WITHAM THIRD DISTRICT INTERNAL DRAINAGE BOARD

Minutes of the one hundred and eleventh meeting of Witham Third District Internal Drainage Board, held on Tuesday, 30th June 2020 via video conference at 09.30am.

Present:

Cllr. T. Ashton

Mr. I. M. Clark

Mr. W. S. Crane

Cllr. I. Fleetwood

Cllr. W. H. Grav

Cllr. Mrs. C. Grimble

Mr. R. P. Hairsine

Cllr. G. Hewson

Mr. P. R. Hoyes (Chairman)

Mr. J. Huthwaite

Mr. D. Jackson

Cllr. T. Kemp

Cllr. Mrs. F.M. Martin MBE

Mr. S. Matthews

Mr. I. R. Parker

Cllr. P. Vaughan

Mr. R. J. Weightman

Mr. T. Williams

In attendance:

Miss Jayne Flower Executive Assistant
Mrs Jane Froggatt Chief Executive

Mr. Chris Harris Internal Auditor, TIAA

Mr. Guy Hird Engineering Services Officer

Mr Steve Larter Director of Finance and Governance

Mr Martin Shilling Director of Operations and Engineering Services

2793 Apologies for absence.

Apologies for absence were received from Mr B. Armstrong, Cllr. S. Avison, Mr. J. Boyall, Mr. B. Charlesworth, Cllr. S. England, Ms. J. Holland, Mr. D. C Hoyes MBE and Mr. M. I. Thomas (Vice Chairman).

2794 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.

2795 Chairman's Announcements.

The Chairman welcomed everyone to the Board meeting, the first time that Witham Third had conducted its meeting by videoconference.

A welcome was extended to new member Mr John Huthwaite, who joined the Board as a representative for the electoral district of Kirkstead.

The Chairman further welcomed Internal Auditor, Mr Chris Harris, to the meeting.

2796 Revised Standing Orders.

A report and accompanying proposed revised Standing Orders had been circulated with the agenda.

The Chief Executive advised members that on 23rd March 2020, the PM announced that people should stay home in order to stay safe, reduce the transmission of Covid-19 to others and to reduce the burden on the NHS. The national lockdown started on 24th March bringing certain challenges to all, both personally and in undertaking work duties. However, Officers and Staff remained under clear Government instruction to stay home and only leave home for essentials such as food or medicine, for work [when that work cannot be done at home and it is essential to do it] or to exercise. The scheduled May Board meeting was post-poned and rearranged for 30th June, planned as a meeting via videoconference.

The IDBs received confirmation in early April that the statutory reporting deadlines would be extended by three months for all Category 1 and 2 public authorities. This included IDBs. This gave the 4 Boards the fall-back position that ADA and SAAA had been seeking in respect of specified deadlines that are part of the Accountability & Governance Annual Return [AGAR] process.

Local authorities were provided with Regulations to enable Council meetings and committees to be held remotely by teleconference or WebEx. IDBs were not included in these.

However, ADA continued to discuss potential amendments with Defra, including those required to IDBs' model Standing Orders to enable IDBs to hold their Board Meetings virtually by WebEx or teleconference facilities, akin to the flexibility afforded to other parts of local government. ADA encouraged Defra to provide a straightforward procedure that would enable IDBs to adopt proposed new paragraphs within their Standing Orders quickly and easily.

On behalf of each of the 4 Chairmen, the group of Witham & Humber IDBs requested via ADA that the Defra Minister approve an amendment to each IDB's existing approved Standing Orders to introduce new rules 28 and 29. The basis of the amendment requested and the certificate of approval requested was, given the current circumstances in respect of Covid-19 virus and the restrictions in the UK on meetings in public, to provide flexibility to each Board to be able to convene and host on-line meetings in order to conduct the Board's business.

Ministerial approval for the revised Standing Orders, including new rules 28 and 29, was granted on 17.04.20 with an appropriate certificate of approval for each Board.

Chairman's action in seeking Ministerial approval for revised Standing Orders was ratified by the Board. The Board APPROVED and ADOPTED the revised Standing Orders, enabling online meetings to be convened for the conduct of business until 07.05.21.

2797 Minutes of the Board Meeting, 28.01.20.

The Minutes of the Board's previous meeting held on Tuesday, 28th January 2020 had been circulated with the agenda and were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

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

2798 Chief Executive's Report.

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

2798.1 Covid-19.

When the Boards approved the revised Risk Register in January 2020, we did not foresee the significant risk of the impact of the Covid-19 pandemic on our business continuity. Nonetheless, arrangements had been put in place to enable a skeletal service to continue for the 4 IDBs since the PM announced the pandemic lock down on 23rd March and that everyone should stay home, stay safe and protect the NHS In the 3 Boards with a direct workforce, Operatives have been rostered for and worked a different working pattern. They worked from home, avoiding use of the depots and shared mess room/ lavatory facilities. They went straight to work from home, and each covered part of the drainage district, with priorities being the checking and maintenance of pumping stations, the checking of watercourses with obstruction runs and checks on culverts and the clearance of weed screen debris. In order to maintain safe working practices, there has inevitably been additional cost. We are operating a single cab use policy [so there is some duplication in journeys and fuel usage], have purchased additional hand tools to equip Operatives to take these straight from home in work vans and we have provided additional PPE including hand sanitiser gels, gloves, wipes and face masks available to all staff. In NELDB our contractor Eric Carnaby and Son Ltd had completed the summer 2019 programme [£118k], extras to the contract at £4k, winter 2019/20 works [£8k], bank slip repairs [£4k] and PSCA works at £84k for the Environment Agency. The 4 IDB depots were not closed to staff, they were there for use as needed, but they were closed to visitors unless by prior arrangement.

From Monday, 18th May, following the PM's announcement of some easing of lock down arrangements, Operatives had returned to a wider range of duties but again, risk assessments and method statements have been undertaken and Operatives are working in pairs to minimise the risk of cross-infection and the impact on our workforces should any member of staff have Covid-19 symptoms.

