the £20k pump lifts budget for 2016/17. The two Timberland PS pump lifts, whilst necessary, had a net cost of £38k, so there was a negative variance of £18k. There was a further negative variance of £10k on machines maintenance and servicing (some of which may relate to timing of servicing). Fuel expenditure was marginally below profile by (£6k), but it was noted that fuel prices had started rising markedly. Electricity expenditure was on target, with only a minor variation from budget of £2k. Expenditure on joint administration and Witham House had a small negative variance of £6k, but this was as at 30.09.16, as 31.12.16 recharges between the 3 Boards had not yet been applied.

There were minor variations on other budget headings, eg. £1.6k saving on the IDB precept payment to the EA.

The total of all variations (positive and negative) was £38k as at month 9 in 2016/17.

On drainage rates for 2016/17, the collection rate was 99.5% as at 31.12.16 (this included previous years' arrears). There was £2,231.60 outstanding to be collected. First reminders had been sent out to account holders on 01.08.16, final reminders on 12.09.16 and Court liability orders were granted in Court on 30.11.16.

It was noted that there were no plant purchases or disposals in 2016/17.

On bank balances and investments, as at 31.12.16 these were as follows:

Natwest	£ 26,163.48
Co-op (to be transferred)	£ 4,251.49
Nationwide Instant Access	£376,252.63
Nationwide 90 Day Notice	£ -
<b>Total</b>	<b>£ 406,667.60</b>

Although balances were healthy, it was noted that the two Councils would not be paying any further Special Levy until May 2017 and no significant drainage rates income was anticipated until then. Balances would reduce therefore over the next 4 to 5 months.

The finance report also provided a forecast of the 31.03.17 2016/17 year end position. This was an estimated £20k negative position, based on the month 9 position and predicted expenditure for the final 3 months of the year. The assumption was spend continuing as per the first 9 months plus an additional £10k allowance for electricity expenditure at pumping stations.

Members noted the financial position of an actual surplus position of (£150,809) as at 31.12.16 against a profiled budget surplus position of (£188,631), ie a negative variance of £37,822. Furthermore, the predicted 31.03.17 2016/17 year end position of a £20k deficit on Estimates was noted.

## **2094 Revised Risk Register.**

A revised Risk Register (Version 11) had been circulated with the agenda.

This is a live document which is submitted twice each year to the Board, on this occasion immediately prior to the consideration of Estimates for 2017/18. It was last submitted to the Board in June 2016. Revisions to the Risk Register were shown in italics.

Gary Hewson mentioned that he had suggested at Upper Witham's Board meeting that it would be helpful if consideration was given to introducing some analysis of trends, so that members could track where risks were increasing or reducing over time.

Some of the new issues were highlighted, particularly where they cross referenced to proposed budgets for next year. An example was £500 per annum for further Eel research (a project sponsored via ADA) and in designating the 3 Boards' depots as Hi-Viz working areas and including provision for Hi-Viz clothing within budgets.

Following discussion, members APPROVED the revised Risk Register.

## **2095 Internal Auditor's Interim Report on 2016/17.**

The Internal Auditor's independent Interim Report on 2016/17 had been circulated with the agenda. He had further visits planned in March 2017 and his final Report on 2016/17 and Audit Opinion would be presented to the Board on 30.05.17.

At this stage in the year, the Auditor's overall assessment was of "Adequate Assurance" and his main findings were:

- good progress on the implementation of agreed recommendations. Outstanding recommendations are repeated in the management action plan.
- salaries and wages including pay award arrears were correctly paid.
- there is now a good system in operation for monthly financial reconciliations.
- continued improvement in the review of agricultural rate queries and collection of debt.
- consistent approach of recording rechargeable works/invoicing.
- although confidential waste is shredded and disposed of, the method does not comply with the Data Protection Act. It is acknowledged there is minimal waste of this nature.

