

Minutes of the one hundred and first meeting of Witham Third District Internal Drainage Board, incorporating the Annual Public Meeting, held on Tuesday, 21st November 2017 at Minting Village Hall, Lincolnshire, LN9 5RX.

Present:

Mr. R. Armstrong
Cllr. T. Ashton
Cllr. S. M. Avison
Mr. J. Boyall
Mr. B. Charlesworth
Mr. W. S. Crane
Cllr. I. G. Fleetwood
Cllr. Mrs. S. Gorst
Cllr. W. H. Gray
Cllr. W. Grover
Mr. R. P. Hairsine
Cllr. G. Hewson
Mr. P. R. Hoyes (**Chairman**)
Cllr. Mrs. F. M. Martin MBE
Cllr. G. McNeill
Mr. I. Parker
Mr. J. C. Smithson
Mr. M. I. Thomas (**Vice Chairman**)
Cllr. P. Vaughan
Mr. T. Williams

In attendance:

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

2580 Apologies for absence.

Apologies for absence were received from Mr I. M. Clark, Cllr. S. England, Mr. J. R. Garner Ms. J. F. Holland, Mr. D. C. Hoyes MBE, Mr. D. Jackson, Mr. P. A. Spilman, Mr. D. J. Straw, Mr. H. Ward and Mr. R. J. Weightman.

2581 Declarations of Interest.

Declarations of interest were received from members nominated by City of Lincoln, East Lindsey District and West Lindsey District Councils in matters relating to their respective Councils.

2582 Election of Chairman.

The Chief Executive invited nominations for the role of Chairman. Mr. Paul Hoyes was proposed and seconded and, there being no further nominations, elected unanimously for the forthcoming year.

2583 Chairman's Announcements.

The Chairman thanked members for electing him for a further year and thanked members and officers, particularly his Vice Chairman, for their support over the last year. He looked forward to working with everyone during the next year.

The Chairman advised members of the death on 09th November of Mr. Tony Worth, CVO. Tony was a former Lord Lieutenant of Lincolnshire and Chairman of the International Bomber Command Memorial Centre project. Tony died aged 77, after a short illness. Some members knew Duncan Worth, Tony's son who farms near Holbeach, is a member of South Holland IDB and is also the current Chairman of the ADA Welland and Nene Branch. Members expressed condolences to Tony's wife Jenny, to Duncan and the family.

2584 Election of Vice Chairman.

The Chairman invited nominations for the role of Vice Chairman. Mr. Max Thomas was proposed, seconded and, there being no further nominations, elected unanimously for the forthcoming year.

Max Thomas thanked members for re-electing him.

2585 Election of seven members to the Board's Standing Committee.

Seven members were proposed, seconded and there being no further proposals, elected to the Standing Committee for the forthcoming year to November 2018. These were the Chairman (Paul Hoyes), Vice Chairman (Max Thomas), Mr. Bob Armstrong, Mr. Ian Clark, Mr. Denis Hoyes, Cllr. Ian Fleetwood and Mr. John C. Smithson.

2586 Election of three members and two deputies to the Joint Services Committee.

Three members were proposed, seconded and, there being no further proposals, elected to membership of the Joint Services Committee for the forthcoming year. These were the Chairman, Vice Chairman and Mr. Ian Clark. Cllr. Ian Fleetwood and Mr. Bob Armstrong were proposed, seconded and there being no further proposals, elected as the two members to deputise on the Committee.

2587 Board and Standing Committee meeting dates for 2018.

Board Meetings (Minting Village Hall at 10.30am):

- Tuesday, 30th January.
- Tuesday, 22nd May (please note the meeting will commence at 10am).
- Tuesday, 25th September.
- Tuesday, 27th November (+APM).

Standing Committee Meetings (Woodhall Depot at 10am):

- Tuesday, 16th January.
- Tuesday, 08th May.
- Tuesday, 11th September.
- Tuesday, 13th November.

It was noted that the joint Summer Inspection was planned for Wednesday 04th July.

After discussion, members APPROVED the meeting dates, as set out.

2588 Register of Members' Interests.

A copy of the Register of Members' Interests form had been circulated with the agenda. Members were requested to complete this, returning it to Witham House, so that an up-to-date Register is maintained. Members were advised of the importance of this being an accurate record. The information in the register may be subject, for example, to an F.O.I. request and public disclosure and the purpose of the Register is to protect both the Board and also an individual member.

