

Witham First District Internal Drainage Board

Minutes of the eighty third meeting of Witham First District Internal Drainage Board held on Tuesday, 6th August 2013 at Washingborough Village Hall.

Present:

Mr. R.A. Fletcher	Chairman
Mr. P. Gilbert	Vice-Chairman
Mr. E. Applewhite	
Mr.S. F. Cobb	
Cllr. R. Cusksey	
Mr. R. Hall	
Mr. M.D Harrison	
Cllr. G. Hewson	
Mr. R. Hickling	
Cllr. D. Jackson	
Mr. B. S. Leggate	
Mr. S. B. Leggate	
Mr. J. Mair	
Mr. L. Maplethorpe	
Mr. N. Maplethorpe	
Cllr. J F Money	
Mr. N Osborne	
Cllr. C.R Oxby	
Dr. V. Stanton	
Mr. E. Tonge	
Cllr. P. Vaughan	
Mr. A. S. Whitehead	

In attendance:

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

The Chairman welcomed Members and Officers to the meeting.

1830 Apologies.

Apologies for absence were received from Mr. D. Armstrong, Mr. J. R. Crust, Mr. T. Gilbert, Mr. S. Maplethorpe and Mr. D. Means.

1831 Declarations of Interest.

Members appointed by City of Lincoln Council [Cllrs. G Hewson, D Jackson and P Vaughan] and North Kesteven District Council [Cllrs. R. Cucksey, J. F. Money and C. R. Oxby] declared interests relating to their respective Councils. There were no further declarations of interest.

1832 Chairman's Announcements.

The Chairman highlighted a number of issues to Members.

The last of the Board's programme of Pumping Station pump electrical motor repairs, approved in August 2012, had been completed by Shoebridge Engineering and the pump re-commissioned, with the overhaul of a pump at Nocton Fen PS at a cost of £7,849.

The Summer 2013 maintenance programme had started and the proposed Winter 2013/14 de-silting programme is as set out in the Director of Operations' report later on the agenda.

The Board's Annual Accounts 2012/13, as approved on 25th June 2013, had been submitted to External Auditors Grant Thornton by the 30th June deadline and a closure notice was expected by 30th September, subject to there being no material issues arising.

A number of temporary staffing arrangements had been put in place by the Chief Executive as of 01st August 2013, following the retirement of Upper Witham IDB's Works Supervisor Roger Green. The Chairman outlined these arrangements.

Ian Coupland, Works Supervisor with Witham Third DIDB and Martin Shilling, Director of Operations with the Board and also for Witham Third DIDB, had taken on additional responsibilities in similar respective roles with Upper Witham IDB for an initial period of six months to 31st January 2014.

Rob Spaight, Senior Finance and Rating Officer for the three IDBs had resigned with effect from 16th August 2013. For the same six months period his workload would be covered on a trial basis, rather than by recruiting to the vacant post, by Anna Wilson and Lorraine Sayce [Finance and Rating Assistants to the three IDBs] taking on additional Finance responsibilities but with support and guidance in strengthening existing systems and ensuring full utilisation of the new SAGE 200 Finance and SAGE 50 Pay systems provided by Steve Larter, Interim Finance Officer, on an average of two days per week for the period. Finally, Samantha Ireland, GIS Officer for the three IDBs, would take on the additional role of Rating Officer [for all non-financial aspects of rates] for the same six months. These arrangements would be reviewed to ensure they are practicable for all three Boards and for the staff concerned. They deliver an efficiency saving of £12,700 to the Board in 2013/14, more if the arrangements continued into 2014/15.

The Chairman thanked Members who had participated in the Board's Summer Inspection on 02nd July. This departed from Washingborough Hall and included visits to Sandhill Beck PS, Five Mile Lane BOAT, the recently completed piling scheme at Five Mile Roadside Drain, Branston Delph, Branston Engine Drain Culvert and Branston PS, Nocton Fen PS and concluded at Middle Drain in Nocton Fen. Members had then returned to Washingborough Hall for lunch. He thanked the Director of Operations for organising an interesting itinerary.

He also reported that Members had enjoyed a day at the ADA Demonstration 2013 on 17th July, this year hosted by North Level District IDB at Cross Guns PS near Wisbech, on what proved to be one of the hottest days of the year.