The Management Action Plan was included in the report. It was noted that item 04.05.01 was now in effect completed, given the Board had earlier agreed a discretions policy in respect of sick pay.

The Auditor's independent Interim Report on 2016/17 was noted and accepted.

## **2096 Plant Programme 2017/18.**

It was confirmed that there had been no plant purchases and no disposals in 2016/17.

The proposed 2017/18 programme was very limited, with no planned plant purchases during the year and only one disposal, the Board's Ford Ranger 4 x 4 vehicle (with estimated disposal income to the Board of £2.5k). Rather than purchase a vehicle, the

Board would replace the vehicle with a commercial lease vehicle and it was confirmed that lease costs had been included in the 2017/18 Estimates.

The indicative programme for the following 5 years 2018/19 to 2022/23 had also been circulated with the agenda. It was noted that in 2018/19 (summer 2018) it was planned to purchase a tractor/flail combination which would enable the disposal of the Claas tractor and the 2012 Bomford flail. Thereafter, in the following 4 years 2019/20 to 2022/23 there was provision for a replacement wheeled or tracked excavator each year (and related disposals).

After discussion members APPROVED the plant programme for 2017/18 and NOTED the indicative programme for 2018/19 through to 2022/23.

### **2097 Estimates for 2017/18.**

The proposed Estimates for 2017/18 had been circulated with the agenda. The report set out a summary of the proposed budget for 2017/18 comparing this to the approved 2016/17 budget and showing the variance as follows:

	<b>Approved 2016/17 £</b>	<b>Budget 2017/18 £</b>	<b>Variance £</b>
Income	( 775,229 )	( 843,617 )	( 68,388 )
Board & General Admin	13,600	15,023	1,423
One Off Schemes	-	25,000	25,000
Conservation	1,250	1,750	500
Depot	10,317	12,274	1,957
Drains	283,118	301,454	18,336
Pumping Stations	162,884	182,346	19,462
Joint Admin/Witham House	101,448	89,040	( 12,408 )
Consents & Enforcement	9,965	10,035	70
Director of Operations/Engineers	56,108	51,114	( 4,994 )
Contribution to Reserves	-	20,000	20,000
PWLB	31,847	30,889	( 958 )
Rechargeable Works	20,000	20,000	-
EA Precept	84,692	84,692	-
FRS17 Pension Adjustment (net)	-	-	-
Wages & Plant Holding Account	-	-	-
<b>(Surplus)/Deficit</b>	<b>0</b>	<b>0</b>	<b>0</b>

It was highlighted that the Estimates were based upon a range of assumptions, the most significant of which was that the revised land value transfer rate per hectare of £8,063.73 (as agreed 15.11.16) be applied in setting the Penny Rate for 2017/18 and that the Penny Rate then be held with no increase (0%) for 2017/18. Other assumptions included a 1% pay uplift on wages and salaries from 01.04.17 (this was yet to be agreed), the EA's IDB precept holds as is for 2017/18, £20k contribution into the Board's reserves as recompense for a forecast 31.03.17 deficit year end position, £25k for one off schemes (being £10k contribution to the review of Billingham Pumping Station and £15k for minor improvement schemes, largely health and safety requirements at pumping stations) and a £5k increase to the existing £20k budget for pump lifts to make it £25k in 2017/18.



In Summary, based on these assumptions, the Board was able to set a balanced budget for 2017/18 and, where there was investment, this was in front line services.

Income to the Board increases by (£68k) net. Changes included a reduction in Drainage Rates income of £4k to reflect the loss of some specialist value poultry units in 2016/17. The increase in Special Levy income of (£75k) reflects both the adjustment arising from the setting of the transfer rate per hectare to developed land rate (impact of £53k rebasing to North Kesteven District Council) and also because of land movements between 01.01.16 and 31.12.16 (impact of £22k to North Kesteven District Council). There were no land movements affecting City of Lincoln Council between 01.01.16 and 31.12.16.