Those staff based at Witham House office have worked from home since 24th March, following the PM's announcement, staff taking home their ICT equipment and the Unity phone app being installed to enable the office number 01522 697123 to be answered remotely during office hours. The Boards have supported flexible working practices, recognising that staff have had home schooling and carer responsibilities, and pleasingly the essential work has been done. The office at Meadow Lane in Hykeham has been closed to visitors, but staff have operated a booking policy to use office facilities when necessary [e.g. to access hard copy records, to seal legal agreements, to use photo copiers, the franking machine, to collate and despatch the hundreds of drainage rates invoices for the 4 Boards in April, to process the payroll each month, to receive and scan post received and distribute it]. National guidance remains to work from home wherever possible and this continues, staff using Witham House have agreed preferred working days and practices which mean we minimise the number of staff present at any one time and can observe social distancing. These are very different ways of working and fortunately there was a 'New Ways of Working Group' established to contribute to our move to the new Witham House office in mid-February. This forum has

contribute, as we continue to have a videoconference zoom meeting every Tuesday. Management Team has met weekly each Thursday, again using zoom video conferencing, and a standing agenda item is Covid-19 and a review of our arrangements. On behalf of the 4 Boards, we have subscribed to zoom for 12 months at a cost of £1,294.92, enabling unlimited usage and sufficient participants to meet our 4 Boards' meeting requirements. There is an additional cost too in equipping staff with mobile phones and in additional ICT equipment. But it does provide for more flexible, agile working post Covid-19 and will undoubtedly change and modernise working practices. For example, all external meetings have been cancelled but have been largely rearranged as video conferencing meetings, e.g. ADA national meetings.

There had been some interruptions to services and some things had taken longer than we would wish, e.g. we have found a number of companies to whom we have issued 'invitations to tender' to provide services are unable to respond and some of our pumping station works have slowed as contractors have furloughed their staff [e.g. the refurbishment of W3rd's Stainfield PS, where the pump baring has now been repaired by Perry's Pumps Ltd (£1,322) and the electrical motor is repaired by Axflow of Huddersfield (£4,058), but we await completion of the MCC before the PS can be operational again [following the EA main river Barlings Eau bank breach which caused the station to be inundated by flood water Mobile pumps remain in situ].

Nonetheless, our priority has been to provide our staff with a safe system of work, to comply with national guidance and to preserve the ability to respond to an emergency flood event, when necessary, whilst continuing to provide a skeletal service.

2798.2 Plant & Machinery.

The Witham Third Volvo long-reach machine which was damaged in a near-miss incident [when it sank into the bank on North Delph in December, requiring ABBA plant hire to extract it] has been repaired by SMT in Immingham and is once again operational. This is the machine Witham Third is keeping as additional resource in the fleet when the new Volvo machine is delivered for the summer season this year. The new Volvo LR EC220ELR excavator at £154,150 [net] is due to be delivered imminently.

An additional tractor and front flail had been purchased, in consultation with the Chairman, in June 2020. This is outside the approved plant programme for 2020/21 and is an additional purchase. The reason for this purchase was the hire cost of yet again hiring in a tractor for at least 20 weeks. When prices were compared of so doing at £575pw and assuming a lifetime use of a used tractor of 10 years, it was less expensive to purchase a used tractor and put a new front flail on this together with the existing offset rear paddock flail. This avoids the hire this year of a tractor and frees up the older Massey Ferguson tractor to be fitted with the existing side flail. Three quotations were obtained by the Operations Manager on used tractors suitable for use with a front flail and the existing paddock flail [a Kubota, a Massey Ferguson and a John Deere]. After comparison, the John Deere 6155M tractor [OY18 FMG] was purchased from Falon JD dealership of Newark at a cost of £62,750 [net] and a new Bomford Euro 280 front flail at £5,350 [net]. The tractor was delivered on 09.06.20. It will run on white diesel and fulfil the role of general haulage tractor outside the weed cutting season.

Mr Ian Parker enquired about the particular tractor for haulage, as he felt that this was not an efficient machine for this purpose. It was confirmed that the prime purpose for the machine was for flailing. Any winter work that it undertook would be secondary.

2798.3 Public Sector Co-Operation Agreements.

The PSCAs for the 4 IDBs expired on 30.11.18 and extensions were granted to enable works to continue. There has been considerable discussion about these agreements, with concern amongst many IDBs nationally that the PSCAs were not reflecting the nature of partnership working between partner Flood Risk Management Authorities [FRMAs], but were being redrafted by the Environment Agency to be more like contracts with their framework contractors. We certainly had issues with some of the content, as seen in the August 2019 drafts, where it was specified that IDBs would provide a 24/7 call- out service to the EA with a 2 hours response time. After much discussion, including a meeting on 05.12.19 between IDB representatives and the EA [facilitated by ADA], some changes were made to the schedules to the PSCAs. Some of the changes requested by IDBs were not accepted and there remains further discussion to conclude working definitions of CDM regulations [ADA has established a working group and the 4 Boards' Operations Manager has joined this]. However, on balance, and in the interests of enabling PSCA work to continue, the Chief Executive had signed the revised PSCAs at the end of May. These would run until 31st March 2025. A considerable amount of work was being undertaken by each Board in 2020/21, in total the estimated works value across the 4 IDBs is £600,000 with a large increase in Witham Third DIDB's commitments for the EA this year.

2798.4 <u>Upper Witham New Depot & Joint IDB Office Scheme – Taylor Pearson</u> update.

Following a Business Case and procurement process to select a preferred contractor, Upper Witham IDB's JCT demolition and build contract with Taylor Pearson [Construction] Ltd (TPCL) commenced on 01st May 2019, for a 40 weeks period to 05th February 2020.

Office staff began the relocation phase from the old offices at J1 The Point, Weaver Road, to the new offices and depot on Meadow Lane, from the week commencing Monday 10th February 2020, with staff being fully relocated by Thursday 13th February 2020. Some TPCL staff remained on the Meadow Lane site, finishing remaining contract items and work started on checking and formulating a snagging list. The sale of the former office at J1 The Point completed on Monday, 17th February at a sale price of £255,000, which has been paid into a capital reserve for Upper Witham IDB.

Due to the COVID-19 pandemic and following Government guidance, the site was closed to visitors and office staff began to work from home on 19th March 2020. With TPCL making the decision to remove their staff from the site on 24th March 2020, the day that national lock down formally commenced.

