

## WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

**Minutes of the one hundred and tenth meeting of Witham First District Internal Drainage Board, held on Tuesday, 24<sup>th</sup> September 2019 in Branston Booths Village Hall at 2pm.**

*Present:*

Mr. P. Gilbert	<b>Chairman</b>
Mr. E. Applewhite	
Mr. D. C. Armstrong	<b>Vice Chairman</b>
Cllr. I. Carrington	
Mr. S. F. Cobb	
Mr. R.A. Fletcher	
Mr. W. R. B. Grantham	
Cllr. M. Head	
Cllr. G. Hewson	
Mr. D. Jackson	
Mr. D. G. Leggatte	
Dr. B. Maplethorpe	
Mr. S. Maplethorpe	
Mr. A R. Means	
Dr. V. Stanton	
Cllr. P. Vaughan	

*In attendance:*

Miss Jayne Flower	Executive Assistant
Mrs Jane Froggatt	Chief Executive
Mr Steve Larter	Finance Consultant
Mr Martin Shilling	Director of Operations and Engineering Services.

### **2303 Apologies for absence.**

Apologies for absence were received from Cllr. B. Bean, Mr. D. K. Busby, Mr. P. Carrott, Mr. J. R. Crust, Mr. M. D. Harrison, Mr. R. C. Hickling, Mr. A. G. Hodgson, Mr. S. B. Leggatte, Cllr. P. Lundgren, Mr. I. J. Mair and Mr. C. R. Oxby.

### **2304 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.

### **2305 Chairman's Announcements.**

The Chairman welcomed members to the September meeting of the Board, which was by tradition a lighter agenda than the other three meetings during the year.

The Chairman confirmed that at the start of the 2 Councils' Civic years in May 2019 there were changes to the Board's appointed members. Cllr Biff Bean had been appointed by City of Lincoln Council and Cllr Mervyn Head and Cllr Peter Lundgren had been appointed as new members by North Kesteven District Council. NKDC appointed members Cllr John Money and Cllr. Mike Clarke had now left the Board and the Chairman put on record his

thanks to them. Cllr Ron Oxby had also ceased as a member appointed by NKDC, although it was noted that Mr Ron Oxby had now been nominated as an elected member for the Electoral district of Walcott and Dales Fen. City of Lincoln Council appointed members Cllr Gary Hewson, Mr. David Jackson and Cllr Pat Vaughan had been reappointed for a further term of office and NKDC appointed member Cllr Ian Carrington had similarly been reappointed.

It was noted, therefore that there remains one vacant seat on the Board, for the electoral district of Sleaford.

The Chairman also put on record his thanks to the team at Witham House and the Group of IDBs' Operatives for the successful joint Annual Inspection held last Thursday, 19th September.

### **2306 Minutes of the Board meeting, 22.05.19.**

The Minutes of the Board's previous meeting, held on Wednesday, 22<sup>nd</sup> May 2019, were proposed by Cllr. Pat Vaughan, seconded by Cllr. David Jackson and APPROVED as an accurate record.

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

##### **2306.1 *Applewhite vs Natural England Appeal (minute 2286.5 refers).***

The Chief Executive raised this issue to highlight the importance to members of being fully aware of all implications when entering into a Stewardship Scheme.

On 27th March 2019 on behalf of Witham First District IDB the Chief Executive registered an interest with Defra in the matter of the Applewhite Appeal hearing given that the Board as an interested party may wish to make representation in the Appeal hearing.

On Wednesday 03rd April the Chief Executive and Martin Shilling met with affected Witham First District IDB members.

A response on behalf of the Board had been submitted on 19th July 2019. Defra had since extended the submission date to 13th September 2019 for a further round of comments on the responses received. It was confirmed that no submissions were made on behalf of the Board.

### **2307 Minutes of the Executive Committee meeting, 10.09.19.**

The minutes of the Executive Committee meeting held on Tuesday, 10<sup>th</sup> September 2019 were proposed by Mr. Ed Applewhite, seconded by Mr. Bob Fletcher and APPROVED as an accurate record and the recommendations to the Board were NOTED.

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

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

The minutes of the Joint Services Committee meeting held on Monday, 22<sup>nd</sup> July 2019 had been circulated with the agenda for information.

**MATTERS ARISING:**

**2308.1 Chief Executive's Briefing Appointment of Director of Finance and Governance (minute 6.1 refers).**

The Chief Executive highlighted to members that the Boards hold vacant the post of 'Senior Finance and Ratings Officer', since the previous post holder left the then group of 3 IDBs in May 2013. The budget in 2018/19 for this post was £68,900 and this budget plus the 'external support budget' of £21,500 were used in 2018/19 to meet the costs of the Finance Consultant (Steve Larter) and HR Consultant Support (Sarah Walden), total budget £90,400. The actual cost of the Finance Consultant was £83,846.78 and the cost of HR Consultant Support was £53,794.62 in 2018/19.

Regularising the position of Director of Finance and Governance and appointing the Finance Consultant to the role was discussed with Chairmen on 11th July 2019. They supported the option to appoint Steve Larter to the post rather than advertise. Regularising the post would provide the extra resilience required within the team, e.g. for County Emergency Centre rotas during flood events and more widely for office cover. It was also recognised that IR35 regulations were now tighter. Workload pressures also meant the role, previously a full-time role, was warranted as a full time role.

Following discussion, in its capacity as the Terms and Remuneration Committee, the Joint Services Committee was unanimous in ratifying the decision to appoint the part time Finance Consultant, Mr Steve Larter, to the full time position of Director of Finance and Governance for the four IDBs, with a start date of 01st November 2019.