Pages 5 to 7 of the Estimates Report provided a breakdown of all budgets, showing the existing 2016/17 budget, all rebasing and adjustments and then the proposed budget for 2017/18.

Pages 8 to 10 of the Estimates report set out the Joint Services budget proposed for 2017/18, compared with the existing budget for 2016/17 and showing the variances. This was recommended to all 4 Boards for approval, following discussion at the Joint Services Committee meeting on 05.12.16, and reflects North East Lindsey Drainage Board joining the existing group of 3 Boards from 01.04.17. The contributions were in the percentages recommended and as agreed earlier by the Board (20.90% for W1st which, in cash terms, was £158,768 for 2017/18). It was noted that, after reinvestments, the net saving to the Board on joint services was £8,543 in 2017/18 (the gross saving was £18,298). Pages 11 to 17 provided the detailed breakdown of joint services, by budget heading. It was noted that, as agreed earlier, the Employer contributions to the pension scheme (LGPS) were maintained at the existing 2016/17 level for the following 3 financial years (ie. 24.3% plus lump sum of £8,000, giving a combined rate of 29.2%).

After discussion, and noting approval was subject to setting of the Annual Value, Drainage Rate and Special Levies, members APPROVED the Estimates for 2017/18.

**2098 Annual Values as at 31.12.16, setting of the Penny Rate for 2017/18 and consequent setting of Drainage Rates and Special Levies for 2017/18.**

A report had been circulated with the agenda which set out the land valuations as at 31.12.16, for both Sub-District 1 and Sub-District 2 of the drainage district, for agricultural areas and the relevant 2 Councils who pay Special Levies. This was the baseline position as at 31.12.15:

	<b>Sub-District 1</b>	<b>Sub District 2</b>	<b>Total</b>
	<b>£</b>	<b>£</b>	<b>£</b>
Drainage Rates	361,478	2,015,195	2,376,673
City of Lincoln	1,418,032	0	1,418,032
North Kesteven DC	448,536	286,696	735,232
<b>Total</b>	<b>2,228,046</b>	<b>2,301,891</b>	<b>4,529,937</b>
Differential Rating	40%	-	-
<b>Adjusted Totals</b>	<b>891,218</b>	<b>2,301,891</b>	<b>3,193,109</b>

Members then noted the land movements between 01.01.16 and 31.12.16, all of which were parcels of land moving from 'agricultural land and property' to 'other developed land' which required transfer to Special Levy (at the transfer rate of £8,063.73 per hectare).

These were as follows, all 17 affecting North Kesteven District Council (rather than City of Lincoln Council):

Plan	Field	Area ha	Parish	Council
TF1250	7967	0.291	Anwick	NKDC
TF1755	7714	0.486	Billinghay	NKDC
TF2054	7822	0.023	Dogdyke	NKDC
TF2054	7824	0.052	Dogdyke	NKDC
TF2054	7931	0.280	Dogdyke	NKDC
TF2054	8331	0.106	Dogdyke	NKDC
TF1264	7200	0.202	Metheringham	NKDC
TF1253	0034	1.365	North Kyme	NKDC
TF1453	0334	0.960	North Kyme	NKDC
TF1453	1146	0.227	North Kyme	NKDC
TF1453	1434	0.777	North Kyme	NKDC
TF1453	1937	2.145	North Kyme	NKDC
TF0570	1143	0.563	Washingborough	NKDC
TF0749 )	7027	8.890	Leasingham	NKDC
TF0749 )	8115	2.019	Leasingham	NKDC
TF0957	6100	12.41	Scopwick	NKDC
TF1057	0068	60.88	Scopwick	NKDC

It was explained that the transfer rate of £8,063.73 per hectare agreed by the Board on 15.11.16 had been applied to the 2016 land transfers and, to ensure a fair distribution, to the land transfers which had taken place since the new drainage rates system in 1992.

