

## **WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD**

Minutes of the eightieth Meeting and Annual General Meeting of Witham First District Internal Drainage Board held on Tuesday, 6<sup>th</sup> November 2012 at Washingborough Village Hall.

*Present:*

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

*In attendance:*

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

The Chief Executive welcomed Members to the meeting, pending the election of a Chairman of the Board for the ensuing year.

### **1738 Apologies for absence.**

Apologies for absence were received from Mr. R. Hall, Mr. N. Maplethorpe, Mr. S. Maplethorpe and Mr. J. F. Money.

### **1739 Declarations of Interest.**

Members appointed by City of Lincoln Council and North Kesteven District Council declared interests in matters relating to their respective Councils. Mr. L. Maplethorpe declared a personal interest in New Cut Access Track, Digby.

### **1740 Election of Chairman.**

It was proposed by Cllr. R. Coupland and seconded by Dr. V. Stanton that Mr. R. Fletcher be re-elected as Chairman for the ensuing year.

The proposal was *ACCEPTED*.

### **1741 Election of Vice-Chairman.**

It was proposed by Mr. N. Osborne and seconded by Cllr. R. Coupland that Mr P. Gilbert be re-elected Vice Chairman for the ensuing year.

This proposal was *ACCEPTED*.

### **1742 Chairman's Announcements.**

The Chairman thanked the Board for his re-election and took the Chair of the meeting.

A welcome was given to new Board members, Mr. Edward Applewhite, Mr. John R. Crust. Mr. Robert Hall was not able to be present but the Chairman commented on the skills his appointment would bring to the Board.

#### **Environmental training.**

Members were invited to attend a joint training session with Upper Witham and Witham Third District IDBs to discuss the environmental issues faced by Boards to be held at Whisby Nature Reserve, near Lincoln on 4<sup>th</sup> December 2012 at 10am. Places were still available.

#### **Caldicot and Wentlooge IDB Public Interest Report.**

Members were made aware of the Public Interest Report issued by the Welsh Audit Office on 08<sup>th</sup> October 2012 into Caldicot and Wentlooge IDB during 2010/11. The report was highly critical of the prevailing culture at the Board. As a result, the Chief Executive was discussing a checklist of actions arising with the Internal Auditor.

### **1743 Election of Eight members of the Board's Executive Committee.**

It was proposed that the Chairman, the Vice-Chairman, Mr. S. Cobb, Mr. B.S. Leggate, Mr. D. Jackson, Mr. D. Means, Mr. N. Osborne be re-elected as members of the Board's Executive Committee for the ensuing year, with the vacancy left by the departure of Mr. W. Chambers to be subsequently filled.

This proposal was *ACCEPTED* and the vacant seat noted.

#### **1744 Election of three members and two deputies to the Joint Administration Committee.**

It was proposed by Mr. R. Coupland and seconded by Cllr. D. Jackson that the Chairman, the Vice-Chairman and Mr. B.S. Leggate be elected as members of the Joint Administration Committee and Mr. N.Osborne and Mr. M. D.Harrison be elected as deputies.

This proposal was *ACCEPTED*.

#### **1745 Calendar of meetings to the end of 2013.**

Members were asked to note that the date for the Executive Committee (09<sup>th</sup> April 2013) should read 16<sup>th</sup> April 2013. The list of meetings dates was *APPROVED* as follows:

##### Board Meetings at Washingborough village hall.

Tuesday, 12<sup>th</sup> February 2013 at 2pm.

Tuesday, 30<sup>th</sup> April 2013 at 2pm.

Tuesday, 25<sup>th</sup> June 2013 at 2pm.

Wednesday, 17<sup>th</sup> July 2013 – Summer Inspection to ADA demonstration hosted by North Level District IDB, at Cross Guns Pumping Station, Wisbech.

Tuesday, 06<sup>th</sup> August 2013 at 10am.

Tuesday, 05<sup>th</sup> November 2013 at 10am (& AGM).

##### Executive Committee meetings at Tilney Dales Depot.

Tuesday, 29<sup>th</sup> January 2013 at 2pm.