**2308.2 Environment Agency (minute 6.3 refers).**

The Chief Executive advised members about a discussion at the Lincolnshire IDB CXs' forum on 02.07.19 about partnership working with colleagues at the EA and some perceived local difficulties. It had been agreed that the IDBs would prepare a list of issues by 05.07.19 and the list prepared relating the Witham and Humber Drainage Boards was tabled at the Joint Services Committee.

In summary, the list included (but not exhaustive):

- 5-year PSCA Agreements between each IDB and the EA expired 30.11.18.
- Lack of forward planning of PSCA works, short-order requests, making gearing up of staff / plant difficult alongside each Board's own work.
- Different approach from EA depots.
- Lack of EA sharing internal incident investigation reports (e.g. (1) 21.08.17 EA contractor 'left the sea doors open' on NELDB's Middle Drain and tidal

flow caused the drain to overtop on to agricultural land (2) EA internal investigation into a complaint about UW's PSCA winter tree / bushing works at Foston Beck in January 2019).

- Lack of response to requests for decisions, e.g. NELDB been requesting a decision as to whether the EA will sell / lease a parcel of land locked land behind the NELDB owned Rosper Road Pitts in order to extend the environmental element of the Board's water retention / overflow area.
- Capacity and performance of EA tidal outfalls adversely impacting upon IDB systems (e.g. Goxhill).
- Acceptable standard of maintenance of raised flood defences, especially raised earth embankments (recent asset inspection scores and condition survey scores). A particular issue of badger setts in structures expected to protect adjacent land and property (raised flood embankments, like the EA's Queensdyke in Digby Fen area of Witham First DIDB).

It was noted that a meeting had taken place with Norman Robinson, the EA's Area Director for Lincolnshire and Northamptonshire, on 19.08.19.

### 2308.3 Insurance Renewals 01.07.19.

A paper outlining the insurance renewals 2019 had been circulated with the agenda and was introduced by the Finance Consultant.

The Boards undertook a market test for their insurance arrangements ahead of the 2018/19 renewals and established a framework contract, available to all IDBs. The framework is hosted by Witham Third DIDB on behalf of the Witham and Humber Drainage Boards.

The framework contract in place allows any IDB in the country to access insurance requirements without having to undertake a separate tendering exercise and is compliant with public sector procurement regulations. The main insurances were held by Fiducia (Travelers & Lloyds of London) and Zurich Municipal Insurance, all of which are large insurance providers in the public sector. The motor cover had been transferred from LV to Allianz, due to the takeover of LV by Allianz earlier in the year.

Work was ongoing to ensure relevant and cost effective insurance cover was in place especially in areas such as Cyber cover where a combined policy was in place to cover the four Boards. Further, the value of the risks had also changed. For example Witham Third held more employment contracts than previously, the value of plant and equipment had increased in 3 of the 4 Boards and the annual turnover of the four Boards had increased.

Members were advised that through undertaking this procurement exercise significant savings were made for the Boards of @£25k in total (i.e. a 23.38% saving). The renewal exercise for 2019/20 had been undertaken and the following table details the impact for the Board. Whilst a comparison has been made to the 2017 base premium, this would have also increased due to the same issues (additional staff, higher equipment values, increased annual turnover, etc). Therefore, the actual comparative savings will be more than those stated:



Policy Type	2017 Renewal Premium £	2018 Renewal Premium £	2019 Renewal Premium £	Difference 2017 to 2018 £	Difference 2018 to 2019 £
Business Combined	11,548.22	11,785.76			
Professional Indemnity	1,321.02	813.96	10,459.68	(974.82)	(2,140.04)
Management Liability	705.30				
Contractors Combined	n/a	Inc Business Combined	2,663.19	n/a	2,663.19
Fidelity Guarantee	n/a	179.20	179.20	179.20	0.00
Loss Recovery	409.92	n/a	n/a	(409.92)	0.00
Engineering Inspection	1,957.26	1,770.00	2,157.42	(187.26)	387.42
Engineering Insurance	351.28	319.20	336.00	(32.08)	16.80
Personal Accident	281.84	477.12	477.12	195.28	0.00
Motor Fleet	8,413.70	4,583.60	4,731.60	(3,986.90)	148.00
Motor legal expenses	156.80				
Commercial Legal expenses	112.00	389.76	389.76	277.76	0.00
Cyber Liability	1,058.00	Group Policy W3rd	Group Policy W3rd	(1,058.00)	0.00
Revised total	26,315.34	20,318.60	21,393.97	(5,996.74)	1,075.37

The renewals in 2019 resulted in a net increase of £9.5k in costs across the four Boards, but still these were £15.5k lower than the 2017 premiums, representing a 14.5% saving to that base. Members were reminded that the 2017 base would also have increased annually for the increases in sums insured, which have been in value of plant and equipment owned, numbers of staff employed, and annual turnover of the Boards, all of which have an impact on insurance premium levels. The JSC had discussion about the potential to move in future to more 'self-insurance', thus reducing annual premiums by setting aside an earmarked reserve for insurance claims now that a detailed claims experience is being built up. This will be mirrored with insurance policies that allow a certain amount of claims to be paid directly by the Boards up to a certain level, but with a cap so that if a number of smaller or larger value claims are received, the insurance will respond at an agreed level to meet these costs. The concept of 'self-insurance' was discussed and supported in principle by the JSC but with further detail to be put together as we build up the claims history for each Board.

Members received and noted the Joint Services Committee minutes of 22.07.19 and the issues arising from that meeting.

### **2309 Chief Executive's Report.**

The Chief Executive's report had been circulated with the agenda. The following items were highlighted:

#### **2309.1 Upper Witham IDB replacement depot and four Boards' joint office scheme at Meadow Lane, North Hykeham**

For the benefit of new Board members, the background was outlined. Upper Witham IDB has signed a contract with Taylor Pearson (construction) Ltd for a replacement depot facility for that Board and a joint office for the four IDBs. The contract was signed on 19.03.19 in the sum of £1,072,335.12.

