

UPPER WITHAM INTERNAL DRAINAGE BOARD

Minutes of a meeting of Upper Witham Internal Drainage Board, incorporating the Annual Public Meeting, held on Monday, 20th November 2017 in South Hykeham Village Hall, Lincolnshire at 2pm.

Present: Mr. J. Boyall.
Cllr. P. Burley.
Mr. B. Charlesworth.
Cllr. N. Craft.
Cllr. P. Gowen.
Cllr. G. Hewson.
Ms. E.E. Jenkinson.
Mr. V. Kerr.
Mr D.R. Knight.
Ms. R. Longbottom.
Mr. F.H. Myers - **Chairman**
Cllr. L. J. Pennell.
Mr. R.J. Phillips.
Mr. G. E. Porter.
Mr. J.R. Scarborough - **Vice Chairman**
Mr. C. Smith.
Mrs. J.S.P. Smith.
Cllr. T. Speakman.
Cllr. I. Stokes.
Cllr. P.J. Vaughan - **Vice Chairman**
Mr. B.F. White.

In Attendance: Miss. Jayne Flower, Executive Assistant.
Mrs. Jane Froggatt, Chief Executive.
Mr. Martin Shilling, Director of Operations & Engineering.

Apologies: Apologies for absence were received from Cllr. S. England, Mr. R. J. Epton MBE DL, Mr. J. R. Hollis, Cllr. Mrs. S. K. Howe, Mr. D. Jackson, Cllr. Mrs. R. Kaberry-Brown, Cllr. J. Lee, Mr. R. W. Parker, Mr. P. J. Roe, Mr. S. H. White, Cllr. Mrs. P. A. Woodman MBE and Mr. P. Wright.

39.17 Declarations of Members' Interests.

Members nominated by the five Councils declared interests relating to respective Councils (City of Lincoln Council, North Kesteven District Council, South Kesteven District Council, West Lindsey District Council and Newark & Sherwood District Council).

40.17 Election of Chairman.

The Chief Executive invited nominations for the role of Chairman. Mr. Fred Myers, was proposed, seconded and, there being no further nominations he was elected unanimously by all members present for the forthcoming year.

41.17 Chairman's Announcements.

Mr. Fred Myers took the Chair and thanked members for their continued support and his re-election as Chairman for a further year, a role he had enjoyed since November 2009. He added that he looked forward to working with members and officers in the interests of land drainage, flood protection and water levels management.

Members were advised 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. Mr 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. The Chairman offered condolences to Tony's wife Jenny, to Duncan and the family on behalf of the Board.

42.17 Election of Vice Chairmen.

The Board, having agreed previously to elect two Vice Chairmen, considered nominations to the role.

Mr. John Scarborough and Cllr. Pat Vaughan were proposed, seconded and elected to the role. There were no further nominations. Members unanimously elected Mr. John Scarborough and Cllr. Pat Vaughan to the two Vice Chairmen roles for the forthcoming year to November 2018.

43.17 Election of 12 members to the Finance and General Purposes Committee.

12 members were proposed, seconded and, there being no further nominations, were elected to the Finance and General Purposes Committee for the forthcoming year to November 2018. These were the Chairman (Fred Myers), the two Vice Chairmen (Pat Vaughan and John Scarborough), Cllr. Nick Craft, Mr. Richard Parker, Cllr. Lance Pennell, Mr. Ray Phillips, Mr. Peter Roe, Mrs. Jacky Smith. Cllr. Tony Speakman, Cllr. Mrs. Pat Woodman, MBE and Mr. Paul Wright.

44.17 Election of 6 members to the Works Committee.

The six Works Committee members were proposed, seconded and there being no further nominations, were elected for the forthcoming year to November 2018. These were the Chairman, the two Vice Chairmen, Mr. Peter Roe and Mr. Paul Wright. A vacant seat would be held and filled by co-opting a local representative for the area to cover the issue concerned, as and when the Works Committee is convened.

45.17 Election of a member to the ADA Lincolnshire Branch Environment Committee.

Cllr. Paul Gowen was proposed, seconded and, there being no further nominations, was elected as the Board's representative on the ADA Lincolnshire Branch's Environment Committee to November 2018.