2589 Minutes of the Board meeting, 19.09.16.

The Minutes of the Board's previous meeting held on Tuesday, 19th September 2017 were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

2589.1 Letter from JBA Consulting regarding NEL Board (minute 2567.1 refers).

It was confirmed that no response from JBA had yet been received to the rebuttal of their challenge to the model of Joint Services between the four Boards (rather than a procurement process by NELDB). Therefore, the Chief Executive confirmed that the matter was now considered closed.

2590 Minutes of the Standing Committee meeting, 07.11.17.

The minutes of the Standing Committee meeting held on Tuesday, 07th November 2017 were proposed, seconded and APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

2590.1 Elections 2018

Members were reminded that all four Boards' elections are due in 2018, with the new electoral period running from 01st November 2018. It was noted that an elections timetable will come to the January Board Meetings for approval.

2591 Chief Executive's Report.

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

2591.1 Internal Audit Service.

The Chief Executive advised that, following a joint procurement process for a replacement Internal Audit Service, the contract had been awarded to TIAA, at the Lincolnshire Clerks' meeting on 06.10.17.

It was confirmed that the length of the contract was five years.

2592 Financial Performance Report to 31st October 2017, Month 7 of 2017/18.

The Chief Executive presented the financial performance report to 31.10.17, month seven of 2017/18, which had been circulated with the agenda.

The budget profile anticipated a 31.10.17 surplus of (£399,364) in comparison with the actual surplus position of (£470,082). Hence, there was a positive variance of (£70,718) at this point in the year. This was a pleasing position at this point, summarised as follows:

	2017/18 Estimate	Profiled Budget	Actual	Variance
	£	£	£	£
Income	(1,100,807)	(1,040,946)	(1,124,046)	(83,100)
Board & General Admin	22,380	10,766	10,373	(393)
One Off Schemes	9,000	0	0	0
Conservation	2,000	1,505	1,275	(230)
Depot	30,389	21,421	36,978	15,557
Drains	493,205	302,984	280,180	(22,804)
Pumping Stations	211,852	93,692	97,242	3,550
Joint Admin/Witham House	124,400	91,449	104,940	13,491
Consents & Enforcement	14,049	23,279	24,033	754
Director of Operations/Engineers	71,275	42,824	38,555	(4,269)
Contrib to Reserves/Pay Contingent	0	0	0	0
PWLB	0	0	0	0
Rechargeable Works	15,000	9,985	38,412	28,427
EA Precept	107,257	53,629	52,577	(1,052)
FRS17 Pension Adjustment (net)	0	0	0	0
Wages & Plant Holding Account	0	(9,952)	(30,603)	(20,651)
(Surplus)/Deficit	0	(399,364)	(470,082)	(70,718)

On income, overall at this point in the year there was a (£83,100) positive variance. Most income streams were accounted for in terms of Drainage Rates, Special Levy received from each of the three Councils, Rechargeable Works income and Highland Water Monies.

Highland Water claims had been submitted to the Environment Agency and paid for the balance of 2016/17 actual (£82,873) and for 80% (£140,000) of the 2017/18 claim Estimate (£175,000). The balance adjusted for actual 2017/18 spend will be payable in September 2018. This has given a positive variance of (£45k), a significant proportion of the (£83.1k) income variance.

On drains and Pumping Stations there were savings of (£11) on electricity, overtime (£5k), fuel (£3k), depreciation (£5k), Insurance (£1k), materials (£2k) and plant hire (£2k). There was also variance on wages and plant recharges, with additional works to provide new mess room facilities at the Depot leading to a negative variance of £16k.

On drainage rates performance for 2017/18, as at 01.11.17 there was good collection rate of 98.1% (compared with 99.9% at the same point last year). First reminders were posted to account holders on 10.08.17 and final reminders on 21.09.17. All outstanding queries on accounts were now resolved and a Court date had been set for 04.12.17. All historical outstanding rating queries were resolved and only land transfers in year were being actioned. Credit was paid to the two Finance and Ratings Officers, Anna Wilson and Lorraine Sayce for their work in resolving the queries.

Bank balances and investments were set out as follows, as at 01.11.17:

Natwest	£ 461,196.62
Co-op (Closed)	-
Nationwide Instant Access	£ 506,493.22
Nationwide 95 Day Notice	£ 511,368.10
Total	<u>£ 1,479,057.94</u>

Whilst this is a very healthy current position, it was highlighted that it included most drainage rates income and the second tranche of Special Levy payments from all three Councils. There would be no further significant income anticipated until May 2018, so balances would reduce over the next few months.