The contract start date was 01.05.19, for a 40 weeks period to 05.02.20. However, progress is good to date and Taylor Pearson anticipate completing the build, subject to weather, by the end of November.

As at 30.08.19:

- Demolition of former depot completed and site cleared
- Steel works completed
- First floor concrete beams completed 24.08.19
- A further 12,000 bricks delivered to site, the brickwork is 60% complete
- Rainwater harvesting tank delivered to site
- Foul water treatment tank installed 29.08.19
- With the exception of the surface water interceptor and rainwater harvesting tank, 90% of the site drainage completed.
- Discussion to finalise the alarms, fire detection system, CCTV & access control.
- Finalising internal layouts, including depot racking and office desk layouts
- Loop induction to be provided in the reception area and Board room

As at 05.09.19 payments totalling £524,118.68 had been made by Upper Witham against completed works.

The second element of the scheme is the sale of the existing Witham House building at J1 The Point.

The building was marketed with Banks Long & Co at offers over £250,000. Following viewings and two offers, the Board received an offer of £255,000. Accordingly, Upper Witham's Chairman and Chief Executive accepted the offer of £255,000 and Head of Terms were drawn up w/c 02.09.19 for the sale. This specifies completion of contracts between 02.02.20 and 14.02.20. Solicitors have been appointed by both parties.

Acceptance of the £255,000 was ratified by Upper Witham IDB's Finance and General Purposes Committee on 11.09.19.

## 2309.2 Developer Contributions & Byelaws Consenting & Enforcement.

The (national) ADA Development Contribution Group met on 09.05.19 and had reviewed available documentation and good practice across IDBs. Next steps and for launching the Development Guidance in November 2019 will be the issue of an "Introductory Guidance Note" (to include recommended procedures to follow, blank templates for individual IDBs to use and case studies / examples, links to relevant source documents and national guidance).

There was a teleconference 02.05.19 to bring together examples of good practice and procedures on consents and enforcements for inclusion within the proposed ADA Guidance Pack (the four Boards' Enforcements Officer, Garry Winterton, participated). Although further guidance on model Byelaws is awaited from Defra, the Group will meet in September to progress preparation of a Guidance document with supporting materials.

The Chief Executive updated members that the wait for further guidance on model Byelaws had been ongoing for two years now but when available, it was intended to update the 4 Boards' Byelaws which will come to the Board for approval.

### 2309.3 Public Sector Co-operation Agreements

One of the issues raised with the EA on 19.08.19, and by a number of IDBs around the Country at the ADA Policy and Finance Committee meeting on 04.09.19, was the need to review the Public Sector Co-operation Agreements (PSCAs).

Our four IDBs continue to undertake PSCA work for the EA, but the 5-year agreements expired 30.11.18.

On 16.08.19 a draft new PSCA agreement was received from the EA for each of the four Boards, plus an 'internal EA justification document' which sets out the benefits of PSCA working rather than using public procurement processes.

Officers in our IDBs, the four Chairmen and colleagues in other IDBs are not content with the detail of the proposed new PSCAs because:

- As written, the PSCAs appear to set out an EA / contractor relationship not a partnership agreement between Flood Risk Management Authorities.
- Require each IDBs to provide a 24/7 response time of maximum 2 hours out of hours to the EA. This is a new condition and, whilst the Boards would seek to provide mutual aid, the Boards cannot sign up to in effect provide an on-call service to the EA, as they are not resourced to do so with current workforce numbers and plant.
- Board taking on role as client under CDM regulations.
- Level of professional indemnity cover required and holding this for six years post-programme.

This was fed back locally to Norman Robinson, EA Area Director on 19.08.19 and via ADA nationally. The issue is to be addressed with the EA, including to see whether the existing PSCA formats could be extended pending agreement of new PSCA terms and a new agreement.

### 2309.4 North Kesteven District Council, members tour of their district on 05.09.19.

The Director of Operations and Engineering and the Chief Executive met with NKDC members on 05.09.19 at Digby Village. It was an opportunity to outline to a Special Levy paying Council (to Witham First DIDB and Upper Witham) the role of IDBs, the history of flooding in Digby in 2007 and 2012 events, improvements made by various agencies since then and the LCC – led Digby FAS scheme due to shortly provide a new cut alleviation channel in the village.

Cllr Carrington gave his thanks for the input received on the tour from the Board representatives.

The Chief Executive's report and update was noted.

### **2310 External Auditor's Notice of Closure of 2018/19.**

A report and copy of the Audit Certificate had been circulated with the agenda and was presented by the Finance Consultant.

The Annual Governance and Accountability Return (AGAR) 2018/19 was agreed at the Board meeting on 22<sup>nd</sup> May 2019, subsequently published on the Board's website for public inspection and despatched to the External Auditor on 7<sup>th</sup> June 2019. The public inspection period was from 10<sup>th</sup> June 2019 until 19<sup>th</sup> July 2019. The External Auditor has a statutory deadline of 30<sup>th</sup> September to complete their external audit and publish the formal Completion of Audit certificate.

The External Audit report was received on 1st August 2019 and Notice of Conclusion of Audit was published on 6<sup>th</sup> August 2019. Pleasingly, there were no matters raised by the External Auditor and no matters to bring to the Board's attention.

Members noted the External Audit Report on the Annual Governance and Accountability Return 2018/19. This concluded the financial year 2018/19.

### **2311 Risk Management**

The Risk Register and accompanying documents had been circulated with the agenda.

The Finance Consultant advised members that currently, the four IDBs share a common Risk Register. However, as raised by the internal Auditor in his 2018/19 report, the Boards do not have a comprehensive approach to the management of risk, including a Policy statement or Risk Strategy.