Client-side progress report meetings had been held every 2 weeks between the Project Manager [Garry Winterton, Enforcement Officer and Building Inspector by background], the Director of Finance and Governance and the Chief Executive, to ensure transparency and control in that any variations authorised by the client representative were agreed by senior management.

Following legal advice from the Board's solicitors, TPCL were issued with a 'Notice of Non-completion' on 7th May 2020 which in effect required a response from them within 14 days for the completion of the remaining items contained within the original JCT Contract.

Contractual Items Outstanding were:

- Tarmac Entrance Bell Mouth
- Painting to workshop floor
- Workshop area heating system
- White Lining to carpark & Health & Safety markings
- Various snagging list items

On 15th May 2020, TPCL entered administration.

On 21st May 2020, JW Butler and AJ Nichols of Redman Nichols Butler were appointed joint administrators for TPCL.

The Board's Solicitor is awaiting a report from the Joint Administrator who appointed Quantity Surveyors to report on the viability of TPCL. This surveyor's work commenced on Tuesday, 26th May 2020 and we are advised that it may take a few weeks before, based on the surveyor's report, the Board will know whether TPCL continues as a going concern or alternatively is put into liquidation. Whilst we await this outcome, it is noted that the assets of TPCL were auctioned online on Monday, 15th June 2020. Officers will continue to liaise with the Administrators to see whether the contract will be concluded. If not, the monies not yet paid to TPCL: will be utilised to complete any necessary outstanding works.

The bulk of the contractual works have been completed and there is a further £38k due to be paid to TPCL for outstanding works yet to be completed under the contract and retention monies are being held at 2.5%. There is a further £2.5k due to TPCL for acting as Principal Designer. The payment of these monies will only be due if the administrators agree TPCL is able to complete the contract.

The Board's officers are receiving phone calls from a number of TPCL's sub-contractors stating that they have not been paid for works completed [e.g. the main entrance gates, electrical installation, fire safety works etc], despite the Board [Upper Witham IDB] having paid TPCL for these works. At this stage, whilst sympathising with these sub-contractors, we are advising them to contact the joint administrators for TPCL with details of their claim as the Board has paid TPCL for all works completed including these items.

2798.5 EA Meeting

Officers continue to work with the EA and have again requested sight of the 200 plus sites where they have identified recovery works are required following the flood events of Autumn 2019. It is essential to understand the detail of the recovery programme and how this will affect the Boards.

2798.6 NFU Lincolnshire Water Group

Simon Fisher, NFU, has convened a Lincolnshire Water Group, with a remit to consider issues relating to both flood and drought. The first meeting will be 14.07.20.

Members received and NOTED the Chief Executive's report and verbal update.

2799 Independent Internal Auditor's Report on 2019/20.

A report had been circulated with the agenda and was introduced by the Internal Auditor, Chris Harris of TIAA. Pleasingly, his overall assurance rating for 2019/20 was 'Substantial', which is the highest level of assurance. On this basis, he had also been satisfied to complete the Audit Certificate, part of the AGAR for 2019/20.

He attended site at the new offices located at the Upper Witham IDB Depot on the 2, 3, 4 and 6 March 2020. Whilst on site a physical inspection of those assets recorded in the asset register for Upper Witham IDB was undertaken, where they were inspected and confirmed to exist. The key outcomes from the audit were as follows:

- 1. The overall assurance opinion for 2019/20 is Substantial Assurance and no recommendations have been made this year.
- 2. Good corporate governance is practiced by the Board with appropriate Board involvement
- 3. The accounting records are all in order, up to date and in balance.
- 4. A number of outstanding recommendations from previous audits relating to policy and procedures are due to be reported to the May 2020 Board.
- 5. A detailed review of Health and Safety identified a well organised and managed system for Health and Safety compliance.

Members noted the summary of key findings and conclusions in the 2019/20 Internal Audit Report. It was noted that on item 4, the Handbook of policies would go for consideration to the Joint Services Committee meeting on 20.07.20. The Chairman thanked Chris Harris for his detailed report and work through the year and noted he would remain for the meeting.

2800 Schedule of Expenditure, 01.01.20 to 31.03.20.

The Schedule of Expenditure for the three months' period 01st January to 31st March 2020 had been circulated with the agenda and was presented by the Director of Finance and Governance. The schedule relates to those invoices <u>paid</u> in the period (so, for example, electricity costs at Pumping Stations for March would not be received and paid until April).

Gross expenditure totalled £580,928.32 or, net of £50,786.57 VAT, £530,141.75. Of this, £71,063.03 was recharged to other bodies.

Items highlighted to or raised by members included:

- Item 8: £3,645.00 (net) to Association of Drainage Authorities for IDB Membership for 2020.
- <u>Items 85 to 87:</u> £678.77 each (net) to Ford Lease (ADL Auto). Ian Parker asked why there was such a difference between this vehicle, the Ford Ranger and the Mitsubishi. It was confirmed that it was based on annual mileage.
- <u>Items 99 to 101:</u> £4,829.94, £3,164.50 and £4,173.90 (net) to Inspiring Lives Ltd for External HR Support. Cllr Hewson requested detail of what works were involved.
- <u>Item 102:</u> £18,363.00 (net) to Interlec Ltd for Southrey Pumping Station construction, installation and commission of a new pump control panel [MCC]. These works were subject to an Insurance Claim.

- <u>Item 150:</u> £4,411.06 (net) to LCS IT Solutions for the annual renewal of Office 365 subscriptions.
- Items 257 & 258: £16,419.70 and £38,863.16 (net) to Paktronic Engineering Ltd for works at Stainfield and Shortferry Pumping Stations, respectively.
- <u>Item 297:</u> £21,608.09 (net) to SMT GB for repairs to the Volvo machine, following the December 2019 incident when it was extricated from the bank. This is subject to recovery via insurance.

Members received and NOTED the expenditure incurred in the three months from 01.01.20 to 31.03.20.