The impact was a rebasing adjustment of Annual Values for North Kesteven District Council of £141,927.41 for Sub-District 1 and £179,266.96 for Sub-District 2. There had been no land movements affecting City of Lincoln Council during this period and therefore no rebasing adjustment of Annual Values was required.

A further adjustment was also required to agricultural rates Annual Values, reconciling these to the DRS ratings computer system. This was £8,348 for Sub-District 1 and £8,480 for Sub-District 2.

These changes then result in the following Annual Values as at 31<sup>st</sup> December 2016:

	Sub District 1	Sub District 2	Total
	£	£	£
Drainage Rates	320,201	2,005,896	2,326,097
City of Lincoln	1,418,032	0	1,418,032
North Kesteven DC	678,431	526,256	1,204,687
<b>Total</b>	<b>2,416,664</b>	<b>2,532,152</b>	<b>4,948,816</b>
Differential Rating	40%	-	-
<b>Adjusted Totals</b>	<b>966,666</b>	<b>2,532,152</b>	<b>3,498,818</b>

On the assumption that the 'penny rate' is held as at 2016/17, with no increase (0%) for 2017/18, then the following 'penny rates' apply:

<b>Penny Rate</b>	<b>Sub-District 1</b>	<b>Sub-District 2</b>
	<b>pence in the £</b>	<b>pence in the £</b>
Current	9.0875	22.7186
Proposed 17/18 (0%)	9.0875	22.7186

The impact of these changes is that the income to the Board from Drainage Rates in 2017/18 will reduce from a planned £490,674 to £484,811 (- £5,863).

The changes also impact upon Special Levies (the land movements and the rebasing), as follows:

<b>Special Levy</b>	<b>City of Lincoln Council</b>	<b>North Kesteven District Council</b>	<b>Total</b>
	<b>£</b>	<b>£</b>	<b>£</b>
Current	128,863.05	105,894.03	234,757.08
Proposed 17/18	128,863.05	181,210.27	310,073.32
Difference +/-	0.00	+ 75,316.24	+ 75,316.24
Increase (%)	0.00%	71.12%	32.08%

The overall impact on drainage rates and Special Levies for the two Councils was summarised for 2017/18 as income to the Board increasing by a net total of £69,453. This increase comprised an increase to North Kesteven District Council of £75,316 in Special Levy (71.12% increase) arising from both the 17 land movements 01.01.16 to 31.12.16 and the rebasing adjustment of Annual Values for changes since 1992 to ensure a fair distribution between respective Special Levy and Drainage Rates payers. It reflected no change to the Special Levy payable by City of Lincoln Council and a reduction in Drainage Rates income of £5,863.

Members then discussed the report and the recommendations to the Board, taking into account the content of the letter dated 26.01.17 from North Kesteven District's Chief Executive on the subject. Copies of the letter had been circulated to members at the start of the meeting.

Cllr. John Money asked whether the Board's Officers were advocating the collection of historical Special Levy income from North Kesteven District Council. The Chief Executive confirmed that no, the late transfer rate of £8,063.73 per hectare was applied to Special Levy monies collected from 01<sup>st</sup> April 2017 and in calculating this the 17 land movements between 01.01.16 and 31.12.16, plus the rebasing of all land movements since 1992 in order to ensure a fair distribution of charges between the Councils and Drainage Rates payers from 01<sup>st</sup> April 2017. However, there was no intention to claim 'back monies' from North Kesteven District Council, which would amount to in excess of £0.5 million, as this would not be reasonable between two public bodies. She emphasized that now the Special Levy payable by North Kesteven District Council had been calculated accurately, and this calculation had been examined by the Board's Internal Auditor and by a peer review via ADA, the matter was a pure application of the calculation required under the Land Drainage Act 1991. Indeed the Internal Auditor had stated in an email that the Board should apply the correct calculation from 01<sup>st</sup> April 2017.