The Corporate Risk Register captured the high-level risks the Board faces. These are generic to all four Boards with any specific risks to a particular Board highlighted. The five aims / objectives which three of the four Boards developed in a workshop with the then Internal Auditor on 28.05.12 were retained. Members were reminded that Operational Risks were dealt with through a separate process, with detailed and specific Risk Assessments.

The new style Risk Register showed the key risks under each Objective and whether the risk can be avoided, reduced or shared (e.g. through insurance). There is then an assessment of how likely (probability) the risk is and what impact (severity) it would have.

Being a first draft of the new style Risk Register, it will need refining over the coming months. The Risk Register is considered by the Board at least twice annually. Firstly, in January ahead of agreeing the Budget for the following financial year and secondly in May when the Annual Governance Statement is completed.

The Internal Audit Director for TIAA (Chris Harris) would review the Risk Management arrangements when he visits in mid-February 2020.

A Witham Third DIDB member had requested a change in wording to the Risk Management Policy, paper F1 at paragraph 6.

He advised that the first line of this paragraph was not technically correct – it should read "Board is ultimately responsible..." and "Board should, at least once a year...". This was agreed and the change would therefore be incorporated into the final version.



Following review and acceptance of the proposed amendment members were content to APPROVE the following documents:

- Risk Management Policy
- Risk Management Strategy
- Risk Management Strategy Statement
- Risk Register
- Detail of risk included in the Risk Register.

### **2312 Schedule of Expenditure, 01.04.19 to 31.08.19**

The Schedule of Expenditure for the five months' period from 01<sup>st</sup> April to 31<sup>st</sup> August 2019 had been circulated with the agenda and was presented by the Finance Consultant.

Gross expenditure totalled £610,435.00 or, net of £67,850.21 VAT, £542,584.59. Of this, £290.00 was recharged to other bodies.

Items highlighted to or raised by members included:

- Item 29: £241,515.50 (net) to the Environment Agency for the first IDB Precept payment for 2019/20 (of 2 payments).
- Items 79 to 84: various payments to Mastebroek Environmental Ltd. totalling £14,012.35 (net). These payments were highlighted to members as being purchases for spares, parts and the Herder 3 metre weedbasket, all in preparation for the winter maintenance season.
- Item 125: £18,396.50 (net) to Perry's pumps Ltd for the refurbishment and repair of pump no.1 at Chapel Hill PS.
- Item 127: £1,600 (net) to PKF Littlejohn LLP, the External Auditors for their 2018/19 services.
- Item 163: £129,500.00 (net) to TC Harrison JCB for the new JS180LR Excavator, YV19 ATK

Members received and NOTED the expenditure incurred between 01.04.19 and 31.08.19.

### **2313 Financial Performance Report to 31<sup>st</sup> August, month 5 of 2019/20.**

The Finance Consultant presented the Financial Performance Report to 31.08.19, month 5 of 2019/20, which had been circulated with the agenda.

A summary table of the overall income and expenditure position was presented, as follows:

	<b>2019/20 Budget</b>	<b>Profiled Budget</b>	<b>Actual</b>	<b>Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Income	(895,200)	(655,816)	(685,570)	(29,754)
Board & General Admin	15,653	5,706	6,326	620
One Off Schemes	25,000	2,500	2,566	66
Conservation	1,750	289	272	(17)
Depot	12,456	9,624	15,255	5,631
Drains	339,392	125,266	126,915	1,649
Pumping Stations	185,331	74,319	75,118	799
Joint Admin/Witham House	88,668	26,313	28,380	2,067
Consents & Enforcement	10,208	0	0	0
Director of Operations/Engineers	67,284	33,743	32,432	(1,311)
Contribution to/(from) Reserves	15,000	0	0	0
PWLB	29,766	13,436	13,301	(135)
Rechargeable Works	20,000	4,415	41,697	37,282
EA Precept	84,692	42,346	41,516	(831)
FRS17 Pension Adjustment (net)				0
Wages & Plant Holding Account	0	(3,770)	(12,748)	(8,978)
<b>(Surplus)/Deficit</b>	<b>0</b>	<b>(321,629)</b>	<b>(314,541)</b>	<b>7,088</b>

*inc o/s recharges*

On a total budget of £895,200 for 2019/20, the month 5 31<sup>st</sup> August 2019 budget profiled position was (£321,629), the actual budget position was (£314,541) and therefore there was a small adverse variance of £7,088.

However, this improves to a small surplus position of (£3,902) as at 31.08.19, once manual adjustments are made for £11k income on PSCA works undertaken for the EA but yet to be invoiced and recharged by the Board.

Overall on income, the profile is (£30k) ahead of profile. The first tranche of Special Levy payments totalling £179,312.47 were received at the beginning of May 2019 (City of Lincoln £64,431.53 and NKDC £114,880.94), the second and final payments due 01.11.19.

On drainage rates income, of £486,654.17 raised for 2019/20, as at 31.08.19 £450,341.13 had been received, a collection rate of 92.6% (compared with 95.7% as at 31.08.18). After adjustments, a remaining balance of £36,053.04 was due to the Board and first reminders were posted 01.08.19 with final reminders to be posted this week. A court date had been set for 29.11.19. Also on income, Highland Water Claims submitted to the EA were due to be paid to the Board by 30.09.19. This comprises the balance of (£12,684) due on the actual Highland Water claim 2018/19 and 80% (£14,400) of the total estimated claim of (£18,000) for 2019/20. A total of (£27,084) Highland Water monies are therefore due to the Board.

On expenditure, the expenditure incurred in the first five months of 2019/20 totalled £542,584.59 (net), as set out in the Schedule of Expenditure.