2801 Financial Performance Outturn Report to 31st March 2020, month 12 of 2019/20.

The Director of Finance & Governance presented the Financial Performance Report to 31.03.20, month 12 of 2019/20. This had been circulated with the agenda. The summary was:

	1	2	3	4	5
	2019/20	Actual	Variance	FRS102	Estimate
	Budget			Adjusted	2020/21
	£	£	£	£	£
Income	(1,185,403)	(1,437,494)	(252,091)	(1,437,494)	(1,257,517)
Board & General Admin	21,260	20,797	(463)	20,797	19,260
One Off Schemes	90,000	10,107	(79,893)	10,107	85,000
Conservation	2,000	1,059	(941)	1,059	2,000
Depot	30,939	43,223	12,284	43,223	31,280
Drains	551,205	559,603	8,398	559,603	557,309
Pumping Stations	211,818	328,173	116,355	328,173	216,730
Joint Services (Administration)	123,881	147,024	23,143	168,729	144,615
Joint Services (Engineering)	94,003	97,563	3,560	110,991	99,678
Consents & Enforcement	14,290	12,103	(2,187)	15,912	14,388
PWLB			0		
Rechargeable Works	15,000	133,324	118,324	133,324	55,000
EA Precept	107,257	105,154	(2,103)	105,154	107,257
FRS17 Pension Adjustment (net)		0	0	(84,000)	-
Wages & Plant Holding Account	0	0	0	45,058	-
Operating (Surplus)/Deficit	76,250	20,636	(55,614)	20,636	75,000
Contribution to/(from) Reserves	(76,250)	(9,050)	67,200	(9,050)	(75,000)
Net (Surplus)/Deficit	0	11,586	11,586	11,586	0

In terms of the overall position, the Board has ended the financial year with a deficit of £46k which will be charged to the General Reserve.

On income, the approved Estimates for 2019/20 were (£1,185,403) full year, and an actual income to 31.03.20 of (£1,437,494), a positive variance of (£252,091).

On main categories of income, both tranches of Special Levies from the 3 relevant Councils had been received on 01.05.19 and 01.11.19.

Also, on income the Highland Water claim was submitted to the EA. Highland Water claims have been paid by the EA for the balance of 2018/19 actual (£44,962) and for 80% (£156,800) of the 2019/20 estimated claim (£196,000). The balance adjusted for actual 2019/20 spend has been calculated and a further (£50,192) will be payable by the EA in September 2020. This is (£32k) above what was budgeted for.

The JCB excavator had been traded in which achieved a net book surplus of (£2k) at (£35k) sale value.

On Drainage Rates income, of a total £188,219.75 raised for 2019/20, £183,631.08 income had been received as at 31.03.20, which is a collection rate of 96.9%. First reminders had been posted on 01.08.19 and final reminders were despatched on 23.09.19. A court date had been attended in Lincoln for unpaid account holders on 29.11.19 and court liability orders had been issued.

The Board was showing a negative variation of £46k against budget profile and this reflected the high costs incurred resulting from the series of heavy rainfall events in Autumn 2019, resulting in high electricity costs at pumping stations and higher than usual overtime costs for our Operatives. Electricity costs at pumping stations were £116k for the year, against an annual budget of £60k [giving a £56k negative variance]. Some of this (£36k) was recouped via the Statement of Claim submitted to the EA for the third-party costs incurred by the Board and a proportion (£35k) via the Highland Water claims. However, this was still a significant net additional cost to the Board.

Other variances include pump lifts which cost £14k more than the £25k in the budget (Coningsby £10k, Shortferry £16k and Stainfield £13k), PS repairs & maintenance £22k variance (but £20k subject to insurance claim), staffing costs £59k, drains Plant Hire £8k, drains Repairs & Maintenance £8k, Plant Maintenance £40k offset by roof replacements (£8k), surveys (£7.5k), electrical Inspections (£4.5k) depreciation (£12k), fuel (£9k) and bank slip repairs (£10k). £6k costs of the telemetry installed at Short Ferry and Southrey, final payment for the Catchment Study undertaken £1k and an interim payment for the Kirkstead flood wall scheme £3k. Costs of the new control panel at Southrey and Short Ferry Pumping Stations have been undertaken via Capital Schemes. The Minting Beck revetment work has not yet been completed, due to the rainfall events during 2019

Finally, the report set out bank balances and investments as at 31.03.20:

Natwest		£	133,581.38
Nationwide Instant Access		£	62,208.97
Nationwide 95 Day Notice		£	523,316.88
	Total	£	719,107.23

Members received and noted the financial performance report and the year-end position as at 31.03.20, month 12 of 2019/20. This would form the basis of all other reports for the financial year 2019/20.

2802 Annual Governance Statement 2019/20

A copy of the Annual Governance Statement 2019/20 had been circulated with the agenda and was presented by the Director of Finance and Governance.

The Annual Governance Statement is incorporated into and forms part of the Annual Governance and Accountability Return (AGAR) for 2019/20. The Board has a statutory requirement to complete and approve the AGAR which was to follow on the Agenda.

It was noted that the AGS part must be approved prior to the Accounting Statements, either at separate meetings or in the same meeting but with the correct order of business on the agenda, and this must be evidenced by the meeting minute references and/or dates.

The AGS comprises 9 assertions (number 9 is not applicable to IDBs) which the Board must consider and agree or provide a detailed explanation for the external auditor where it cannot agree and how it will address any weaknesses identified.

Once the AGS is agreed, the Accounting Statements and overall AGAR may be approved.

The Chairman took members through the relevant 8 statements and the response to each was agreed as positive.

Members duly:

- 1. completed the Annual Governance Statement (AGS) for 2019/20
- 2. incorporated the completed AGS into the overall Annual Governance and Accountability Return [AGAR] for 2019/20.

2803 Unaudited Annual Report and Statement of Accounts for 2019/20.

A report had been circulated with the agenda and was presented by the Director of Finance and Governance.

The Board does not have a statutory requirement to produce a full set of Statement of Accounts, but it is deemed good practice to do so. Further, a lot of the detailed work undertaken is required to complete the Annual Governance and Accountability Return (AGAR), which is a statutory requirement.

The accounts have been produced (where applicable) in accordance with the Joint Panel on Accountability and Governance (JPAG) Governance and Accountability for Smaller Authorities in England; A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, issued in March 2019.