Tuesday, 16<sup>th</sup> April 2013 at 2pm.

Tuesday, 11<sup>th</sup> June 2013 at 2pm.

Tuesday, 23<sup>rd</sup> July 2013 at 10am.

Tuesday, 22<sup>nd</sup> October at 2pm.

#### **1746 Election Results 2012.**

The Chief Executive informed the Board of the ‘no poll’ result and that the advertisement of such had been placed in the Lincolnshire Echo on 04<sup>th</sup> October 2012. This concludes the Elections process for 2012 and it was noted that all seats on the Board are filled.

#### **1747 Minutes.**

The Minutes of the Board Meeting held on Tuesday 7<sup>th</sup> August 2012 were *APPROVED* as an accurate record.

##### *MATTERS ARISING*

1717 The Chief Executive thanked the Director of Operations for organising the successful depot open day on 2<sup>nd</sup> September 2012 when circa 60 members of the public visited and saw the diesel pumps working.

1720 The Board was informed that an up to date de-silting programme had been distributed to Members, for information.

1721 The Board was updated on progress in refurbishment of the new control panel for Nocton Pumping Station. The project was progressing well.

1727 and 1730 The Chief Executive informed the Board that the Memorandum of Understanding for the Board to undertake Consents & Enforcement work for the LLFA in the extended catchment was working well. Following a review meeting on 18<sup>th</sup> October, IDBs had agreed to continue working to the MoU for 2013/14. So far this year the Engineer hours spent on the extended catchment work amount to an approximate cost of £10,000. It has been agreed to invoice Lincolnshire County Council in March 2013 for the past 11 months work undertaken and based on the data presented to the review meeting, the LLFA was satisfied to reimburse costs.

#### **1748 Executive Committee Minutes.**

The Minutes of the Executive Committee meeting held on Tuesday, 23<sup>rd</sup> October 2012 were APPROVED as an accurate record.

#### *MATTERS ARISING*

All matters arising had been included on the agenda for discussion, with Executive Committee recommendations.

#### **1749 Closure of the Annual Accounts 2011/2012.**

The Chief Executive informed the Board that the Board's External Auditor, Clement Keys, have given the 2011/12 accounts an unqualified audit. Accordingly, the closure notice on the Accounts had been published. This concludes the 2011/12 Accounts.

#### **1750 Financial Performance Report to 30/9/2012.**

The Chief Executive took members through the financial report for the six months 2012/13, previously distributed, drawing particular attention to the Board's forecast deficit of **£7,716** as at 31.03.13. Attention was also drawn to increased electricity costs due to increased pump hours over the wet summer. This initial forecast would be refined over the next few weeks.

#### **1751 Schedule of Expenditure.**

The Chief Executive presented the Schedule of Expenditure incurred by the Board from 01<sup>st</sup> June 2012 to 30<sup>th</sup> September 2012.

#### **1752 Financial Regulations for the Board.**

The Chief Executive explained the need for revised Financial Regulations for the Board.

Members were informed that these draft Financial Regulations had been presented to the Internal Auditor on 05<sup>th</sup> October and he had emailed to confirm his satisfaction with them. A Briefing Note accompanied the proposed Financial Regulations, summarising the differences between the existing and proposed new ones. Dr. Valerie Stanton asked that the Financial Regulations explicitly state the Chief Executive's travel claims and expenses be approved by a Chairman. Whilst this is in practice what happens, the Financial Regulations would be amended to explicitly state this. Subject to this addition, the Financial Regulations for the Board were APPROVED to take immediate effect.

### **1753 Upgrade of the Board's DRS rating system.**

Members received a paper outlining the need and costs within budget of implementing an upgraded DRS system. The upgrade would give a link to the Board's G.I.S. system, with identified service benefits. The £1,000 cost will be met by the existing Joint Administration budget and annual support costs of £360 remain unchanged. This was AGREED with the aim of effecting the upgrade by 31<sup>st</sup> December 2012.

