

## WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

**Minutes of the ninety fourth meeting of Witham First District Internal Drainage Board, incorporating the Annual General Meeting, held on Tuesday, 10<sup>th</sup> November 2015 in Branston Booths Village Hall at 2pm.**

*Present:*

Mr. R.A. Fletcher      **Chairman (from minute 1965).**  
Mr. P. Gilbert         **Vice Chairman (from minute 1967).**  
Mr. E. Applewhite  
Mr. D.C. Armstrong  
Mr. D.K. Busby  
Mr. S.F. Cobb  
Cllr. R. Cucksey  
Mr. T. Gilbert  
Mr. W.R.B. Grantham  
Mr. M.D. Harrison  
Mr. R. Hickling  
Cllr. D. Jackson  
Mr. D. Leggate  
Mr. S.B. Leggate  
Mr. I. J. Mair  
Mr. L. Maplethorpe  
Mr. S. Maplethorpe  
Mr. A.R. Means  
Cllr. C.R. Oxby  
Dr. V. Stanton  
Cllr. P. Vaughan  
Mr. A.S. Whitehead

*In attendance:*

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

This being the Board's Annual General Meeting, the Chief Executive initially chaired the meeting.

### **1963 Apologies for absence.**

Apologies for absence were received from Cllr. B Charlesworth, Mr. J Crust, Mr. R Hall, Cllr. G Hewson, Mr. A G Hodgson and Cllr. J Money.

### **1964 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.

### **1965 Election of Chairman.**

The Chief Executive invited nominations for the role of Chairman. There was one nomination, Mr. Bob Fletcher, who was proposed, seconded and elected unanimously as Chairman for the forthcoming year to November 2016.

### **1966 Chairman's Announcements.**

Mr. Bob Fletcher took the chair of the meeting and thanked members for their support and his re-election as Chairman for a further year, a role he had enjoyed since November 2011.

The Chairman then welcomed everyone to the November meeting, in particular 3 of the 4 new members of the Board present at their first meetings, their terms of office having started on 01.11.15:

- Mr. David Busby, representing Blankney & Martin Fens.
- Mr. William Grantham, representing Billingham and North Kyme Fens.
- Mr. Andrew Means, representing Billingham and North Kyme Fens.

Members were requested to update their contact details and also to complete an updated Register of Members' Interests form, returning this to Witham House.

### **1967 Election of Vice Chairman.**

The Chairman invited nominations for the role of Vice Chairman. There was one nomination, Mr. Peter Gilbert, who was proposed, seconded and elected unanimously as Vice Chairman for the forthcoming year to November 2016.

### **1968 Election of members to the Executive Committee.**

Eight members were proposed, seconded and elected to the Executive Committee for the forthcoming year to November 2016. These were the Chairman, the Vice Chairman, Mr. David Armstrong, Mr. Steve Cobb, Cllr. David Jackson, Cllr. Ron Oxby, Mr. Mark Harrison and Mr. Simon Maplethorpe.

### **1969 Election of 3 members and 2 deputies to represent the Board on the Group of 3 IDBs' Joint Services Committee.**

Three members were proposed, seconded and elected to membership of the Joint Services Committee for the forthcoming year. These were the Chairman, Vice Chairman and Mr. David Armstrong. Mr. Steve Cobb and Mr. Mark Harrison were proposed, seconded and elected as the 2 members to deputise on the Committee.

## **1970 Board and Executive Committee meeting dates 2016.**

A proposed calendar of 2016 meeting dates for 2016 was APPROVED as follows:

### **Board meetings, Branston Booths Village Hall at 2pm.**

- Tuesday, 02<sup>nd</sup> February.
- Tuesday, 26<sup>th</sup> April.
- Tuesday, 07<sup>th</sup> June.
- Tuesday, 27<sup>th</sup> September.
- Tuesday, 15<sup>th</sup> November (+AGM).