Members received and NOTED the financial position of the Board to 31st October 2017.

2593 Schedule of Expenditure, 01.09.17 to 31.10.17.

The Schedule of Expenditure for the two months' period 01st September to 31st October 2017 had been circulated with the agenda and was presented by the Chief Executive.

Gross expenditure totalled £227,141.45 or, net of £14,857.46 VAT, £211,911.56. Of this, £24,212.60 was recharged to other bodies.

Items highlighted to or raised by members included:

- item 37 - £2,000 (net) to Grant Thornton UK LLP, for the external audit fee on 2016/17.
- items 48 & 49 - to Inspiring Lives Ltd for external HR Support. Cllr. Grover queried these payments, with the difference in monthly amounts being explained that the work was done as required, with further support provided in August rather than the usual two days per week.
- items 149 - £500 (net) to University of Hull. This was an Eel and Pumping Station project to which most IDBs had made the same contribution.

Members received and NOTED the expenditure incurred between 01.09.17 and 31.10.17.

2594 Health and Safety.

An update on Health and Safety matters had been circulated with the agenda and was presented.

Cope Health and Safety Ltd, the current external contractor to three of the four Boards had completed all Annual Reviews with Jane Froggatt, Martin Shilling and Ian Coupland. Risk Assessments were reviewed, and changes made to the following risk assessments along with their Safe Systems of Work (SSOW): Provision of PPE, Driving / working on public highway, operation & Maintenance of Diesel Pumps & Stations, Clearing Dykes, Avoidance of Underground and Overhead Powerlines.

Some of the issues discussed included:

- The lone worker Buddy system introduced in summer 2017 would be reviewed on 06.12.17.
- The Overhead Cable Avoidance course had been completed for the year and all Operatives would be able to continue to use the Suparules provided to measure overhead cables, allowing them to work under and parallel to overhead cables.

Members received and NOTED the update on health and safety.

The meeting was adjourned at 11:15 to allow Mr. John Smithson to leave the meeting, after becoming unwell. The meeting reconvened at 11:20.

2595 Financial Regulations and Statement of Internal Control.

A revised set of Financial Regulations and Statement of Internal Control had been circulated with the agenda together with an accompanying summary of the main proposed changes from the previous version approved in November 2015.

It was outlined that the main purpose of the updates was to further clarify guidance, e.g. in paragraphs FR 4.2 and FR 4.3 on how to deal with inter bank transfers. At paragraph FR 7.5 the wording had been changed to refer to generic 'merchant services', rather than specifically to 'Worldpay' the current card services provider. Paragraph FR 7.9 specified the threshold at which cash should be banked by Witham House staff at £1,000 aggregate.

Following discussion members APPROVED the Financial Regulations subject to a minor change to wording in the final paragraph, FR24.1 to state: "These Regulations, approved by the Board in November 2017 would therefore require review by no later than November 2020". It was noted that these would be uploaded to the Witham Third Board's website at www.witham-3rd-idb.co.uk

2596 Treasury Management (Investment & Borrowing) Policy.

The report had been circulated with the agenda and the Chief Executive introduced this new policy by advising members of its main objectives, namely:

- Ensuring Boards have sufficient day to day cash flow to meet their obligations
- To diversify risk by spreading surplus cash across a sufficient number of counterparties
- To borrow, if required, in the most prudent way (although the process for borrowing is largely prescribed for IDBs in the Land Drainage Act 1991).

Further objectives included:

- Maintaining bank balances at optimum operational amounts
- Investing 'core cash' rather than holding it in current accounts
- Protecting the amount (capital) invested
- Maintaining liquidity
- Considering various funding options for capital purchases.

It was outlined that this Policy was an abridged version of that which Council nominated members would be familiar with in Councils, given the comparative investment values and risk. Members APPROVED the Treasury Management (Investment & Borrowing) Policy which would be uploaded to the Board's website www.witham-3rd-idb.co.uk

2597 ADA Lincolnshire Branch's Recommendation for the Pay Settlement 2018/19.

A report had been circulated with the agenda. The Chief Executive advised members that the ADA Lincolnshire Branch met on 19.10.17 and agreed the pay settlement for 2018/19, as recommended by the Pay and Conditions Committee meeting on 20.09.17.