### **1754 Briefing Note on the Board's banking arrangements.**

The Board was advised that existing banking arrangements with the Co-operative Bank should be reviewed, with the possibility of moving the Board's banking arrangements. Members asked that not only are High Street banks approached, but also the Post Office and Building Societies. It was AGREED that officers should seek to procure improved banking arrangements.

### **1755 Draft response to the DEFRA Ministerial letter of 19<sup>th</sup> July 2012.**

IDB Chairmen had received a Ministerial letter dated 19<sup>th</sup> July 2012 which invited responses by 30<sup>th</sup> November. The broad thrust of the letter was to advise that whilst DEFRA was not minded to reorganise IDBs or change their accountability to LLFAs (despite representatives for such), the Minister was seeking reassurance that Boards were modernising. Evidence was sought that members' skills were broader than land drainage and for example, included tourism, heritage and sustainable development.

A draft letter of response was enclosed for members to add to and a sheet was circulated on which members were asked to note wider areas of interest, eg. membership of ELS and HLS schemes.

It was noted that the letter of response would be submitted to Defra before 30<sup>th</sup> November 2012.

### **1756 DEFRA Questionnaire.**

Following on from the Ministerial letter of 19<sup>th</sup> July, IDBs had received on 28<sup>th</sup> September 2012 a joint Defra/ADA questionnaire seeking further information along the lines of the letter.

A draft completed questionnaire had been circulated with the agenda and members were asked to provide any additional information they so wished for inclusion. The completed questionnaire would be submitted by 30<sup>th</sup> November 2012, as requested by Defra and ADA.

### **1757 Redesignation of account 01- 0777- 8.**

Members considered a paper outlining the need to redesignate land from an intensive piggery unit in Heighington to basic value.

The Finance and Ratings Officer had visited the site and noted the 1.350 acres which were previously part of a piggery but two of the buildings are now part of a private dwelling.

The Board APPROVED the following:

- a) redesignation of the 1.350 acres purchased by account number 01-0777-8 as basic land, for rating purposes, from intensive piggery unit.
- b) charging of drainage rates be only on the basic land value of £21.85.
- c) the outstanding rates for 2010/11 (£1,417.79), for 2011/12 (£804.33) and for 2012/13 (£840.35), totalling £3,065.47 minus the rates due on basic land rates, ie. £3,049.17 be written off by the Board and
- d) that following the write off of this sum in 2012/13 there will be a reduction each year from 2013/14 of £835.76 drainage rates income to the Board as a consequence.

#### **1758 Director of Operations' Report.**

The Director of Operations referred to his report. In particular, he brought to the Board's attention the following:

- the winter de-silting programme that was distributed to Members following the last Board meeting, an updated version of which was tabled.
- progress on the summer 2012 maintenance programme, despite heavy rainfall and wet conditions.
- the increased hours the pumps were running this summer.
- the process on servicing the electrical motors on pumps.
- rechargeable works.
- training.

#### **1759 Consents and Enforcements.**

The Board was updated on the cases currently on-going.

The Chief Executive reiterated to the Board that all expenditure incurred on the issue of consents and enforcement outside the Board's district for the LLFA was been closely recorded for reimbursement.

#### **1760 Schedule of Planning Applications.**

The Schedule was examined and the actions taken were noted.

#### **1761 Briefing note of Flood Incidents and Investigations.**

The Chief Executive outlined the Briefing Note to members, noting that of the list of over 100 original investigations for the two periods 28<sup>th</sup> & 29<sup>th</sup> June and 05<sup>th</sup>, 06<sup>th</sup> & 07<sup>th</sup> July 2012, the LLFA reports that as at 16.10.12 4 have been completed, 34 have been substantially completed, 56 have not yet been completed and 32 have not yet been started. She advised that the LLFA advises the Section 19 Flood investigations report will be presented to a meeting of the Lincolnshire Flood Risk & Drainage Management Group she attends on 18<sup>th</sup> December 2012.

#### **1762 Digby Parish Council.**

The Chief Executive confirmed that following the Board's last meeting, she had emailed the Chairman of Digby Parish Council on 13<sup>th</sup> August 2012 to outline why the Board was not willing to accede to its request that the Board adopts Green Dykes watercourse and maintains it in future. As a result, the Parish Council Chairman had responded on 08<sup>th</sup>

October 2012 to take issue with the Board's position. All correspondence was enclosed with the Briefing Note to the Board.

