

Minutes of the seventy sixth meeting of Witham Third District Internal Drainage Board held on Tuesday, 24<sup>th</sup> April 2012 at Fiskerton Village Hall.

PRESENT: Mr. J.C. Smithson (Chairman).  
Mr. P.R. Hoyes (Vice Chairman).  
Cllr. D.B. Jackson.  
Cllr. P. Vaughan.  
Cllr. R. Coupland.  
Cllr. G. Hewson.  
Cllr. Mrs. I. Parrott.  
Cllr. C.J. Darcel.  
Mr. W.S. Crane.  
Mr. J.R. Garner.  
Mr. R. Armstrong.  
Mr. M.I. Thomas.  
Mr. R. Weightman.  
Cllr. Mrs. F.M. Martin, M.B.E.  
Cllr. P. Phillipson.  
Cllr. R. Curtis.  
Cllr. M. Harness.  
Mr. R.P. Hairsine.  
Cllr. D.R. Hoyes, M.B.E.

In Attendance: Jane Froggatt, Chief Executive  
Martin Shilling, Director of Operations.  
Robert Spaight, Senior Finance and Rating Officer.  
Anna Wilson, Finance and Rating Assistant.

2053 Apologies.

Apologies for absence were received from Mr. I. Fleetwood, Cllr. W.H. Gray, Cllr. Mrs. L.J. Marfleet, Mr. P.M. Good, Cllr. J. Boyle and Mr. N.E. Ward.

2054 Declaration of Interests.

There was no declaration of interests, except membership of Local Authorities.

2055 Minutes of the last meeting.

The minutes of the Board meeting held on Tuesday, 31<sup>st</sup> January 2012 were approved as an accurate record and actions arising from them were confirmed as completed.

2056 Minutes of the Joint Administration Committee.

The minutes of the Joint Administration Committee held on Monday, 16<sup>th</sup> April 2012 were approved as an accurate record. No matters arising from the minutes were raised.

#### 2057 Association of Drainage Authorities (A.D.A.) Seminar for Local Authority Members.

The Association of Drainage Authorities (A.D.A.) had held its annual seminar for Local Authority Members of IDBs in Peterborough on 29<sup>th</sup> March 2012. The Chief Executive had attended and five members from the three IDBs in Central Lincolnshire.

Presentation and discussion topics included the new partnership funding, Flood Defence Grant in Aid (FDGiA) regime at the Environment Agency for 2013/14, with bids for next year to be submitted by 15<sup>th</sup> June 2012. Defra representatives outlined progress on Sustainable Drainage Systems (SuDs) as consultation on draft National Standards had ended on 13<sup>th</sup> March 2012, with many comments received. Implementation of legislation on Private Sewers scheduled for 01<sup>st</sup> April 2012 was delayed to be linked to SuDs. Practical experiences of SuD schemes in Oxfordshire and Bedford group of IDBs had been outlined. The EA's national Assets Maintenance Protocol was presented such that cost/benefit analysis to be applied to future EA maintenance of assets and unless the asset is critical infrastructure or economical to maintain, the EA plans to withdraw from permissive powers to undertake works. This was not well received by the audience. Finally, the seminar received a presentation from Peter Bateson of Witham Fourth IDB and David Hickman of Lincolnshire County Council on the Lincolnshire Flood Risk and Drainage Partnership.

Members noted feedback from the seminar and two members who had attended emphasized the reaction of the audience as despondent to the EA's Asset Maintenance Protocol and also the need for more emphasis on water storage initiatives

#### 2058 Association of Drainage Authorities, Lincolnshire Branch AGM.

The Chairman, Vice-Chairmen, Cllr. Denis Hoyes, Chief Executive and Director of Operations had attended the A.D.A. Lincolnshire Branch AGM held on 19<sup>th</sup> April 2012.

Areas of presentation and discussion included the work of A.D.A. nationally by Ian Moodie, a report on the establishment of the Lincolnshire Flood Risk and Drainage Partnership by Steve Willis, Head of Highways and Flood Risk Management at Lincolnshire County Council, the trial in 2012/13 of Lincolnshire IDBs taking on Consents and Enforcements work for and on behalf of Lincolnshire County Council, the work of the Environment Committee from Martin Redding of Witham Fourth IDB, Lincolnshire Show Committee from Norman Osborne and Martin Shilling, the Pay and Conditions Committee from Karen Daft of Welland and Deepings IDB, the flood storage and alleviation schemes for Louth and Horncastle from Ian Russell of the Environment Agency and the Lincolnshire branch Accounts 2011/12 by Peter Bateson of Witham Fourth IDB and Branch secretary.