As staff pay was, however, a matter reserved to individual Boards, each Board was asked to adopt the pay settlement for 2018/19 as recommended by the ADA Lincolnshire Branch meeting of 19.10.17. This was as follows:

If the Public Sector Pay Cap is still in force then a 1% pay award will be applied across all rates.

If the Public Sector Pay Cap is lifted then 90% of the National increase in annual earnings, as published in the Sunday Times on the last Sunday in January, will be applied across all rates.

The committee recommend that all employee's positions are reviewed and assimilated onto the White book spine points where a Board has not already completed a Job evaluation exercise.

Members AGREED to adopt the ADA Lincolnshire Branch settlement as set out.

2598 Director of Operations & Engineering Services' Report.

The Director of Operations and Engineering Services' Report had been circulated with the agenda and was presented, together with a verbal update.

- **Planned Maintenance Programme**

The planned summer maintenance programme had continued throughout the period with the vast majority of the drains accessed from arable land completed, apart from late cropping (sugar beet) fields. Conditions had remained favourable, on the whole, with only sporadic short periods of heavy rain to cause delays to progress. There had been isolated occasions when the workforce had been employed in clearing 'bridge ends' ahead of, or immediately after, these events.

The watercourses that will form the winter maintenance programme this coming season are:

- North Delph 10.2km
- Swine Syke / Reeds beck 4.04km
- Tumby Drain 1.23km

The work planned includes de-silting of the channel bed to reinstate the original drain profile, the repairing of slips and the removal of bushes and trees that will be obstructing access for the Board's plant and machinery. Formal Notices had been sent to the occupiers of the land to which entry will be required and advising those opposite the intended working sites that work will be undertaken during the winter months.

- **Plant**

As previously reported, an order had been placed with Chandlers Farm Equipment for the replacement of the tractor/flail combination purchased in 2009. This planned purchase of the tractor/flail combination was due for delivery in December. The delay in receiving the vehicle was caused by a delay in delivery of the tractor from the Massey Ferguson factory in France to the Herder factory in Middleburg, Holland. The delivery route included an unscheduled stop-over in Essex, therefore the original slot for fitting the flail at the Herder factory was lost.

The plant fleet had performed well during the period with only a sensor requiring replacement on the Atlas 150W. This was replaced by Deutz-Fahr free of charge, under warranty.

Invitations to tender had gone out for the provision of a new tractor/flail combination in line with the agreed plant replacement programme for next year, 2018/19. This purchase will

replace the Massey Ferguson 6485 & Herder Grenadier MBK518LS purchased in 2010 and is scheduled for delivery by 30th June 2018.

- **Pumping Stations**

Coningsby pump no.1 had been re-commissioned after the replacement of the bearings to the top of a pump and motor, due to there being a lack of lubrication applied (this pump was lifted in October 2015). This work was done with the pump in situ at a cost of £980.

Dogdyke pump no.1 motor had been reinstalled following a factory based test and inspection. However, it was still apparently drawing a higher amount of amps when in use than expected. Further investigations were in hand to identify the cause of the fault, but the cost to date was noted at £7,776 (+VAT).

Shortferry pump no.2 had seized. Upon investigation and testing on site, an obstruction was removed and the pump now operated as normal. The cause of the obstruction was not identified.

- **Public Sector Co-operation Agreement**

The Board had continued to complete maintenance work on behalf of the Environment Agency. The Board's workforce had completed obstructions runs and hand work on Welton Beck and Thunker Drain, with vegetation clearance on Snakeholme Drain and Tilehouse Beck. Work on the embanked section of Duckpool Catchwater was completed earlier in the season. This work was undertaken by the Board's workforce to a programme and specification agreed with the EA, such that it coincided with the Board's own summer maintenance programme.

The Board continued to seek the award of work over longer periods rather than the annual award that occurs at present. However, the EA was currently unable to do this.

- **Catchment Studies**

The Board's officers had provided comments and clarifications with regard to the text of the draft JBA report, how various structures have been modelled and the resulting flood outlines predicted by the model. These will be considered and responded to by the consulting engineers, Jeremy Benn Associates Ltd in order for the two catchment study reports to be finalised for the Dogdyke & Marsh Lane Catchments and Stixwold, Southrey, Woodhall & Kirkstead Catchments.