After discussion, the Board RESOLVED that the Chief Executive, Director of Operations and Engineer should meet with representatives of the Parish Council to see what, if any, assistance the Board might provide but taking care not to pre-empt the outcome of the LLFA's Section 19 investigation into flood incidents at Digby for the periods 28<sup>th</sup> & 29<sup>th</sup> June and 5<sup>th</sup>, 06<sup>th</sup> & 07<sup>th</sup> July 2012. Only at that point did the Board feel it should review its decision not to adopt Green Dykes watercourse, once the wider causes of flooding in Digby were understood.

#### **1763 Timberland Section 19 flood investigation.**

The Director of Operations informed the Board of the outcome of his meeting with Rowan Smith of Lincolnshire County Council.

It was noted that the Board may be asked to take enforcement action shortly, on the LLFA's behalf, in Timberland.

#### **1764 Bridges and Culverts Liability.**

The Chief Executive reminded Members of the on-going liability that the Board has regarding 18 Bridges and culverts structures within the District. It was agreed by the Board on 07<sup>th</sup> August 2012 to apply for a loan for the transfer of future maintenance liability to LCC.

Defra approval was needed prior to applying for the loan and the Board agreed to adopt the Executive Committee's recommendation of Option 1, to take a loan for the full amount of £354,480.93 from the Public Works Loan Board, subject to Defra authorisation.

#### **1765 Land at Blankney Farm.**

The Chief Executive informed the Board that a valuation of the land had been carried out and the Board's solicitor has been instructed to handle the sale at the purchasers' cost.

#### **1766 New Cut Access Track, Digby.**

Mr. Len Maplethorpe declared a personal interest in this item. The Chief Executive informed the Board that this matter was now in the hands of the Board's solicitor to agree the terms of an additional access licence for use of the track for the prospective purchasers of the Old Clay Pits.

#### **1767 Mile Lane, Washingborough.**

The Chief Executive informed members that the case was continuing and reassured the Board that the commuted sum of £12,500 was with the Board's solicitor in advance of the Board agreeing, hopefully in mid-2013, that it would take on future maintenance. A written update was provided by the Board's Engineer.

#### **1768 Voluntary registration of land with the Land Registry.**

The Chief Executive informed the Board that the land at Nocton, Ringmoor, Digby and Farroway was currently in the process of being registered at the Land Registry.

**1769 Land Tribunal - Lonsdale v Leek.**

The Chief Executive informed members that a date has now been set for the Agricultural Land Tribunal hearing on 28<sup>th</sup> and 29<sup>th</sup> November 2012. The Chief Executive and Chairman have decided not to appoint barristers or legal representation and the Chief Executive and Director of Operations will represent the Board's position in the case.

**1770 Feedback from the ADA Lincolnshire Branch meeting 18/10/12.**

The Chief Executive explained to the Board that the 3 year pay deal was coming to an end on 31<sup>st</sup> March 2013 and a new pay review arrangements were needed. The ADA Lincolnshire Branch's Pay & Conditions Committee to advise.

**1771 Feedback from the ADA National Conference 31/10/12.**

The Board was informed that the subscription fees to the Association of Drainage Authorities would be increasing by 25%. Otherwise, the emphasis was on IDBs improving governance arrangements.

**1772 Any other business.**

The Director of Operations informed the Board that tenders had been received for a replacement, new excavator and he asked for delegated powers to the Chief Executive and himself from the Board to order this replacement machine in order to avoid any New Year price rises on 01<sup>st</sup> January once those tenders had been properly evaluated. This was *AGREED* providing the order was within budget for the replacement.

**1773 Date and time of next meeting.**

The next meeting of the Board was confirmed for Tuesday, 12<sup>th</sup> February 2013 at 2pm in Washingborough Village Hall.

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

Mr. R.A. Fletcher.

JEF/KD

W1 Board and AGM Minutes 06.12.12