1833 Minutes of the Board meeting held on 25.06.13.

The minutes of the Board's meeting held on Tuesday, 25th June 2013 were APPROVED as an accurate record.

MATTERS ARISING:

1764 Transfer of Bridges and Culverts.

The Chief Executive reported that there had been little progress on the transfer of future maintenance liability from the Board to LCC on the 18 bridge and culvert structures. The Land Registry was not accepting, in the absence of title deeds, the information packs which had been put together on each structure or the Chairman's Statutory Declaration as proof of the Board's ownership on which maintenance liability is predicated.

The Board's Solicitor had advised that one way to progress the matter would be to begin a Part 8 Claim in the Chancery Division to prove ownership of the structures. This he had explained is essentially a friendly action or procedure used to seek the Court's decision on a question which is unlikely to involve a substantial dispute of fact.

The Board's Executive Committee had raised a number of questions [minutes of the meeting on 23.07.13 refer] on which clarification was sought. The Board NOTED the position and that a further progress update would be provided at the next meeting.

1816 Internal Auditor's Report on 2012/13.

Following the Board's acceptance of the independent Internal Auditor's Report on 2012/13 at the last meeting, it was confirmed that one of the issues raised was the lack of Bank Reconciliations in the new financial year 2013/14 due to the concentration on closure of accounts 2012/13. It was confirmed that these had now been completed satisfactorily from 30th April to 31st July 2013.

1818 Annual Accounts 2012/13.

It was confirmed that the IDB Annual return and information pack requested by Grant Thornton, External Auditors, had been submitted and was received by them on 27.06.13. No queries had yet been raised but the Auditors have until 30.09.13 before issuing a closure notice.

1820 Board's Insurances 2013/14.

Members had received a Briefing Note on insurance policies at the last meeting. The cost of insurances last year had been £20,337.92 [including VAT], June 2012 to June 2013. The renewal costs for June 2013 to June 2014 were confirmed as £20,531.83, an increase of £153.91.

1821 Pay Award 2013/14.

It was confirmed that the recommended ADA Lincolnshire Branch 1% pay award for 2013/14, approved by the Board on 25th June 2013, had been implemented across all wage and salary pay scales back dated to 01st April 2013.

1822 Code of Conduct for Officers.

It was confirmed that Upper Witham and Witham Third District IDBs had also approved the Officers' Code of Conduct, approved by the Board at its last meeting. The policy, applicable for staff employed by each of the three IDBs, was now on the three Boards' websites.

1823 DEFRA Penalties.

Members remained concerned following discussion at the Board's last meeting regarding advice from an RPA Cross Compliance Inspector to one of the Board's Members that there may be financial penalties on SFP/ELS payments, because of IDB 'wheelings' made during the exceptionally wet winter 2012/13. Similar comments had been made by Members at the subsequent ADA Lincolnshire Branch meeting on 27.06.13.

Norman Osborne reported that, in his capacity as Chairman of the ADA Lincolnshire Branch, he had raised the matter nationally and was seeking an assurance that IDB maintenance operations on grass buffer strips remained exempt from financial penalties on farmers, so long as no dredgings or spoil were deposited. He would update the Board at the next meeting and the Director of Operations would also clarify the matter through ADA's Technical Committee, on which he sits.

1834 Joint Administration Committee Minutes, 15.07.13.

The minutes of the Joint Administration Committee meeting, between the Board, Upper Witham and Witham Third District IDBs, held on 15th July 2013 were APPROVED as an accurate record.

MATTERS ARISING:

4.1 SAGE 200 Finance and SAGE 50 Pay Systems.

It was reported that the new systems are progressing well since going live on 01.04.13. Now that Closure of 2012/13 accounts on the former dataflow system is complete, work can start on fully utilising the functions of the new systems. The Board's budget coding structure was now resolved and loaded, bank reconciliations had been completed and expenditure was being recorded. More work was needed on report formats.

4.2 Pension Discretions Policy.

This was one of the policies which would need to come to the Board in due course, potentially to the November meeting. Other policies were as detailed, all arising as agreed with the Internal Auditor for review or for development following the Caldicot and Wentlooge Levels IDB Public Interest Report by the Welsh Audit Office [08.10.12].