On budget headings, variations (+/-) were highlighted as:

- Board & administration £1k
- One-off schemes budget of £25k, no expenditure yet incurred but profiled for expenditure later in 2019/20.
- Depot expenditure £6k variance on budget, this being largely the new Ifor Williams trailer at £4k.
- Health and Safety, £2k variance
- Electricity (£1k) positive variance, but expense of wet weather to follow.

- Depreciation, positive variance of (£5k)
- Joint administration / Witham House, £2k adverse variance as at 30.06.19 recharges.
- Director of Operations / Engineers, (£1k) positive variance
- Contribution to plant and machinery reserve of £15k is budgeted, for action at the year end 31.03.20
- Rechargeable works, £37k adverse variance – being mainly PSCA works undertaken for the EA.
- EA IDB precept, positive variance of (£1k) in that £41,516 was paid to the EA in July and the second payment is due in November 2019. As there was no increase in the precept for 2019/20, there will be a (£1.6k) FYE saving on this budget.

On the plant programme, capital movements were set out as:

<b>Capital Movements</b>	<b>Approved £</b>	<b>Actual £</b>	<b>Variance £</b>
<b>Sales</b>			
- JCB JS145 Tracked Excavator	(20,000)	(28,000)	(8,000)
- Weed Basket	(600)	(800)	(200)
- Isuzu Rodeo	(2,500)		2,500
			0
Sale of Surplus Land	0	0	
	<b>(23,100)</b>	<b>(28,800)</b>	<b>(5,700)</b>
<b>Purchases</b>			
Direct Revenue Financing of Capital			
- Tracked Excavator	130,000	129,500	(500)
- Weed Basket	6,500	6,500	0
			0
			0
			0
Contribution from Plant & Machinery Reserve	<b>136,500</b>	<b>136,000</b>	<b>(500)</b>
Net	<b>113,400</b>	<b>107,200</b>	<b>(6,200)</b>

The main item was the purchase of the new JCB JS180 LR4F excavator at £129,500 (net) plus the associated new weed cutting basket at £6,500 (net). A weed basket had been sold for (£800). The Board's JCB JS145 tracked excavator had achieved a trade-in value of (£28,000), (£8,000) better than the book value of (£20,00).

Bank balances and investments were set out as follows, as at 31.08.19:

Natwest	£ 111,429.08
Nationwide Instant Access	£ 457,231.32
Nationwide 90 Day Notice	£ -
<b>Total</b>	<b>£ 568,660.40</b>

The Board's Public Works Loan Board loan was being repaid as follows:

**2.41%**      **£ 195,574.76**

*Original loan £354,480. Loan period 14.5 years from 17/12/2012. Maturity date 17th June 2027  
Repayments made 17th June and 17th December each year.*

Members received and noted the financial performance for 01<sup>st</sup> April 2019 to 31<sup>st</sup> August 2019.

### **2314 Write-off of Drainage Rates.**

A report prepared by the Ratings & Finance Officer had been circulated with the agenda and was presented by the Finance Consultant.

The Board has a policy for writing off Drainage Rate demands under £2.50. The following 6 accounts were outstanding as at 31<sup>st</sup> August 2019, but are under £2.50 for 2019/20 and invoices have therefore not been posted:

Account	Value £
0008	0.22
0136	0.55
0159	2.27
0195	1.91
0299	2.04
0844	1.82
0859	1.00
0862	1.82
TOTAL	11.63

A second category of write-off requests relates to Drainage Rates on duplicated land parcels. In March 2019, it came to officers' attention that parcel number TF1858-0033-01 was in two accounts – 0332 and 0108. Further investigations found that two parcels for exactly the same plot had been created on the DRS system in error in 2016. Upon ascertaining the correct ratepayer for that parcel, officers were able to refund the person who had been billed in error back to 1<sup>st</sup> April 2017 which is when they were first charged. This led to a balance of £70.42 in the Duplicated Land account. As the correct parcel had been paid by the ratepayer, it was requested that this value is written off.

For Drainage Rates on Special Levy accounts, account 0792 contained land now identified as residential housing that should have been included in the Special Levy calculations for the year 2019/2020. Unfortunately, the Board was not made aware of this until after the demands were issued. The Board uses the Land Drainage Act 1991 guidance of refunding the current year, plus the one previous, meaning that in most case two years rates become due for 'write-off'. It was requested that the Board write off £87.27 for this account and these parcels will be transferred to the 2020/2021 Special Levy calculations in December 2019.

Finally, with regard to Drainage Rates on unrecoverable accounts, account 0795 contains land that was incorrectly historically billed to account numbers 0329 and 0327. The Ratepayer visited the office in June 2019 with his land records to check against office records. Investigations revealed that he had been paying on land that he had never owned. As this was an administrative error, a refund has been issued. The correct and present owner for these parcels has been identified. However, the charges to the correct ratepayer could not go back as far the refund given so there is a balance outstanding that is unrecoverable. It was requested that the Board write-off this amount of £199.89.

The Board was therefore requested to write-off the following amounts, drainage rates write-offs being a matter reserved to the Board:



Under £2.50	£11.63
Duplicated land	£70.42
Special Levy	£87.27
Unrecoverable	£199.89
TOTAL	£369.21

Members APPROVED the write off of £369.21 in drainage rates, as set out.

### **2315 Health and Safety Update.**

A Health and Safety update prepared by the Operations Manager had been circulated with the agenda and was presented by the Director of Operations and Engineering.

Cope Health and Safety, the current external contractor, had now visited with their new Health and Safety Advisor, Simon Cross (who replaced our previous contact point, Leila Quirke). There were no actions outstanding within any of the four Boards.