### **Executive Committee meetings, Tilney Dales Depot at 2pm.**

- Tuesday, 19<sup>th</sup> January.
- Tuesday, 12<sup>th</sup> April.
- Tuesday, 24<sup>th</sup> May.
- Tuesday, 13<sup>th</sup> September.
- Tuesday, 01<sup>st</sup> November.

It was also NOTED that joint Summer Inspections (with Upper Witham IDB and Witham Third DIBD) were planned for Wednesday, 20<sup>th</sup> July and Thursday, 22<sup>nd</sup> September 2016.

## **1971 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 also been circulated. Members were requested to complete and return the form, ensuring an up-to-date entry is maintained for all members. Members were reminded that the information held may be subject to disclosure, e.g. arising from a Freedom of Information (FOI) request.

## **1972 Minutes of the Board meeting on 29.09.15**

The minutes of the Board's meeting held on Tuesday, 29<sup>th</sup> September 2015 were proposed, seconded and APPROVED as an accurate record.

### ***MATTERS ARISING:***

#### **1972.1 Request to adopt a watercourse downstream of a proposed housing development off Grantham Road, Sleaford (minute 1949.1 refers).**

Whilst there had been no further contact from the Millward Partnership following the meeting on 16.07.15, it was anticipated that they would contact the Board at the point they wished to discuss the detail of bringing the existing watercourse up to good condition and potential adoption of this plus the new stretch of watercourse upstream of it.

Discussion followed on the principle of whether the Board would wish to take on additional maintenance responsibilities, even if a commuted

sum was agreed, and the duties of partnership under the Flood and Water Management Act (2010). Some IDBs were apparently applying differential commuted sums for scheduling watercourses within their drainage districts (usually calculated on 30 year's future maintenance costs) in comparison with those outside the drainage district (Bedford IDBs, for example, basing the commuted sum in these instances on 50 years' future maintenance costs).

It was AGREED that the Executive Committee should give some further consideration to the issue and more generically to 'Developer Agreements', bringing a recommendation to the Board in due course.

1972.2 Pay Award 2015/16 (minute 1950.1 refers).

It was noted that the 2015/16 pay uplift, whilst provided for in this year's budget, was not yet agreed between staff and management sides to the ADA Lincolnshire Branch's Pay Committee. The situation remained that the management side offer was 1%, this had been to a staff ballot twice now and been rejected and staff side were in discussion with UNISON about a further ballot to gauge support for industrial action. Equally, the staff side pay claim of 2.5% raised at the latest meeting on 09.09.15 had been rejected by Management. The Chairman, in his capacity as Acting ADA Lincolnshire Branch Chairman, was urging both sides to the Pay Committee to recommence negotiations.

In the meantime, it was noted that some Lincolnshire Boards had paid 1% on account for 2015/16. The Chief Executive had taken soundings in the group of 3 Boards and staff preferred to not receive 1% on account at present, but to wait until there was an agreed pay recommendation for 2015/16 from the Pay Committee to Boards.

1972.3 Five Mile Development in Washingborough (minute 1950.2 refers).

It was confirmed that a further issue had now arisen regarding the Five Mile industrial estate, albeit not directly involving the Board. The site owners had been redirected to Anglian Water Services (AWS) to discuss foul water disposal from the site.

The CCTV survey of the culverted system showed it to be in good condition. Once all outstanding issues are resolved, the £12.7k commuted sum for the Board adopting the system will be claimed (this being held by the Board's Solicitors, Sills & Betteridge).

1972.4 Motor Vehicles Policy.

In keeping with the revised travel policy, the two commercial lease 4x4 Isuzu vehicles were due for delivery on 13.11.15 (allocated to the Foreman and to the Pumps Operative).

### **1973 Minutes of the Executive Committee meeting on 27.10.15**

The minutes of the Executive Committee meeting held on Tuesday, 27<sup>th</sup> October 2015 were proposed, seconded and APPROVED as an accurate record and recommendations from the Committee to the Board were noted.

#### *MATTERS ARISING:*

There were no matters arising, these being covered by the agenda.