Members noted elections were made to the following roles at the AGM,

- Norman Osborne was re-elected Chairman of the Lincolnshire Branch.
- Richard Leggate was re-elected Vice-Chairman.

- Three Branch members were re-elected to serve Lincolnshire on the national A.D.A. Executive Committee namely James Epton, Richard Leggate and Peter Pridgeon.

2059 Participation in a twelve months trial of Lincolnshire IDBs acting for and on behalf of the Lead Flood Authority on Consents and Enforcements outside Drainage Districts.

A report was presented which outlined that from 06<sup>th</sup> April 2012 the Lead Local Flood Authority (LLFA) for Lincolnshire, which is Lincolnshire County Council (LCC), takes on new responsibilities for enforcement powers in the Land Drainage Act 1991 in relation to ordinary watercourses. Sections 21 and 25 responsibilities will continue to rest with IDBs within their Drainage district but LCC takes on those new responsibilities outside the IDB drainage districts (with the EA and the 7 District Councils losing these powers). Similarly, consenting duties under Section 23 (and related enforcement powers under Section 24) have rested with IDBs and the EA within IDB areas. Again, from 06<sup>th</sup> April 2012 IDBs will consent within their drainage districts and LCC will have consent duties in the rest of Lincolnshire which are to be delegated to the IDBs.

The IDBs in Lincolnshire were being asked by LCC to participate in a 12 months trial from 06<sup>th</sup> April 2012 to undertake consents and enforcements, within proposed extended catchment areas, for and on behalf of LCC. The Chief Executive and Director of Operations outlined some of the benefits and risks in participating in the trial but felt that on balance this is something IDBs should do to position themselves well as expert drainage bodies.

After much discussion, members endorsed the Board participating in the 12 months trial on the understanding that a Memorandum of Understanding is agreed between LCC and the Board and that if additional and necessary costs are incurred, in undertaking work outside the drainage district, these are reimbursed. Members also noted there would be a review of the trial at six months.

2060 Budget Monitoring 2011/12 to 29.02.12 (month 11).

Members received the in-year 2011/12 finance report to 29<sup>th</sup> February 2012.

It identified in terms of income that £919,478 had been achieved, with a projected income total to 31<sup>st</sup> March 2012 of £934,311. Against that, expenditure for the period was £832,915 with a projected year end expenditure of £878,181. All cost centres were reported as within budget for 2012/12 to 29<sup>th</sup> February, with no major costs pressures or overspends expected for month 12.

It was highlighted that the Board's Bond of £200,000 will mature in March 2012 at a rate of 2.35%. As previously agreed with the Board, the principal sum of £200,000 will be reinvested for a further 12 months at the best rate available from High Street Banks which is NatWest at a rate of 3%.

Members noted the finance report, with no questions raised.

#### 2061 Schedule of Expenditure January to March 2012.

The Board received a Schedule of Expenditure incurred for the period 01.01.12 to 31.03.12. As requested at the previous meeting of the Board, expenditure now also includes recharges. Accordingly, members noted that the total cost incurred in the 3 months period was £243,050.00, with £12,588.48 being recharged and thereby giving total expenditure attributable to the Board of £230,462.02.

#### 2062 Ratepayer Account Write-offs and uneconomical to collect accounts.

Members received a report detailing the accounts which are either uneconomical to collect or on which the Board has been unable to collect rates due and continued attempts at collection are deemed uneconomical proportionate to the outstanding balance.

The Board agreed to write-off 23 accounts totalling £33.87 as uneconomical to collect for 2012/13 (at under £2.50 each).

The Board agreed to write-off a further £153.18 of rates and £140.00 of costs on three historical accounts.

#### 2063 Pay Settlement for 2012/13.

A paper was presented which highlighted to members the work of the A.D.A. Lincolnshire Branch Pay and Conditions Committee. It had been announced at the Branch Meeting on 24.02.12 that the pay settlement recommended for 2012/13, applicable over all wage and salary scales from 01 April 2012 is 1.71%. This is the advisory settlement for year 3 of a three year pay settlement. In 2010/11 the settlement was 1.44% and in year 2 it was 1.89%. The recommended 1.71% for 2012/13 is calculated as 90% of the National Average Earnings increase, as published in The Sunday Times on the third Sunday in January.

It was confirmed that 2% pay uplift provision had been made in the 2012/13 budget, which therefore covers the 1.71% award.