Two Near Misses had been reported since the last Health & Safety Report to the Boards, but neither was on Witham First DIDB. One on Witham Third, an employee reported almost colliding with a car on some bends with his Tractor Flail. The Operator has fitted an extra beacon to the front flail and has been advised to approach bends slower. The second near miss occurred on Upper Witham, where an employee reported a near miss whilst driving out of the temporary depot site due to blind bend. The area around the entrance and along the road has been strimmed of the vegetation obscuring visibility and a sign has been put up warning traffic of a hidden gateway. All employees have been spoken to regarding this and instructed to be extra vigilant when leaving the site.

One accident has been reported. An employee on Upper Witham received an injury whilst using a hand bow saw. As the Operative slipped he dragged the saw across his hand. This required him to be taken to A&E by his colleague to have it dressed. The Operative returned to work the next day therefore this incident was not reportable under Riddor.

Training for employees from all four Boards continued, with overhead cable avoidance training for new staff booked for 29/10/19. All the workforce currently trained will be undergoing their annual refresher on 18/09/19.

The role of Health and Safety Representative has been instigated within the Workforce and the Office staff, with one representative from each Board and one from the Office.

As reported previously, Witham First access bridge to Ringmoor Pumping Station is still being investigated (ascertaining ownership via the Environment Agency).

Again on Witham First, Faraway pumping station weed screen platform, the access track was completed during the week ended 09.11.18. The weed screen platform design (and steps etc) will be finalised and works undertaken during 2020. Members were advised that contractors will be on site tomorrow (Wednesday, 25<sup>th</sup> September), for a site investigation with design foundations so this work could progress to completion.

Members received and noted the update on Health and Safety issues.

## **2316 Plant Programme 2020/21.**

The Chief Executive gave a verbal update on the five year plant programme. Members had approved the five year programme last September. Officers were not proposing any changes to this programme.

However, the Board is currently out to tender for a wheeled excavator replacement and the tenders were opened on 23<sup>rd</sup> September. The budget for the purchase of this machine was £140k. It is apparent that prices have increased considerably in the last 12 months for various reasons. Lead times for delivery have also increased.

Discussion took place on the recommended next steps in the process. Bridget Maplethorpe asked the age of the machine that was to be replaced. It was confirmed that the machine would be seven years old at the point of replacement. Gary Hewson commented that IDB machines are a considerable asset and quite valuable, they are well serviced and maintained machines and therefore their value would also increase in line with the value of new machines. It was noted that the Board cannot afford to have a machine out of action as there is no replacement or standby to fall back on. Simon Maplethorpe requested that companies who had submitted "no tender" responses should be chased for a submission or definitive response.

The Chief Executive agreed that it may be necessary to alter the specification to receive a broader submission of tenders.

William Grantham noted that it could be a consideration to keep machines for longer than 7 years, which is the current Board replacement interval. They are well maintained and rarely break down.

It was agreed that Officers would set out the options available to the Chairman, but if an order was to be placed then it would need to be placed before Christmas to ensure delivery next year.

Members noted the plant programme update and delegated authority to the Chairman to determine a course of action if the replacement excavator tender costs are higher than the £140k budget for 2020/21.

## **2317 Director of Operations & Engineering Services' Report.**

The Operations report had been circulated with the agenda and was presented, together with a verbal update, by the Director:

- **Planned Maintenance Programme – winter 2018/19**

The programme of planned winter work had been completed. The spoil removed from the channel bed during this work had been spread after harvest to allow the fields to be worked and drilled.

The following watercourses were identified as requiring de-silting and were included in last year's winter work programme 2018/19:

<b>Watercourse</b>	<b>Length m</b>	<b>Miles</b>	<b>% Completed</b>
Metheringham Main Drain	430	0.3	100%
Water Dyke	3100	1.9	100%
Metheringham Fen Drain	1410	0.9	100%
Dunns Dyke	1040	0.6	100%

Ulyatts Drain	1200	0.7	100%
Parsons Drain	710	0.4	100%
Bottom Twelve Foot Drain	1890	1.2	100%
Brook Drain	1350	0.8	100%
Mill Drain	2510	1.6	100%
Metheringham Delphside	1210	0.8	100%
Coppingsyard Drain	680	0.4	100%
<b>Total</b>	<b>15530</b>	<b>9.6</b>	<b>100%</b>

The de-silting of these channels began in January and was completed by the end of April 2019. Additional work was undertaken at the request of the riparian owners to clear the upper reaches of the Water Dyke.

The summer programme commenced in late June with the cutting of access roads and station compounds. The main programme of work had progressed well, despite occasional and heavy showers throughout the season so far. The combination of the planned maintenance programme of work and that generated by the PSCA has ensured a busy period

- **High Rainfall Event June 2019**

Over the period 08<sup>th</sup> to 11<sup>th</sup> June, the County experienced several bouts of heavy, intense rainfall. The majority of this fell on the south and coastal districts. At Stenigot rain gauge, 153mm of rainfall fell over a 67 hour period. This equates to a 1 in 201 annual chance event. The Horncastle Flood Alleviation Scheme reservoir, which was designed to contain a 1 in 100 annual chance event was filled to 24% of its capacity.

The pump and motor at Sandhill Pumping Station had been removed for planned maintenance the previous week. Water levels within the catchment were managed by the installation of a portable 6" pump that discharged water directly into the South Delph and through the operation of the culvert connecting the catchment to Heighington Fen. The penstock controlling these flows was installed by the Environment Agency after the fen was flooded in the June 2007 event, and works in combination with the spillway from the Sandhill Beck.

There were reports of seepage into the district from the River Witham whilst it was at raised levels. These were inspected and the Environment Agency advised of the locations. The seepage was evident at Sandhill and Heighington pumping stations. Damp ground at the toe of the raised embankment was most evident with very small amounts of water ponding in puddles on the access track at Sandhill.