Secondly, Cllr. John Money enquired when North Kesteven District Council's Officers had been advised of the issue and potential financial impact. The Chief Executive confirmed that North Kesteven District Council's Head of Finance had been alerted in May 2016 and meetings had been held between him, the Board's Chief Executive and Finance Manager on 09.06.16 and on 27.10.16.

Members appointed by City of Lincoln Council suggested a solution was required which was fair and equitable to all parties but which recognised the Board had in effect been short of income for approaching 25 years overall and that North Kesteven District Council had not been contributing its fair share of income to the Board. Cllr. Gary Hewson proposed that the recommendations in the report should be put to a recorded vote and this proposal was seconded by Brent Charlesworth and AGREED.

The following recommendations were put to a recorded vote:

- the transfer of land from Drainage Rates to Special Levy as set out above is approved, at the 15.11.16 Board's approved rate of £8,063.73 per hectare.
- the land valuations as at 31st December 2016 upon which Drainage Rates and Special Levies are calculated is set at £4,948,816 (£3,498,818 after 40% differential rating is applied on sub district 1).
- the 'penny rate' is not increased and therefore remains at 9.0875p for sub district 1 and 22.7186p for sub district 2 of the drainage district.
- the Special Levies for 2017/18 be agreed for each of the 2 Councils as:
  - a. City of Lincoln Council £128,863.05
  - b. North Kesteven District Council £181,210.27
- the Chairman and Chief Executive be authorised to sign the 'Rate Book', apply the seal of this Board and publicise the revised penny rates, estimated Drainage Rates and Special Levies before 15.02.17.

The results of the recorded vote were unanimous in that all 20 members present at the meeting voted to approve the recommendations, those members being E. Applewhite, D.C. Armstrong, D.K. Busby, B. Charlesworth, J.R. Crust, R. Cucksey, R.A. Fletcher, P. Gilbert, T. Gilbert, W.R.B. Grantham, G. Hewson, D. Jackson, S.B. Leggate, L. Maplethorpe, A.R. Means, J.F. Money, C.R. Oxby, V. Stanton, P. Vaughan and A.S. Whitehead. There were no votes against the proposal to approve the recommendations and no abstentions.

Accordingly, the recommendations were APPROVED.

### **2099 Drainage Rate write-off Report.**

The Finance & Ratings Officer's report was presented which set out the basis of 1 request for write-off of drainage rates, such write-offs being a matter reserved to the Board.

The case involves a plot of land in account (0733) being unidentifiable on the GIS mapping system for 2017/18, leaving outstanding drainage rates of £5.60.

Members noted and AGREED to the write off on the case outlined at £5.60.

## **2100 Health & Safety.**

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

The Board's external advisers COPE will do an annual visit to each Depot, currently planned for Upper Witham in February, Witham Third in April and Witham First in July.

Current issues were summarised as:

- Near miss reporting has been embraced by all staff and is working well.
- Training Course booked for early February 2017 on Safely securing Loads on Trailers for all Workforces (and Works Supervisor from NEL DB also attending).
- Looking into Streetworks Signage Course, as since October 2016 a Certificate in Streetworks to Operate a 'Stop & Go Board' and put signage out on the Highway is required.
- Annual Overhead Powerline Training will be in May 2017 for all 3 Boards' Operatives.
- Looking to implement Hi Viz from April 2017 and financial provision for this is included in the 2017/18 Estimates for all 3 Boards.
- New marked Pedestrian Walkways have been Installed at Upper Witham Depot (and were implemented at Witham Third's Depot in Summer 2016).
- New Hand Railings have been installed at Witham Third Depot (entrance).
- Domestic Electrical Checks have started for al 3 Boards at Depots and Pumping Stations, as per the legislation. Financial provision for doing this is in the 2017/18 Estimates for each Board.
- First meeting on Lone Working took place 18.01.17 at Witham Third DIDB's depot. NEL DB also to be involved in developing this policy.
- Risk Assessments. A handbook of risk assessments has been developed, between the Works Manager and COPE advisor and we aim to have this in place (& signed off by the Director of Operations & Chief Executive) and Operatives trained on this by 30.06.17. Currently in draft form for discussion and sign off.