The Statement of Accounts comprises the following key sections:

- Annual Report 2019/20 narrative on the work of the Board during 2019/20.
- Statement of Accounts 2019/20 lists the key components of the statements.
- Board Members schedule of Board Members who served during 2019/20.
- The Annual Governance Statement replication of the text in the Annual Report.
- Statement of Responsibilities list the Board's and Chief Executive's responsibilities regarding the Statement of Accounts.
- Statement of Accounting Policies.
- Income & Expenditure Account 2019/20
- Balance Sheet 2019/20
- Notes to the Accounts.
- Appendices
 - Map of the Board's drainage district
 - Organisational Structure Chart
 - Rainfall/Pump Use/Electricity data

Once approved, the document is loaded onto the Board's website to help meet its requirements under the Local Government Transparency Code 2015. It should be noted this document is not subject to audit, as only the AGAR is subject to external audit.

Members were content to APPROVE the unaudited Annual Report and Statement of Accounts 2019/20.

2804 Annual Governance and Accountability Return (AGAR) for 2019/20.

A report and competed AGAR had been circulated with the agenda and was presented by the Director of Finance and Governance.

The Board has a statutory requirement to complete and approve the AGAR, which has 4 separate sections and normally must be approved at a full Board meeting before 1st July, although due to the current Covid-19 pandemic, this date has been extended to 31st August 2020. It also must be submitted, along with additional requested information, to the External Auditor by 1st July (extended until 31st August 2020) for their review. Alongside this, the rights of public inspection will commence on Monday 06th July 2020 until Friday 14th August 2020. Normally, this has to incorporate the first 10 working days of July, as required by statute, but this requirement has been removed for 2019/20 and now must be published on or before the 1st September 2020.

The AGAR comprises the following key sections:

- Annual Internal Audit Report 2019/20 [received and presented earlier]
- Section 1 Annual Governance Statement 2019/20 [completed earlier]
- Section 2 Accounting Statements 2019/2020 [this item]
- Section 3 External Auditor Report and Certificate 2019/20

The 'Accounting Statements' section utilises the information used in the preparation of the Statement of Accounts.

Once approved, the document is published on the Board's website to meet its requirements under the Accounts and Audit Regulations 2015.

The statutory deadline by which the AGAR and signed external auditor report and the Notice of Conclusion of Audit must be published is 30th November 2020 (usually 30th September each year).

Members were content to:

- 1. approve the Annual Governance and Accountability Return (AGAR) for 2019/20.
- 2. Publish the AGAR on the Board's website, along with the notice to commence the period of public rights from Monday, 06th July to Friday, 14th August 2020 inclusive.

2805 IDB1 Annual Report for 2019/20.

A report had been circulated with the agenda and was introduced by the Director of Finance and Governance.

The report must be completed, approved and submitted by 31st August each year to:

- Defra.
- Environment Agency.
- The Chief Executives of
 - All local authorities that pay special levies to the Board.
 - All County Councils or London Boroughs within which the Board is situated.

The form is in 3 sections covering:

- Financial information
 - Special Levies issued for 2020/21.
 - o Income & expenditure Account for year ending 31 March 2020.
- IDB Reporting
 - Policy Delivery Statement.
 - o Information on the National Flood and Coastal Defence Database.
 - Biodiversity.
 - Access to environmental expertise.
 - Asset Management.
 - Guidance and Best Practice

- Board Membership and Attendance.
- o Complaints Procedure
- Declaration to be signed by the Chief Executive.

Following discussion, Members were content to APPROVE the Defra Annual Report (IDB1 Return) for the year ended 31 March 2020.

2806 Health and Safety Report.

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.

The biggest issue faced since the January meeting had been the Covid-19 Pandemic.

The decision was taken by the Chief Executive and Management Team, with the support of Chairmen, to have those that could work from home i.e. the Office Staff, do so. This also followed Government advice on lock down in the PM's announcement of 23.03.20.

Operatives, where able to abide by government guidelines, checked trouble spots, Pumping Stations and responded to any call outs on a rota system. They Lone Worked for the duration of their workday using the Buddy System we already had in place to keep in touch on an hourly basis. This also enabled us to keep all staff safe and have enough available should we have another flood event.

Risk Assessments and Method Statements were completed for each step of the Pandemic and at each change of Government advice. RA and MS were reviewed weekly at Management Meetings (held remotely via video conference).

The purchase of lidded bins for potentially hazardous waste (tissues, wipes etc), hand sanitiser, disposable gloves, tissues, anti-bacterial wipes and face masks has taken place and items are available to all staff at each Depot and the office. We also purchased additional hand tools, to avoid sharing of equipment.

On 18.05.20 the Operatives commenced full time days, again in line with national advice. They were provided with all the PPE and travelled individually in their vehicles. If working in a team of two they practise social distancing. The office staff are still working from home wherever possible, but measures have been put in place to make the office accessible to a limited number of staff at any one time (maximum of 4). The office is currently closed to members of the public and unauthorised visits without prior appointments.

There were no accidents and no near misses to report.

Due to the weather conditions in January the planned Health and Safety meeting with Health and Safety Reps was postponed and had yet to be rescheduled.

All training courses are currently postponed until training providers resume business as usual.

The company fitting the Cab Hand Rails (arising from an accident on Upper Witham, previously reported) have yet to complete this task due to shutting down the factory and furloughing the staff. They had since reopened on reduced staffing levels.

Members received, discussed and noted the Health and Safety update.

2807 Environment Report

A report prepared by the Environment and GIS technician, Fiona Scott, had been circulated with the agenda and was presented by the Director of Operations and Engineering.

The 4 IDBs had continued to work hard to achieve their duty to 'conserve and enhance the environment' in line with the Natural Environment and Rural Communities Act 2006 (NERC).