On 18<sup>th</sup> June, a call was received from a riparian land owner in Digby Fen reporting the collapse of a badger sett. The sett was located within the raised earth embankment conveying Queen Dyke into Dorrington Catchwater. Both water courses are main river and maintained by the Environment Agency. The incident was reported to the Environment Agency [EA] and both they and the Board inspected the site that evening. On the instruction of the EA, Witham First Board's Operatives, assisted by Witham Third, instigated emergency repairs to reinstate the defence. The Board will recover costs associated with this work (£10k).

The collapse of this embankment was caused by the badger setts causing weakness within the embankment. High levels within the main river system had resulted in water flowing through the embankment and eroding the material within the embankment and its landward face.

Activity at this sett had recommenced [2<sup>nd</sup> September]. This has been reported to the EA, along with photographs to illustrate the extent of the recent damage.

The Board has been advised of plans for the permanent reinstatement of the defence. This work is planned to commence on 2<sup>nd</sup> October, 2019.

- **Public Sector Co-operation Agreement [PSCA]**

The Board continues to undertake work on behalf of the Environment Agency. The bulk of the summer maintenance work will be undertaken between July and October, with other obstructions runs completed on a monthly basis:

<b>Watercourse</b>	<b>Estimated Work Value</b>
Anwick Catchwater	£ 7,106.00
Farroway Drain	£ 7,477.00
Ruskington Catchwater Drain	£ 3,602.00
Sandhill Beck	£ 3,829.00
Digby Beck	£ 12,823.00
Leasingham Beck	£ 2,130.00
Ruskington Beck	£ 1,599.00
Nine Foot River	£ 710.00
Old River Slea	£ 3,849.00
River Slea	£ 3,257.00
Ancaster Beck	£ 3,139.00
<b>Total</b>	<b>£ 49,521.00</b>

The work consists mainly of channel vegetation control and grass cutting but included some chemical application in isolated locations.

A meeting was arranged for 02.10.19 to discuss work programmes for the financial year 2020/21.

- **Pumping Stations**

The motor & pump, having been removed from Sandhill PS as part of the planned maintenance programme, were re-commissioned during August. The pump was removed in early June, just ahead of the high rainfall event. The work to refurbish this motor and pump combination cost £15,718 and was undertaken by Fenflow Ltd. of Spalding. The pump had last been maintained in 2004. The impellor blades required building up and reprofiling due to excessive wear, along with work to wear rings within the impellor casing and various bearings, shaft sleeves and seals. It was evident that the door to the station house and its frame, has reached the end of their useful life and will need to be replaced in the very near future.

Nocton Fen PS pump and motor no.1 is due for planned maintenance this month. Records would indicate this was last removed for maintenance in 2001. Before this work can commence, a swarm of bees will have to be removed from the wall cavity of the control house.

- **Winter Programme 2019/20**

A schedule of proposed winter works 2019/20 was set out for members as follows:



Watercourse	Length m	% Completed
Dorrington Bankside Drain	2260	0
Digby Fen Bankside Drain	3170	0
Pingle Drain	160	0
<b>Total</b>	<b>5590</b>	<b>0</b>

- **Plant**

The new tracked excavator, JCB JS180LR with 12m reach, has been delivered to site in August. It was supplied by TC Harrison JCB Ltd. of Lincoln. The cost to the Board was £129,500 (net) and the JS145 was traded in at (£28,000).

Tenders have been issued for the replacement of a wheeled excavator as part of the Board's planned plant replacement programme. This machine will have a reach of between 10 and 12m through the use of an extendable dipper section. Delivery has been requested for June 2020. Discussion earlier in the meeting suggests machinery price increases are expected.

Witham First's Operatives had undertaken the annual maintenance and refurbishment of the weed baskets prior to commencement of the annual weed cutting programme. Most of the cutting or moving parts on the basket are inspected for wear and damage and replaced as necessary to reduce the risk of breakdown during the busy summer season.

A new trailer had been purchased to replace an existing trailer that had reached the end of life, after numerous refurbishments over the years.

It had been necessary to replace two of the tyres on each of the Atlas excavators at a cost of approximately £1625 per machine.

- **Timberland Pumping Station Open Days 2019**

The station was open to the general public on Saturday 14<sup>th</sup> September as part of the Lincolnshire Heritage weekend. This open day coincided with the opening of the Dogdyke Steam Pumping Station Preservation Trust to ensure maximum publicity and attendance.

- **Lincolnshire Show 2019**

The County's Drainage Boards attendance at the show had to be cancelled this year due to the high rainfall event that badly affected many areas of the county. Technical and administrative staff from Lincolnshire Boards were working shifts to cover 24hr days to respond to this event.

Members received and noted the Operations report and presentation.

### **2318 Engineering Services Report.**

The Engineering Services Report had been circulated with the agenda and was presented by the Director of Operations and Engineering Services.

There were no issues to highlight to members on this occasion.

Members noted the Engineering Services report.

## 2319 Consents and Enforcements

A Consents and Enforcements report had been circulated with the agenda. Cases were summarised as follows:

### Byelaw Consent Applications

Reference	Location	Applicant	Details	Date
FD-4594-2019-CON	2111 Singletons Drain, Green Drove, Billinghay	Mr E J Ennis	Electric fence and moveable animal shelters	08-05-19
FD-4691-2019-CON	2172 Black Drove / Kyme Skirth	G W Padley Farms Ltd	Security Gate	26-06-19
FD-4706-2019-CON	2151 Digby Beck North Branch	Lincolnshire County Council	Flood relief channel	
FD-4803-2019-CON	2080 Dales Drain / Martin Dales Farm	Mr George Firth	2no. land drain outfalls into 2080, 7no. into riparian	

### Section 23 Land Drainage Act Consent Applications – District

Reference	Location	Applicant	Details	Date
FD-4808-2019-CON	Drove Lane, Sleaford	Anglian Water Services	Temporary maximum 25l.sec <sup>-1</sup> discharge of groundwater	