Members received and NOTED the update on Health and Safety.

## **2101 Director of Operations and 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 and is now approaching completion with Longstones Drain receiving a late second cut and Digby Bankside Drain drawing the programme to a close. It remains to be seen how the programme will progress in 2017/18, with the withdrawal of land from various environmental enhancement schemes and the removal of grass strips.

The winter works programme 2016/17 includes a mixture of de-silting, bank stabilisation and bushing. There had also been some requests for re-chargeable work from rate payers as well as the Environment Agency. This additional work will be accommodated where resources allow and where it does not conflict with the Board's planned work programme.

- Pumping Stations.

Both pumps had been re-commissioned at Timberland PS with the invoice for the works undertaken to pump no.3 being £16,253 plus VAT, which included the refurbishment of the lubricating pump housed within the control building.

To improve future access within the intake sump at this station, stainless steel hangers had been installed. These will provide support to temporary platforms as and when they are required in the future for maintenance.

- Grant in Aid Scheme at Branston.

The new pump control panel had been installed in Branston Fen Pumping Station and is 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 this month. A meeting is to be held on 09<sup>th</sup> February when the draft results will be discussed and confirmed. The final part of the scheme will be the lifting and refurbishment of both pumps during the year 2017/18, when further grant monies will be drawn down via the EA.

- Plant

No significant repairs have been reported except that required to the comfort valve of the 2012 Atlas 140W machine and a replacement part that reinstated the operation of the blade on the 2014 Atlas 140W machine. All items of plant had otherwise continued to perform as expected.

- Public Sector Co-operation Agreement [PSCA].

The Board had received verbal instructions to undertake a 2017/18 programme for work similar to that requested in 2016/17. In total, the value of the work undertaken in 2016/17 has been estimated at £39,130.

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.

A meeting was held with local officers of the Environment Agency on 05<sup>th</sup> December when the specification of the work allocated to the Board under this agreement was discussed and the programme requested by them for the forthcoming year was confirmed verbally.

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 in addition to their de-silting. This will be accommodated, as practicable, but the Board's programme remains the priority.

- Open Days 2017 – Timberland Diesel Pumping Station.

It is proposed to open the station to the general public on two dates during the coming year. These will be on Sunday, 04th June and Saturday, 09th September and coincide with open days of the Dogdyke Steam Engine Preservation Trust to ensure maximum publicity and attendance. The September event will also form part of the Lincolnshire Heritage Open Days programme.

Members received and NOTED the report and presentation.

### **2102 Policy for the Scheduling of Watercourses.**

The 'Policy for the Scheduling of Watercourses' had been circulated with the agenda. This was an existing policy, now 3 years old and subject to review.

Members APPROVED the policy, without amendment, for further review in 3 years.

### **2103 Policy for Culverting.**

The 'Policy for Culverting' had been circulated with the agenda. This was an existing policy, now 3 years old and subject to review.

Members APPROVED the policy, without amendment, for further review in 3 years.

### **2104 Land Drainage Act Enforcement and Consents Concordat to 31.03.18.**

The Consents and Enforcement Officer is employed by Witham Third DIDB but is fully recharged and funded by Lincolnshire County Council (LCC) in their role as Lead Local Flood Authority (LLFA). The post holder provides the Consents and Enforcement service in accordance with a Memorandum of Understanding (MoU) between LCC and the 3 Boards which has been extended until 31.03.18.

The Land Drainage Boards' Enforcement & Consent Concordat is due for review. The document is to be reviewed as and when deemed necessary, but at least every 2 years. The last review was in February 2014.

The current document had been reviewed by Officers and is considered to be still fit for purpose, only requiring the updating of email addresses, contact details, etc.

It was therefore AGREED to extend the current Concordat (with the updates for contact details, etc) to coincide with the Memorandum of Understanding expiry date of 31.03.18.