5.0 Temporary Staffing Arrangements.

The Chairman had outlined earlier a number of temporary staffing arrangements which had been discussed at the Joint Administration Committee meeting on 15th July.

1835 Executive Committee Minutes, 23.07.13.

The Minutes of the Executive Committee meeting held on 23rd July 2013 were APPROVED as an accurate record. Members NOTED the discussion and recommendations.

MATTERS ARISING:

5.0 Green Dykes, Digby.

It was confirmed that no second approach had been received from Digby Parish Council in relation to the Board adopting the Green Dykes watercourse, but that the Board's Engineer had provided input to the Section 19 Flood Investigation in the village and specifically had also completed modelling work on the catchment for Green Dykes. He had worked closely with AWS who had now resolved the inlet pipe issue [removing the two broken pipes and replacing them with a greater capacity, new pipe] and the chamber had been improved. He had also provided advice on the design of a storage pond which had been excavated by the land owner with a connecting ditch and culvert to reduce the risk of flooding to several properties in North Street.

Members NOTED the position and that there may be a further approach to the Board regarding Green Dykes adoption in due course.

6.2 Timberland Overtopping Report by the EA.

It was reported that the EA had produced a document, "Timberland Overtopping- update report from the EA - 22nd July 2013", prepared by Paul Arnold and Katharine Samms following the overtopping of Timberland Delph on 23.12.12 over a 10 metre length of bank, located 900 metres upstream of the Pinfold road bridge. The overtopping continued until 26.12.12, resulting in a flood alert and a local flood warning issued to 100 properties in the area.

The overflow had entered the Board's Dale Head Dyke, which flows to Blankney Fen PS and discharges to the River Witham. Although both pumps were running, the water level in the PS wet well increased by 140mm over the 6 days and water was gaining on the pumps.

The document had been produced following a meeting between the EA and local residents on 11.07.13, held at the request of Paul Tonge. The Board's Director of Operations had also attended the meeting.

Members were supportive in principle at the proposed establishment by the EA of a spillway at the location of the overtopping, which will probably require the Board's consent [depending on detail of the scheme, when known]. However, the Director of Operations had e-mailed Paul Arnold at the EA with some concerns arising from the Executive Committee meeting on 23.07.13, including that local land owners were properly consulted and that the impact on the Board's system is modelled and any issues arising are agreed and dealt with prior to implementation of the spillway, which the document suggests is planned for September.

It was AGREED that a progress update would be provided to the next meeting of the Board.

1836 Quarter One Finance Report for 2013/14.

The Financial performance Report for the period 01st April to 30th June 2013 was presented, the first report from the SAGE 200 financial system. Additional information on bank balances and investments would be provided in future reports.

The analysis of income showed actual income of £580,679 for the 3 months, against a planned income of £586,920 [£6,242 below profile]. Of this, £465,020 is 2013/14 drainage rates income due in as at 01.04.13 and so is based on invoices raised and not cash collected [as in previous years]. The actual collection rate as at 24.07.13 was 65%, or £311,625 of the total £465,020 income due for 2013/14 and the £15,224.11 income due from previous years brought forward into 2013/14.

On Special Levy monies, both councils had paid the 01st May 2013 first payment [City of Lincoln £61,165 and NKDC £49,994], second payments for 2013/14 were due on 01.11.13.

Also on income, the LLFA extended catchment consents and enforcements work had not been invoiced, as per the Memorandum of Understanding in place with LCC. An assumption of £5,127 annual income had been anticipated from this source and given the high number of cases this does not appear to be a risk to the Board.

Finally on income, the Highland Water revenue claim had been submitted on 24.07.13 as requested by the EA. This was for the 20% balance on the actual claim for 2012/13 [a total of £14,882.16 for the full year] together with a claim estimate for 2013/14 of £15,660. Unfortunately, the wet year had not improved the Board's 2012/13 claim, despite the additional expenditure on electricity and drains maintenance because, unlike neighbouring IDBs, few of the watercourses are eligible for Highland water claims and only 3 of the Board's Pumping Stations benefit.