### Section 23 Land Drainage Act Consent Applications – Extended Area

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

Reference	Location	Applicant	Details	Date
FE-4657-2019-CON	Branston (Sandhill) Beck, Cliff Lane, Heighington	Lincolnshire Rivers Trust	Various measures for ecology improvement	07-06-19
FE-4703-2019-CON	Royal Oak PH, Scopwick	Lincolnshire County Council	Extension of highway culvert	26-06-19
FE-4745-2019-CON	Old Hall Farm, Roxholme	Beeswax Dyson Farming Ltd	Replacement of culvert and extension of another	22-08-19

### Enforcement Issues – District

Reference	Location	Description /Comments	Actions
FD-3835-2018-ENF	Sleaford Rugby Club	Blocked watercourse	Awaiting response from Network Rail
FD-3880-2018-ENF	Leavingham beck field	Issue with watercourse	Suggested course of action awaiting response.
FD-4612-2019-ENF	Billinghay South Soke Dyke	Unconsented work in the watercourse	Complete 29-08-19

### Enforcement Issues – Extended Area

Reference	Location	Description /Comments	Actions
FE-3913-2018-ENF	A607 & Mill Lane	Flooding of road	Awaiting maintenance work on watercourses
FE-3960-2018-ENF	The Jungle Conservation Area, Branston	Breach in bank	Awaiting response from owner, only their land affected.
FE-4212-2018-ENF	Drayton Welding & Tool Connections, Unit 9, Woodbridge Road, Sleaford.	Unauthorised work in a watercourse	Complete 28-08-19
FE-4335-2018-ENF	Fen Road Washingborough	Maintenance to watercourse	Awaiting response from owner
FE-4525-2019-ENF	Fen Road Billinghay	Possible maintenance to watercourse	Monitoring condition

Members noted the report on Consents and Enforcements.

## 2320 Catchment Studies Timberland / Billinghay.

The Director of Operations and Engineering Services gave a verbal update on the outcome of the catchment study undertaken for Timberland and Billinghay.

This work has been fully funded by the EA. The final report has not yet been received from the Consultants. However, a draft has been provided.

The Board still awaits the revised copy of the model. Once the final version of the model has been received the outcomes can be assessed and action prioritised.

Members noted the update and the ongoing work on catchment studies.

### **2321 Digby Flood Alleviation Scheme – LCC request for adoption of watercourse.**

A report had been circulated with the agenda and was presented by the Director of Operations and Engineering.

The village of Digby suffered from surface water flooding during a heavy rainfall event in June 2012. The sources of flooding to residential properties and public highways were many and varied. The remedy to most of these issues was promoted by a multi-agency approach provided by Witham First District IDB, Environment Agency, Lincolnshire County Council, North Kesteven District Council, Anglian Water Services Ltd. and Digby Parish Council along with the support and co-operation of landowners.

Lincolnshire County Council promoted a scheme to provide an open channel passing between the north of the village and Digby Beck to the east. The Board had been involved in designing this scheme to ensure the 6m access strip. This channel will convey high flows from the Board maintained North Beck through a mixture of arable land and residential land, passing under North Street and Station Road with an estate road crossing to be formed as part of a residential development in the future.

The Board has received a formal request to place the open watercourse on its list of maintained watercourses to be responsible for the future maintenance of the channel and therefore exercise its Byelaws as appropriate. The Board would not be responsible for the operation and maintenance of the proposed structures to be built as part of the scheme.

Lincolnshire County Council has provided a maintenance specification for this open channel. It consists entirely of maintained grass in an open channel designed to accommodate mechanical plant and flails so little, or no, hand work will be involved. This specification has been priced and a commuted sum, covering a 50 year period, has been calculated at a value of £53,406.88. Upon receipt of this commuted sum, and completion of a scheme defects correction/maintenance period, it is proposed that the Board commence maintenance of the open channel. It is likely that the Board will maintain the channel for the first time in June 2021. A commuted sum would normally cover a 30 year period however, this standard is expected to be increased to a recommended 50 years by ADA later this year. It therefore would seem reasonable to specify a 50 year period now, as once agreed this cannot be changed.

A plan showing the location of the channel was provided to members. The site was visited by members in 2017 as part of the Summer Inspection.

Officers recommended that the Board accepted responsibility for the regular maintenance of this watercourse on the understanding it remained the channel that accepted the overflow from the North Beck as part of the Flood Mitigation Scheme as designed. The standard of maintenance provided by the Board to be that as specified by Lincolnshire County Council in their document dated 5<sup>th</sup> July 2019. As with all scheduled watercourses, should a riparian owner/occupier deem it appropriate to provide a higher, or different standard of maintenance, then this can be put in place by them at their cost.

Mr Steve Cobb stated that although he agreed with the recommendation to adopt he asked what the situation would be if more building were to take place in the local area and queried whether more money be made available to the Board. Martin Shilling advised that some areas already had been approved for building and were subject to SuDS. The area to the north is arable field currently. The watercourse is designed to take this water already.

Cllr Carrington requested that NKDC be kept appraised, he stated that SuDS are mandatory and that means no more unattenuated free discharge would be allowed.

Following discussion Members APPROVED the adoption of the watercourse and scheduling for maintenance on receipt of the commuted sum of £53,406.88 and on completion of the scheme.

**2322 Any Other Business.**

There were no further items of business and the meeting closed at 16:20.

**2323 Date, Time and Place of the Board's Next Meeting.**

The Board's next meeting was confirmed for Tuesday, 26<sup>th</sup> November 2019 at 2pm in Branston Booths Village Hall.

..... Chairman ..... Date  
W1st BM 24.09.19