- **Workforce**

The Board's Pumping Station attendant, Roy Creasey, remained on long term sick leave. Roy had been on sick leave since 30th January 2017 and was receiving treatment for a longstanding condition. The Board's Operations Manager and HR Consultant have undertaken welfare visits with Roy and his colleagues within the workforce keep in regular contact. Adrian Skelton had come off the Atlas 150w wheeled machine and was looking after the pumping stations. New starter Tony Steels was on the Atlas 150w machine.

- **Study Tour Amsterdam November 2017**

The Chairman, accompanied by the Chief Executive and Director of Operations and Engineering, participated in a tour of a number of sites relevant to the work of Drainage Boards in and around Amsterdam between 31st October and 2nd November.

The tour was arranged by the Lincolnshire Branch of ADA and included visits to the FloodEx exhibition in Amsterdam, a beach re-nourishment scheme, demonstrations of partnership

working in providing disaster response to flood events, coastal embankment assessment & refurbishment and water saving techniques used in the operation of large green house operations

Cllr. Mrs Fiona Martin raised the issues of future maintenance and also a post-project review of the Horncastle Flood Storage Scheme. Members were advised by the Chief Executive that this issue be raised with officers from the Environment Agency at a meeting scheduled to be held at Witham House on Monday 27th November 2017 with Norman Robinson the EA's Area Director for Lincolnshire and Northamptonshire.

Members received and NOTED the report and presentation.

2599 Engineering Services Report.

The Engineering Services Report had been circulated.

Members were advised that the Board had objected to the proposed development, TD-3640-2017-PLN, for the erection of 14 dwellings on Elmhirst Road, Horncastle because there had been no surface water details included in the application. This site was due to be discussed at the East Lindsey District Council PAD (Pre-Application Discussion) meeting on 07th November 2017.

It was also highlighted to members that a planning application had been received for the proposed Marina at Cherry Willingham, to which the Board intends to object. The detail within the application was insufficient and there had been identified flows with breach predictions. A meeting to discuss this potential development was planned for on 04th December 2017.

Members received and NOTED the report and the comments submitted to Local Planning Authorities.

2600 Consents and Enforcements Report

The Consents and Enforcements Report had been circulated with the agenda. This is summarised as follows:

Byelaw Consent Applications

Reference	Location	Applicant	Details	Date
TD-3703-2017-CON	Bardney Abbey Drain, 57 Abbey Rd	Mr & Mrs M Smith	Extension to dwelling	26-10-17

Section 23 Land Drainage Act Consent Applications – District

Reference	Location	Applicant	Details	Date
TD-3705-2017-CON	Witham Road, Woodhall Spa	Broadgate Homes	15no. access culverts	

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
TE-3633-2017-CON	Cherry Willingham	Pride Homes	Attenuated discharges	25-09-17
TE-3680-2017-CON	Wickenby	AMCO Rail	Lining of culvert	

Enforcement Issues – District

Reference	Location	Description / Comments	Actions
TD-3222-2017-ENF	Paul's Lane Tattershall Thorpe	Possible blocked culvert causing field flooding	Awaiting LCC to jet road culvert
TD-3399-2017-ENF	2 Elm Drive Sudbrooke, Lincoln	Erosion of bank	Monitoring
TD3439-2017-ENF	32 Hunters Lane Coningsby	Possible maintenance required in watercourse	Awaiting work to be completed
TD-3701-2017-ENF	Watercourse Claybridge/Torrington Beck. A158	Bank slip	Awaiting remedial works

Enforcement Issues – Extended Area

Reference	Location	Description / Comments	Actions
TE-3250-2017-ENF	Doddington Road, South Willingham, Louth	Overgrown watercourse & blocked road culvert	Culvert has been cleared but not maintenance to watercourse
TE-3251-2017-ENF	29 Norman Way, Bardney, Lincoln	Possible maintenance to watercourse	Monitoring
TE-3322-2017-ENF	Lincoln Road, East Barkwith	Possible maintenance to watercourse	Contacted land owner awaiting response
TE-3359-2017-ENF	Lemar, North Road, Tattershall Thorpe	Stagnant water in watercourse	Investigations on going
TE-3658-2017-ENF	The Sewer Woodhall	Fallen tree	Awaiting response from land owner

Members received and NOTED the report.

2601 Any Other Business

There were no further items of business and the meeting closed at 12:30.

2516 Date, Time and Place of the Board's Next Meeting.

The Board's next meeting was confirmed for Tuesday, 30th January 2018 at 10.30am in Minting Village Hall.

..... Chairman Date
W3rd BM 21.11.17.

UNAPPROVED