2807.1. Biodiversity Action Plan and Species Recording

- 2807.1.1 The Boards' Biodiversity Action Plans state that certain species should be recorded. These species have been identified as having significance within Lincolnshire and are species which would benefit from specific management or actions by the IDBs. The overall aim of monitoring these species is to ensure that habitat and species targets are translated into effective action within the Boards' districts.
- 2807.1.2 ADA's Technical and Environment Committee is still awaiting guidance from DEFRA on the rewriting of IDB Biodiversity Action Plans in accordance with the government's 25 Year Environment Plan. This has been delayed and is now due to be introduced in November 2020. In March 2020, the Greater Lincolnshire Nature Partnership held a workshop for partners to help shape a new strategy for nature recovery across Great Lincolnshire, which the Boards' Environment & GIS Technician attended. The results of the workshop have been delayed due to the ongoing Covid-19 pandemic and staff shortages at the GLNP, however these are expected soon.
- 2807.1.3 Workforces for all 4 Boards were introduced to a new recording system in late May 2019, in the form of a smartphone app called 'iRecord'. iRecord makes it easier for wildlife sightings to be collated and, most importantly, includes co-ordinates. These are imperative for displaying these on a GIS system and allows them to be accurately represented in wider biodiversity records. Periodically, the Boards' Environment & GIS Technician will log on to each staff member's account and download the data. There has been very good feedback from the workforce, who find it much more convenient than using the old 'pen and paper' method. The Boards' Environment & GIS Technician presented the success of this app to other Board member and staff members at the ADA Lincolnshire Environment Committee in November 2019. It is hoped that other Boards in Lincolnshire may see the benefit in using such a method, ensuring that Internal Drainage Boards in Lincolnshire can distinguish themselves in Lincolnshire species recording.
- There was a slight change in the District in 2019/20 compared to owl boxes checks for 2018. The barn owl (Tyto alba) pair at box 2930 in Greetwell had one well-fed chick, compared to failing on eggs last year. Kestrels (Falco tinnunculus) had been present in two boxes at Greetwell PS and Dogdyke, however many kestrels bred very early this year, so these had already fledged before the checks. A failed tawny owl egg was discovered at the Horncastle Canal box in Tattershall, as was a roosting adult barn owl. A barn owl chick was also ringed at Dogdyke South Pump.

Fewer jackdaws (Corvus monedula) were present in boxes this year however a higher number of boxes were not in use, 6 in total.

The box camera at Southrey continues to work well, however the residents are currently stock doves (Columba oenas).

- There are continual sightings of the otter (Lutra lutra) in Stixwould Engine Drain and Turners Soke Dyke. A tell-tale sign of otter presence is swan mussel shells (Anodata cygnea) on the sides of the bank, and otter spraints which will contain fish scales.
- All owl boxes were subject to a 'spring clean' in January 2020. Any built up detritus was removed from the boxes and bark chippings were used as bedding for the barn owl boxes, and pea gravel for the kestrel rooftop sections. It is important that the boxes are cleared on a dry, calm day as if any residents are disturbed then they will be able to fly off without risk of becoming cold or wet. Barn Owl feathers are not waterproof, so dry days are essential. The Boards' Environment & GIS Technician is listed as an Accredited Agent on the Schedule 1 Disturbance Permit for Alan Ball from the Wildlife Conservation Partnership and is therefore permitted to carry out work on Barn Owls where they may be disturbed.

Mr Sean Matthews advised that he had identified and reported to the EA the presence of suspected Japanese Knotweed (an invasive species) on the EA main River Bain. Martin Shilling confirmed that the Board had not received notification from the EA and requested the exact location, so it could be investigated prior to the Board's Operatives starting the PSCA works on the Bain.

Members received and noted the report.

2808 Director of Operations & Engineering Services' Report.

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

• Coronavirus [Covid19 Virus]

Following the outbreak of Coronavirus [Covid19] throughout the UK, the Government imposed movement restrictions for all, unless works were classed as essential, on 24th March 2020. Following consultation with the Chairmen and officers, arrangements were put in place that ensured the core functions of the 4 Boards continued, whilst ensuring the safety of employees.

Prior to the restriction of movement being introduced, a regime of hand washing and barrier protection was put in place at Witham House to protect officers based there along with visitors to the building. Additional hygiene facilities were also provided to the Operatives along with measures such as no passengers in Board vehicles and required social distancing at work. These measures were introduced to reduce the risk of infection.

With the imposition of essential journeys only from 24th March, the office at Witham House was closed to visitors and the public and available to staff only for essential work, most work being able to be undertaken at home. Members of staff were required to work from home. This required the purchase of additional ICT equipment, including laptops and mobile phones for those who used them as part of their daily duties.

After discussion by the management team, it was decided to concentrate the activities to those activities that could be described as 'essential'. Whilst the Boards are classed within Lincolnshire as CAT 2 Responder, not all activities could be described as emergency work or essential in the current definition. Operational work on site was restricted to 3 priorities to ensure the continued operation of the Board maintained systems.

- Pumping Stations: The Operatives were allocated a route covering pumping stations.
- Weed screens, culverts and bridges: locations were identified as requiring regular inspection
- Watercourses: those watercourses prone to obstruction from debris or recorded slips following the 2019 high rainfall events.

To reduce the risk of infection through cross contamination, individuals were assigned sites and locations. These locations were then inspected at regular intervals. Again, this routine of an individual having a site allocated to them reduced the risk of cross contamination. It was unclear as to how long the virus would remain live on hard surfaces, possibly up to 76 hours.

Should an emergency occur, then a specific risk assessment would be undertaken, and a clear method statement written, before any work was undertaken.

With the gradual easing of restrictions put in place by the Government, vegetation maintenance within maintained channels began on Monday 18th May. Following the risk assessment of the activities to be undertaken and the creation of suitable method statements, hand work, flailing and excavator weed cutting commenced on channels serving higher risk areas. These are predominantly residential areas.

Operatives were placed in teams of two with defined pieces of equipment and vehicles. Only tasks where social distancing requirements could be achieved were undertaken. Appropriate PPE was provided.

General Catchment Conditions

The 'monthly water situation report', generated by the Environment Agency, provided a factual description of catchment conditions. The rainfall total for March across England was 49mm, 74% of the long-term average and just over a quarter of that recorded for February [175mm]. Other indications that we had passed from saturated to very dry conditions are illustrated by the following data:

- I. Rainfall totals for the Steeping, Long Eau and Great Eau and South Forty Foot catchments were only 30% of the long-term average and classed as 'notably low'.
- II. Despite this dry end to the year, the 6 month and 12-month cumulative rainfall totals for many catchments were classed as exceptionally, notably high.
- III. Soil Moisture Deficits have varied between almost saturated at the start of March [SMD<10mm] to recording conditions classed as 'drier than average' at the end of the month.
- IV. River flows continue to be recorded at levels above normal, with the average recorded as 129% at Claypole weir on the River Witham upstream of Lincoln and 108% on the Barlings Eau at Langworth on the lower River Witham.
- V. Groundwater level in the central Limestone area are 'above normal' or 'exceptionally high' for the time of year.