Members agreed the 1.71% pay settlement for 2012/13 and tasked the Chief Executive with implementation across all wage and salary scales with effect from 01 April 2012.

#### 2064 Motor Vehicle Allowances.

A report was presented outlining the background to the "White Book" Motor Vehicles Allowances Policy and setting out options for members as to how they may wish to implement future arrangements.

The present system dates from 1996 when Lincolnshire IDBs established local pay and allowances negotiation arrangements with Trades Unions. The motor vehicles allowances were linked to motoring indices issued by the Office of National Statistics.

A.D.A Lincolnshire Branch embarked on a review of the allowances and a new motor vehicles policy was tabled at the Branch Meeting on 24<sup>th</sup> February 2012. Trade Unions were written to on 27<sup>th</sup> February and advised of the outcome.

It was explained that, whilst well intentioned the new scheme commended to Boards is causing some concern amongst the workforce, makes no provision for phasing in, does not include a no-detriment clause, does not give clear guidance on clarification of cars (moving away from 3 classes based on engine size to 4 wide-ranging bands based on new car purchase prices).

The options available to the Board were outlined. Full implementation of the new scheme could save the Board £5,271.86 per annum. However, the Chief Executive and Director of Operations suggested this savings figure should be weighed against the possible loss of workforce flexibility and productivity (eg. men could drive to the depot and require the Board to transport them to site in the Board's vehicles and in the Board's time).

A similar option would be full implementation of the new policy but with 12 months notice (as per the previous policy where both sides do not agree a new policy). This would be from April 2013 and afford a similar level of annual savings.

It was highlighted to members that it appears a number of Boards are moving to the new policy but implementing it in different ways, eg. 2 year travel allowance lump sum buy-outs, 7 years phased implementation. It was suggested that the Board could take this option and the impact per employee of a 5% reduction on the current scheme (ie. Pay 95% of current allowance only) was modelled.

As not all Boards in Lincolnshire are currently adhering to one "White Book" arrangement now for motor vehicle allowances, the Board could opt not to implement the new policy.

After full consideration and discussions of the issues the Board resolved to remain on its current travel allowance arrangements, not moving to the new A.D.A. Branch Motor Vehicles Allowances at present, but freezing the existing arrangement for 2012/13 with no uplift and reviewing the arrangement in one year taking into account then the legal advice being sought by the Trades Unions, what happens to the price of fuel and what implementation arrangements for the new policy are indeed made by other IDBs.

#### 2065 Elections Timetable 2012.

The Board received a proposed Elections Timetable for the 2012 Elections, with revised Board membership to run from 01 November 2012.

It was highlighted to members that the Nomination papers were due to be issued on 13<sup>th</sup> September with a closing date for receipt of 28<sup>th</sup> September. Any members for whom this caused a problem were asked to contact Witham House.

The Board approved the Elections Timetable and nominated the Chief Executive to fulfil the role of Returning Officer.

2066 Chief Executive's Report.

The Chief Executive highlighted items from the report, previously circulated.

Cllr. Mrs. Fiona Martin raised an issue from the report regarding heavy rainfall on 04 April 2012 impacting upon Horncastle Ings. The Foreman and operatives had worked with the Environment Agency to put in place temporary pumping capacity until after midnight. She wished to convey her personal thanks to the staff concerned.

2067 Report from the Director of Operations.

The Director of Operations' report previously circulated, was presented. He highlighted the Lincolnshire IDBs' stand at the forthcoming Lincolnshire Show on 20<sup>th</sup> and 21<sup>st</sup> June and the Board's stand at Woodhall Spa Show on 20<sup>th</sup> May. He went on to detail the outcome of the procurement process for a new weed bucket and recommended the Board purchases the Herder bucket from Mastenbroek at £5,150 plus V.A.T. This purchase was agreed.

2068 Schedule of Planning Applications.

The schedule of Planning applications received and comments submitted was received for information.

2069 Any Other Business.

The Chief Executive advised the Board that Dogdyke Pumping Station Preservation Trust would be hosting an open day on Sunday, 01<sup>st</sup> July 2012 at which they would be unveiling a plaque to the late John Porter, M.B.E. The Trust wishes to extend an invitation to the Board's members to attend.

2070 Date, time and place of next meeting.

The Board's next meeting was confirmed for Tuesday, 19<sup>th</sup> June 2012 at 11am in Fiskerton Village Hall.

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

JEF/KD  
15.05.12