### **1974 Chief Executive's Report.**

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

- Environment Agency's potential de-maining of watercourses.

As outlined at the Board's September meeting, stretches of watercourses in Lincolnshire IDBs had been identified by the EA as potentially those on which they would withdraw their permissive powers to undertake maintenance works. This had been mapped on the GIS system.

Following discussion on 15.10.15 between IDBs and correspondence with the EA's Area Manager (Lincolnshire & Northamptonshire) in July, a joint meeting was now arranged for 01.12.15.

- Highland Water.

Albeit Highland Water monies were not received from the Environment Agency by the agreed due date of 30.09.15, a total of £12,238.62 had now been received (i.e. this payment constituting the balance on the actual costs for 2014/15 and 80% of the claim estimate for 2015/16). For the benefit of new members, Highland Water monies were outlined as a discretionary payment made by the EA to IDBs, to an agreed formula on drains and pumping stations, as a contribution to the additional costs incurred within the drainage district in processing water from upland areas.

- Special Levy Payments from Councils.

It was confirmed that the second and final tranche of Special Levy monies from the 2 relevant councils had been received by the due date of 01.11.15:

	£
City of Lincoln Council	63,479.62
North Kesteven District Council	52,080.79
<b>Total</b>	<b><u>115,560.41</u></b>

Given all Special Levy monies had now been received to 31.03.16, drainage rates income collection was good and Highland Water monies had now been received, the current income position (and bank balances) was good but balances would now reduce over the remainder of the financial year.

- IDB Precept Payment to the Environment Agency.

The Board's second (and final) precept payment to the Environment Agency for 2015/16 of £41,515.50 is due by 30.11.15. This is paid by the Board for the EA to undertake maintenance on main watercourses within the Board's drainage district.

- Environment Agency's Flood & Coastal Risk Management Capital Grant Roadshow in Leeds, 14.10.15.

This was the first of a series of roadshows to introduce the 6 year Capital Investment Programme of £2.3 billion from 01.04.15 to 31.02.21 and outline the revised business planning process.

Since this roadshow, Defra has reportedly reached a department settlement of 30% efficiency cuts as part of the 2015 Spending Review, the Autumn Statement due 25.11.15. Members discussed the potential impact of this, which will affect the EA's revenue budgets including watercourse maintenance. This underpins the discussion to be held on 01.12.15 regarding potential EA de-maining of watercourses.

Members received and NOTED the report.

### **1975 Financial Performance Report 2015/16 to 31.10.15.**

The Financial Performance Report for the first 7 months of 2015/16, to 31<sup>st</sup> October 2015, had been circulated with the agenda and was presented by the Finance Manager.

Pleasingly, at this stage the Board had a healthy surplus position of (£224,602), compared with a profiled budget surplus of (£201,279), so there is a positive variance of (£23,323). Members were reminded, however, that some of the high risk spend areas, notably electricity costs at pumping stations during winter months, had not yet been incurred. Furthermore, the Board had benefitted from recent lower fuel prices, spend being (£7k) below profile.

On income, this was (£24k) better than profile as at 31.10.15. The two Special Levy payments from City of Lincoln and North Kesteven District Councils were received on 30.10.15, drainage rates income was 98.8% (or £477,564.55) on prior years and 2015/16, compared with a collection rate of 97.4% at the same time last year. There was a closing balance of £5,216.96 drainage rates owing to the Board and, at present, 7 account holders listed to go to court on 25.11.15.

On bank balances and investments, as at 31.10.15 these were:

NatWest	£386,498.35
Co-op (to be transferred)	£ 4,102.50
Nationwide Instant Access	£ 75,279.88
Nationwide 90 Day Notice	-
<b>Total</b>	<b>£465,880.73</b>

Members received and NOTED the report.

### **1976 Statement of Expenditure, 01.09.15 to 31.10.15.**

A Statement of Expenditure incurred for the 2 months to 31<sup>st</sup> October 2015 had been circulated with the agenda and was presented by the Finance & Rating Officer.