Work Programmes

This period was to be used to complete 'winter work' programmes, usually a mixture of bushing, de-silting, slip repairs and repairs or maintenance of the various sites and equipment. Also, subject to the availability of contractors, the lifting of pumps and motors for their periodic maintenance. This was all necessarily delayed or postponed, but not cancelled.

The main element of work that had been delayed because of the current restrictions was bank slip reinstatement. Following the high levels and flows experienced during the 2019

autumn and winter many slips occurred within the maintained systems. The locations of these, where reported, had been recorded and will be reinstated once close working can be undertaken safely. This type of work cannot be completed whilst complying with the requirement of maintaining a safe 'social distance' of 2m from work colleagues.

However, where the occurrence of slips may have obstructed the flow of water within the system, the material has been removed from the channel bed so that levels are not compromised.

• Planned Maintenance Programmes

The Summer Maintenance programmes for Witham First, Witham Third and Upper Witham Boards were commenced somewhat earlier than in previous years, on 18th May, for several reasons:

- i) The inclusion of slip reinstatement within the usual maintenance programme
- ii) Restrictions caused by Covid-19 regulations slowed normal rate of work completion and an early start reduced the risk of delays later in the year.

This required the written recording of visual inspections of reaches to be cut for the presence of ground nesting birds and other protected species. Each reach was walked by the driver immediately prior to the length being cut to reduce the risk of damage to habitat and any nests that may be present.

Stainfield Pumping Station – following the inundation of this station in November of last year the following work was in progress.

- The pump was repaired within the replacement of the top bearing by Perry's Pumps of Lincoln.
- The motor was refurbished by Axflow Ltd. of Huddersfield and they await the instruction to re-commission it. The motor was delivered to site 22nd May and fitted ahead of its re-wiring and commissioning.
- The manufacture of the new MCC components is in progress. This work is being undertaken by Paktronic Ltd of Grantham. This work is in progress with some elements awaiting installation and some yet to be manufactured. Site work to install elements of the new MCC, site cabling to the Barlings Eau penstock and the re-wiring of the automatic Weedscreen cleaner is to recommence on 19th May.
- The 2no. 150mm submersible pumps have been removed for refurbishment and recommissioned by Perry's Pumps of Lincoln.

Water levels within the fen are being monitored and controlled using mobile pumps provided by the EA. They require Operatives to monitor and fuel on an almost daily basis, however, the recent dry conditions had eased the workload on the pumps.

Southrey Pumping Station

Repairs to the MCC were completed and the completion of the motor refurbishment is awaited. Progress on the refurbishment of the motor had been stopped due to the availability of parts and skilled labour able to compete the work, but this work is now in progress.

Short Ferry Pumping Station

A factory visit was undertaken to view the new MCC for this station. Following the successful completion of the factory testing, it was installed in mid-March by Paktronic Ltd of Grantham. The MCC controls the pumps however, work had to be halted before the commissioning work could be completed. This resulted in the pumps being operated by hand only. Site work to complete the full commissioning of the MCC and the re-wiring of lighting and the automatic Weedscreen cleaner re-commenced on 14th May.

On 22nd May a major fault occurred in the operation of the MCC, during the installation of new electrical connections. This resulted in the failure of the cleaner. Estimates for the repair or replacement of the trolley mechanism are being obtained.

The silt trap at the head of the New Cut Drain was cleaned to ensure there was no obstruction to flows from the Stainfield Fen system. No obstructions or defects were found within the IDB maintained system.

Plant

The delivery of the new Volvo EC220ELR tracked excavator was expected mid-June. It was delivered to the agent's depot at South Killingholme in May to allow for pre-delivery inspections and testing to be completed and the final fitting of additional items specified by the Board. The purchase price of this machine was £154,150 and was part of the approved plant replacement programme 2020/21. Delivery is expected imminently.

• Environment Agency

Public Service Cooperation Agreement [PSCA]

Confirmation from the EA of the 2020/21 programme of PSCA work was received by the Boards on 13th May, including the cutting of embankment tops to ensure the safe operation of plant later in the year.

The total value of work estimated for each Board was set out:

 Witham First DIDB
 £ 65,022.00

 Witham Third DIDB
 £ 337,540.00

 Upper Witham IDB
 £ 95,496.00

 North East Lindsey DB
 £ 126,803.00

The estimates listed above included items for the cost of supervision and administration of the work and a contingency sum of 10% to allow for compliance with any regulations relating to Covid-19.

Much of the programme requested is like previous years, except for that in Witham Third's District. The Board has been requested to take on 2 large additional watercourses, the Barlings Eau and River Bain/Horncastle Canal. Both watercourses have been the cause of complaints to the Board over many years.

This work will be completed, in addition to the Board's own core maintenance programme, with the retention of its existing Volvo long reach excavator [when the new one arrives] and the employment of a sub-contractor to undertake the hand work relating to these watercourses.

Discussion took place regarding the works at the River Bain. Ian Clark stated that he felt it was overgrown and needed to be bottomed with a weed rake, rather than a weed cut and Cllr Fiona Martin agreed. It was acknowledged that it was a length of some 13km, so was a vast bulk and some considerable work was required. Ian Parker asked if the Board had enough staff to manage with the extra workload. Members were advised that the Operations Manager has secured a plan for the staff and there will be a specific staff member covering the River Bain. It was also highlighted that 3 Boards shared a peripatetic Operative and Witham First DIDB had taken on an additional Operative who was working flexibly across 3 of the Boards as required.

Lower River Witham Strategy Review

A conference call was attended on 5 June where a brief update on the review of the Lower Witham Strategy was provided by the EA. Over the next 2 years the system is to be resurveyed and the existing computer based hydraulic model updated to reflect the current condition of the system. Consulting engineers, Arup, have been appointed to undertake the strategy review. Their work is to include the management of the topographical survey work, model update, stakeholder engagement and development of the business case document by 2022.