### **2105 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 Consents.**

Reference	Location	Applicant	Details	Date
FD-2915-2016-CON	Black Fen Lane Drain, Branston Booths	Anglian Water Services	Allow run to waste when too turbid for drinking	29-09-16
FD-3002-2016-CON	Canwick Fen Drain, Washingborough	Network Archaeology Ltd	Temporary discharge from archaeological excavations	29-09-16
FD-3031-2016-CON	Timberland Bankside Drain, Timberland Fen	JBA Bentley Ltd	Replace culvert with longer one to improve access	17-10-16
FD-3106-2016-CON	Timberland Bankside Drain, Timberland Fen	JBA Bentley Ltd	Spoil from stone track on crest of Timberland Delph spread on berm adjacent IDB drain	07-12-16
FD-3118-2116-CON	Swallow Drain, Anwick Fen, Sleaford.	M Woods Transport Ltd	Outfall from roof guttering	08-12-16

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

Reference	Location	Applicant	Details	Date
FD-3030-2016-CON	Timberland Drove, Timberland Fen	JBA Bentley Ltd	Fill upstream end of drain to improve track access	17-10-16
FD-2964-2016-CON	Off Electric Avenue Sleaford.	Network Rail	Emergency repairs to culvert	07-09-16

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

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

Reference	Location	Applicant	Details	Date
FE-3042-2016-CON	B1189 near Timberland	LCC	Replacement road culvert	03-11-16
FE-3163-2017-CON	Off Walcott Road, Billingham	J W Maplethorpe	Fill in 101m of dyke	

- **Enforcement Issues in the District.**

Reference	Location	Description /Comments	Actions
FD-1970-2015-ENF	Sleaford fen - off Electric Road, Sleaford	Filled in watercourse	Watercourse cleared awaiting confirmation work on culvert is complete
FD-2653-2016-ENF	White House Farm North Kyme	Otter fence erected	Awaiting inspection by Works Supervisor



FD-2723-2016-ENF	North Engine Drain, Washingborough	Unauthorised work watercourse	Material removed case closed 1-11-2016
FD-2954-2016-ENF	Railway line near Electric ST Road, Sleaford	Collapsed culvert	Awaiting confirmation work complete

- **Enforcement Issues in the Extended Area.**

Reference	Location	Description /Comments	Actions
FE-2566-2016-ENF	Main Street, Dorrington	Pond may require maintenance	Case Closed 17-1-17
FE-2847-2016-ENF	Station Road, Metheringham	Possible maintenance required	Awaiting joint inspection with LCC
FE-3101-2016-ENF	Railway Embankment, Lincoln Road, Dunston	Possible blocked culvert	Awaiting response from Network Rail
FE-3119-2016-ENF	The Beck Wilsford, Off Back Lane, Wilsford	Material requires clearing from beck	Awaiting harvesting of crop to gain access to beck

Members received and NOTED the report on Consents and Enforcement cases.

### **2106 Engineering Services Report (No.E673e17).**

The Engineering Services Report had been circulated with the agenda.

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

### **2107 Any Other Business.**

#### 2107.1 Chapel Hill.

William Grantham raised the poor condition of the access track to Chapel Hill pumping station and asked that this be addressed.

(post meeting note: the pot holes on the track have now been filled in by the Board's Operatives).

Andrew Means asked that the heap of soil/concrete remaining following the Twenty Foot Drain bank reinstatement scheme be used, rather than wasted, and the land could be returned to (hay) use. It was confirmed it was intended to do so, just as soon as the occupier confirmed it was convenient.

There being no further items of business, the meeting closed at 16.20 hours.

**2108 Date, Time and Place of Next Meeting.**

The next meeting of the Board was confirmed for Tuesday, 30<sup>th</sup> May 2017 in Branston Booths Village Hall commencing at 2pm.

.....Chairman.....Date  
W1st BM 31.01.17