Expenditure totalled £126,226.87 or, excluding £11,130.35 reclaimable VAT, the net amount of £115,096.52. Of this, £1,859.81 was rechargeable to other bodies.

Expenditure highlighted included items 6 to 9 for pumping station electricity payments, item 25 which was £2,256 (excl. VAT) to Grant Thornton UK LLP for external audit fees on 2014/15 and items 45 and 46, payments to SM Allen and Sons for works done on Digby Beck for the EA under the Public Sector Co-operation Agreement (recharged to the EA).

Members NOTED the expenditure incurred.

### **1977 Financial Regulations and Statement of Internal Controls.**

The Board was reminded that when Grant Thornton, External Auditors, issued the Notice of Closure on the 2014/15 Audit, an 'other matter' report was raised which did not affect the clean audit opinion. This was as follows:

*"Financial Regulations.*

*The Financial Regulations do not include checks to ensure that all expenditure is within the powers of the Internal Drainage Board or checks to ensure that all PAYE/NI and VAT regulations are met".*

A paper had been circulated with the agenda which set out proposed minor changes to 5 sections within the Financial Regulations approved by the Board in November 2014. In each paragraph, the proposed changes were highlighted in bold type.

Members APPROVED the changes, as set out in the paper, and it was agreed that these would be incorporated into a revised set of Financial Regulations and Statement of Internal Control, to be dated November 2015 and reissued (including on the Board's website).

### **1978 Director of Operations' Report.**

The Director of Operations' Report for the period 16.09.15 to 30.10.15 had been circulated with the agenda and was presented, together with a verbal update:

- Planned Maintenance Programme.

The summer maintenance programme had progressed well throughout this period. The work to flail the channel batters and clear the channel bed of vegetation has progressed well on the whole, with the usual challenges of standing crops and drilled fields providing obstacles to good progress.

- Pumping Stations.

Repairs have been required to the automatic weedscreen cleaners at 2 stations, Chapel Hill and Timberland. The repair at Timberland has required the removal of the motor housed within the grab unit, at an estimated cost of £2680.

Due to the low rainfall amounts experienced during this period, some of the pumps remain in the 'off' position with few hours recorded on the others. However, as conditions change, the settings of the pumps themselves and the levels in the systems they serve will be reviewed.

- Public Sector Co-operation Agreement [PSCA].

The Board continued the work commissioned under the PSCA with the Environment Agency. It includes the clearing of obstructions from Digby Beck, the cutting of flood defence embankments at Digby, Sandhill, Farroway, Ruskington and Anwick and the removal of vegetation from the channel bed of these watercourses. This work will continue throughout this financial year.

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 than those operated by the Board.

It was noted that when the Board does the planned second cut of Anwick Catchwater for the EA in November, we have suggested a 'W1' cut rather than the lesser 'W2' cut.

- Re-Chargeable Work.

The Board's workforce had undertaken other rechargeable work on behalf of rate payers and Digby Parish Council. The work in Digby village required the removal of vegetation from Green Dyke. This involved a tractor mounted flail and hand work and was under the £500 estimate provided to the Parish Council.

- Winter de-silting programme 2015/16.

For the benefit of new members, the forthcoming winter de-silting programme was restated, noting that Notices of Entry had been posted to affected occupiers of land:

<u>Watercourse</u>	<u>Length m</u>	<u>Miles</u>
Farroway Bankside Drain	3455m	2.1 miles
Busby's Drain	760m	0.5 miles
Blankney Fen Main Drain	4670m	2.9 miles
Martin Town Dyke	4180m	2.6 miles
Wrights Dyke	325m	0.2 miles
Martin Delphside Drain	2090m	1.3 miles
Totals	15480m	9.6 miles

This work would be undertaken between January and the end of March. There was also, time and conditions permitting, some additional work with toe revetment work at Chapel Hill and on Middle Drain at Nocton Fen to be done.

- Timberland Diesel Pumps – Open Days 2016.