The strategy, originally produced in the late 1990s and resulting in the rebuilding of many kilometres of raised earth embankments in the early 2000s, is reviewed every 5 years. This review will consider the existing preferred option of 'providing additional storage' and how the existing system effects the adjacent IDB pumped and gravity systems.

Any further projects for capital work within the system will depend on a combination of both Defra Grant in Aid and partnership funding.

The importance of the defences in protecting the adjacent land has already been raised along with the need for a decision as to the long-term value, in the wider sense, of the adjacent agricultural land.

Members received and noted the Director of Operations and Engineering Services' report.

2809 Engineering Services Report.

The Engineering Services Report had been circulated with the agenda and was presented by the Engineering Services Officer.

The following issues were highlighted to members:

\$/215/0683/20, \$/215/00136/17, \$/215/01572/16, \$/215/01587/16 & \$/215/00066/19 Detailed Particulars relating to erection of 150 dwellings to include the demolition of the existing bungalow at 101 Witham Road, Land to the rear of Witham Road, Woodhall Spa

The Board **Objects** to the proposed Application.

TD-2918-2016-PLN **Reason**: - The submitted layout does not allow sufficient access to the riparian watercourse on the North East edge of the site to allow maintenance to be undertaken. The watercourse provides the outfall for the adjacent development, increased restriction to flow will increase the Flood Risk to these properties. The layout should be revised to allow a clear unobstructed access of appropriate width to allow maintenance by mechanical plant. The submission must also identify who will be responsible for the future maintenance. Ideally this responsibility should be an appropriate authority rather than a management company.

Comment and information to Lincolnshire CC Highway SUDs Support

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of the surface water drainage system and other drainage within the site. In general, the Board is satisfied with the outfall arrangement to the Board maintained watercourses, however not all details have been submitted, including the discharge details to the North.

Comment and information to Agent/Applicant

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within 9 metres of the top of the bank of a Board maintained watercourse. This includes all outfalls, culverts, bridges, planting, fencing etc. At this location (Northwestern, Southwestern boundaries of the site) the full 9m will be required to be made available to the Board to access the watercourse to undertake maintenance, repairs and improvements. Suitable access arrangements to this strip though the developed site also need to be agreed. It is unclear from the submitted drawings if has been made available. Note any 'shared access' needs to be agreed with the Board and any surfacing is required to be designed for the heavy plant the Board uses.

S/035/00208/20

Erection of a detached garage, Pingle Lake, Tumby Road, Coningsby, Lincoln, LN4 4RQ

TD-5059-2020-PLN The Board **Objects** the proposed development, the garage is within the Byelaw distance (9m) from the culverted section of Pingle which is a Board maintained watercourse. Any works within the Byelaw distance require consent from the Board, this is independent of the planning process. Consent would not be given for the current proposals; the applicant is advised to contact the Board to discuss this.

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

2810 Consents and Enforcements Report

The Consents and Enforcements Report had been circulated with the agenda and was presented by the Engineering Services Officer:

Byelaw Consent Applications

Reference	Location	Applicant	Details	Date
TD-5044-2020-CON	Moor Lane,	Lincolnshire	Replace bridge with	21-02-20
	Stixwould	County Council	wider box culvert	
TD-5050-2020-CON	Short Ferry	Lincolnshire	Traffic signals	26-02-20
	Bridge, Fiskerton	County Council	refurbishment	
TD-5100-2020-CON	14 Grove Drive	Mr J Robert	Replace 2no. 75mm	04-03-20
	Woodhall Spa	Lake	outfalls by 150mm	
TD-5184-2020-CON	Pingle,	Mr Peter	Detached garage	02-06-20
	Coningsby	Maddison		

Section 23 Land Drainage Act Consent Applications - District

Reference	Location	Applicant	Details	Date
TD-5018-2020-CON	Clinton Way, Woodhall Spa	Manorcrest Construction Ltd	5l.sec ⁻¹ discharge from ten dwellings	13-02-20
TD-5039-2020-CON	Boston Road, Horncastle	Polypipe Civils Ltd	Enclosing 260m of open drain	04-02-20
TD-5162-2020-CON	Langworth	Network Rail	Line brick railway culvert	24-04-20
TD-5178-2020-CON	66 Eastfield Lane, Welton	Mr Robert Ridge	Enclose 42m of open drain	21-05-20

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-4645-2018-CON	South of St	Persimmon	Development	06-03-20
	Augustine Road,	Homes South	requires two new	
	Lincoln	Yorkshire	culverts	
TE-5138-2020-CON	Monument Road,	Dr S Rhys-Davies	Attenuated surface	22-04-20
	Woodhall Spa		and treated foul	
	·		discharges to ditch	
TE-5201-2020-CON	A46 Welton Road	Lincolnshire	Two discharges to	11-06-20
	/ Dunholme Road	County Council	ditches	

Enforcement Issues - District

Reference	Location	Description / Comments	Actions
TD-4925-2019-ENF	44 Turnberry Drive, Woodhall Spa	Possible maintenance required	Awaiting investigation
TD-5173-2020-ENF	Shop Lane Goulceby	Potential filling in of watercourse	Monitoring following contact with all parties
TD-5193-2020-ENF	Woodenderby Lane, Haltham	Potential flooding	Monitoring

Enforcement Issues - Extended Area

Reference	Location	Description /	Actions
		Comments	
TE-3981-2018-ENF	Bleasby, Market Rasen	Road flooding	Awaiting response
TE-4636-2019-ENF	Reepham Beck	Possible Maintenance	Work complete
			Case closed 10-6-
			20
TE-4921-2019-ENF	Bleasby, Market Rasen	Road flooding	Awaiting response
TE-5033-2020-ENF	Lodge Lane,	Possible maintenance	Monitor
	Nettleham	to watercourse	
TE-5109-2020-ENF	Bucknall Road,	Possible blocked	Letters sent.
	Horsington	culvert	Monitor

Members received and noted the report on Consents and Enforcement cases.

2811 Any Other Business.

There being no further items of business, the meeting closed at 11.45.

2812 Date, Time and Place of the Board's Next Meeting.

The Board's next meeting was confirmed for **Tuesday**, **22**nd **September 2020** at **09.30am**, with format and location TBC.

	Chairman	Date
W3rd BM 30.06.20.		