On expenditure, the actual expenditure for the three months was £187,552 against a profiled budget for the period of £206,485, an underspend variance of £18,963 as at 30.06.13. This apparently healthy position needed to be viewed with caution given the Summer works programme had recently started and overtime expenditure would therefore increase. The first PWLB loan repayment of £16,495 was paid on 17.06.13, the second payment is due on 17.12.13 on the £354,480 Bridges and Culverts loan. Capital schemes of £36,500 approved by the Board on 12.02.13 for 2013/14 would now be progressed, e.g. the Director of Operations would be looking at options for the replacement Pump Operative's van and Members confirmed, given the high number of bank slip repairs, they would like the option of purchase of a compacter plate to be explored [which was not funded as part of the 2013/14 budget] at a potential cost of circa £6,000.

Members NOTED the content of the first financial report for 2013/14 and the under spend of £18,963 to 30th June but viewed this with caution at this early stage in the year.

1837 Schedule of Expenditure.

The Schedule of Expenditure that the Board had incurred for 01st to 30th June 2013 was presented. This was £55,540.14 gross, £52,282.22 net of re-claimable VAT. A sum of £3,529.20 would be recharged to Upper Witham IDB as the Board had run the specification and procurement process for a study of 41 Upper Witham watercourses and by so doing this had benefitted both Upper Witham and the Board, allowing FDGiA monies to be claimed by Upper Witham and the Board to be reimbursed for running the procurement.

Members NOTED the expenditure incurred in June 2013.

1838 Director of Operations' Report.

The Director of Operations presented his report, which had been circulated with the agenda. The Summer maintenance programme was underway and flail work had commenced at Anwick Sewer Drain [which had also been weed cut] and Timberland Town Dyke. Hand work to maintain the Pumping Station compounds and minor maintenance works had continued.

The report set out the draft programme for winter 2013/14 de-silting of drains within the Walcott and Billingham Fens as follows:

- Walcott Bank South 2.1 miles
- Roberts Drain 1.9 miles
- Sharps Drain 1.0 miles
- Billingham Soke Dyke 0.2 miles
- Dales Drain Head [South] 1.5 miles
- Todhill Drain 1.2 miles
- Little Todhill Drain 0.3 miles

Total Length 8.2 miles

An update was provided on maintenance work on the Board's plant ahead of the main cutting season, including new bearings and replacement of worn pipes on the Bomford flails. In addition, small sections of electrical safety matting had been provided in 3 Pumping Stations [in front of the weed screen cleaner control cabinets] following recommendations from the Board's insurers made during electrical safety inspections.

The rear door and windows to Timberland Diesel station pump house had been replaced by the Board's staff.

Delivery of the Board's new Volvo excavator was now anticipated at the end of August.

Members NOTED the report and APPROVED the Winter 2013/14 programme for de-silting of drains within the Walcott and Billingham Fens.

1839 Consents and Enforcements.

Members had received a schedule of consents and enforcements cases to 24th July 2013 with the agenda, cases both within the drainage district and in the extended rainfall catchment where the Board operates under a Memorandum of Understanding for the LLFA.

Cllr Ron Oxby queried the position on catchment enforcement case EW1/10 at Heighington, referred by the Parish Council. The issue was obstruction of the Beck to the rear of properties 2 to 14 Stevenson Close. The Chief Executive believed NKDC had now accepted ownership of one side of the Beck [the North side] following feedback from Garry Winterton, Consents and Enforcements Officer, who had attended the Parish Council meeting, but she would investigate and confirm details to Cllr Oxby after the meeting.

Cllr John Money raised catchment enforcement cases FE-167-2013-ENF and FE-171-2013-ENF, both enforcement cases in Scopwick and the second of which results in persistent flood risk to a residential property. The Chief Executive was aware that Alan Gardner, the Board’s Engineer, had been involved in site visits in Scopwick and had concerns about the risk to one particular property. Similarly, he had raised with the EA the potential for the EA to en-main this stretch of Scopwick Beck. She would ascertain more detail and confirm this with Cllr Money after the meeting.

1840 Schedule of Planning Applications.

The Schedule of planning applications for the period 12th June to 24th July 2013 was received and comments submitted to LPAs were noted.

1844 Any Other Business.

There were no further items of business.

1845 Date, Time and Place of Next Meeting.

The Board’s next meeting and AGM were confirmed for Tuesday, 5th November 2013 at Washingborough Village Hall, commencing at 2 pm.

.....Chairman.....Date
W1st. BM 06.08.2013.