There will be two open days showcasing the diesel pumps at the Board's Timberland Pumping Station. The first will be on Sunday, 05<sup>th</sup> June and the second (as part of the Lincolnshire Heritage weekend) will be on Saturday, 10<sup>th</sup> September 2016. All members are welcome to drop in during the afternoons.

Mr. William Grantham commented that he had noticed apparent prolific growth of a yellow-flowered mustard type plant, on channel sides following this year's summer maintenance and queried whether there had been any change in regime increasing its prevalence. The Director of Operations knew of no particular changes in the time the Board is cutting the channel sides, the nature of the cuts or the frequency of cuts.

Members received and NOTED the Director of Operations' Report and presentation.

### 1979 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 an 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-2329-2015-CON	Metheringham Fen	Mr & Mrs D Miller	Outfall from domestic treatment unit	30/09/2015

- Section 23 Land Drainage Act Consent Applications – Board's District

The Board has received the following applications for Section 23 Consent. The applicant has been advised that, on behalf of the Board, their application has been consented, but some with conditions.

Reference	Location	Applicant	Details	Date
FD-2372-2015-CON	Mill Drain / Dunston Fen Lane	LCC	Major repairs to road culvert	22/10/2015

- Section 23 Land Drainage Act Consent Applications – Board's Extended Area

No applications since the previous Board Meeting.

- Enforcement Issues – Board’s District

Reference	Location	Description / Comments	Actions
FD-1970-2015-ENF	Sleaford Fen off Electric Road Sleaford	Watercourse filled in	Watercourse reformed awaiting culvert to be cleared.

- Enforcement Issues – Board’s Extended Area

Reference	Location	Description / Comments	Actions
FE-237-2013-ENF	89a Main Street, Dorrington, Sleaford	Flooding in property & garden	Order to carry out remedial work received from NKDC Continuing to monitor work programmed for November 2015
FE-1683-2014-ENF	Rear of North St, Digby	Possible culvert blockage	Awaiting action by PC as to their intentions, Will monitor
FE-1881-2015-ENF	Fen Lane Metheringham	Water not flowing in watercourse	Case closed 15/10/2015

Members received and NOTED the report.

### **1980 Planning Applications Report.**

A schedule of the planning applications received and comments submitted to the relevant Local Planning Authorities (LPAs) for the period 16.09.15 to 29.10.15 had been circulated.

North Kesteven District Council applications were as follows:

Location	Applicant	Details
<b><i>No objections were raised to the following application:</i></b>		
Branston Booths Water Treatment Works, Bardney Road, Branston Booths	Anglian Water Services Ltd	Borehole kiosk

17 St Michaels Close, Billinghay	Mr & Mrs H Andrew	Extension to dwelling
Car park at Coach and Horses, Tattershall Road, Billinghay	Mr B Handraj	Change of use to hand car wash and valeting service
7 Main Road, Washingborough	Mr D Westlake	Replacement extension to dwelling
<b>Comments were forwarded on the following application:</b>		
72 Fen Road, Timberland	Mr Fenwick	Conversion of stable block to dwelling
<i>Although the site is close to the Car Dyke, (about 20m), the EA mapping shows the flood plain to be entirely on the other (eastern) bank. No indication is given at section 12 on the application form as to how surface water is to be disposed of.</i>		
Peartree Bungalow, 10 Bowling Green Lane, Chapel Hill	Mr & Mrs M Carr	Extension to dwelling and replacement garage
<i>The site and immediate surrounding area are well known to the Board who have assisted with drainage improvement works over the past decade. No objections.</i>		

It was noted that there were no relevant applications on this occasion for either City of Lincoln Council or Lincolnshire County Council.

Members received and NOTED the report.

**1981 Any Other Business.**

There were no further items of business.

**1982 Date, Time and Place of the Board's Next Meeting.**

The Board's next meeting was confirmed for Tuesday, 2<sup>nd</sup> February 2016 at 2pm in Branston Booths Village Hall.

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

W1st BM10.11.15.