46.17 Election of four members to the Joint Services Committee.

Four members were proposed, seconded and, there being no further proposals, were elected to membership of the Joint Services Committee for the forthcoming year. These were the Chairman, the two Vice Chairmen and Cllr. Mrs. Pat Woodman, MBE. Cllr. Nick Craft, Mr. Richard Parker, Mr. Peter Roe and Cllr. Tony Speakman were proposed, seconded and, there being no further proposals, were elected as the four members to deputise on the Committee.

47.17 Proposed Calendar of 2018 meeting dates.

Members APPROVED the following meetings dates for 2018:

Board Meetings, South Hykeham Village Hall at 2pm.

- Monday, 22nd January.
- Monday, 21st May.
- Monday, 17th September.
- Monday, 19th November (+APM).

Finance and General Purposes Committee Meetings, Witham House at 10am:

- Wednesday, 10th January.
- Wednesday, 09th May.
- Wednesday, 05th September.
- Wednesday, 07th November.

It was also NOTED that the joint Summer Inspection was planned for Wednesday, 04th July 2018.

48.17 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 and return it to Officers present at the meeting or to Witham House, so that an up-to-date Register was maintained for all members. Members were advised of the importance of this being an accurate record. The information in the Register may be subject, for example, to an FOI request and public disclosure and the Register serves as both protection for the Board and for individual members.

49.17 Minutes of the Board Meeting on 18.09.17.

The Minutes of the Board's previous meeting held on Monday, 18th September 2017 were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

49.17.1 Director of Operations & Engineering Services report (minute 24.17.4 refers).

The Chief Executive confirmed to members that the new JCB JS180LR excavator that had been the subject of fuel theft and vandalism in early September was now repaired and back in use, albeit this had taken some six weeks.

49.17.2 Letter from JBA Consulting regarding NELB (minute 26.17.1 refers).
Following a question raised by Cllr. Ian Stokes, the Chief Executive advised members that as no further challenge or response had been received from JBA, the matter was now closed.

51.17 Minutes of the Finance & General Purposes Committee Meeting, 08.11.17.

The minutes of the Finance & General Purposes Committee meeting held on Wednesday, 08th November 2017 were proposed, seconded and APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

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

52.17 Chief Executive's Report.

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

52.17.1 Internal Audit Service.

The Chief Executive advised members that following a joint procurement process for a replacement Internal Audit Service the contract had been awarded to TIAA, following an evaluation exercise of tenders at the ADA Lincolnshire Branch Clerks' meeting on 06.10.17.

The length of the contract was confirmed to be five years.

52.17.2 Elections 2018.

Members were reminded that an elections timetable for 2018 will be brought to the January 2018 Board meetings for approval, with the current term of office for directly elected members on all four Boards running for three years and ending on 31st October 2018.

Members received and NOTED the report and update.

53.17 Financial Performance Report to 31.10.17, month 7 of 2017/18.

The Financial Performance Report for the first seven months of 2017/18, to 31st October 2017, had been circulated with the agenda and was presented by the Chief Executive.

In summary, the financial position was showing a positive position against budget as at 31.10.17. The profiled budget position was a surplus of (£492,293) and the actual position as at 31.10.17 was a surplus of (£580,161), so a positive variance of (£87,868). This was detailed as follows:

	2017/18 Budget	Profiled Budget	Actual	Variance (3-2)
	£	£	£	£
Income	(1,223,500)	(1,166,449)	(1,223,353)	(56,904)
Board & General Admin	21,732	8,271	8,743	472
One Off Schemes	0	0	12,954	12,954
Conservation	2,000	1,896	950	(946)
Depot	24,626	20,633	12,641	(7,992)
Drains	530,947	346,364	336,802	(9,562)
Pumping Stations	200,631	71,672	46,910	(24,762)
Joint Admin/Witham House	142,294	83,157	85,164	2,007
Consents & Enforcement	16,060	0	0	0
Director of Operations/Engineers	90,047	51,688	43,676	(8,012)
Contrib to Reserves/Pay Contingent	0	0	0	0
PWLB	0	0	0	0
Rechargeable Works	25,000	12,921	18,369	5,448
EA Precept	170,163	85,082	83,413	(1,669)
FRS17 Pension Adjustment (net)	0	0	0	0
Wages & Plant Holding Account	0	(7,528)	(6,428)	1,100
(Surplus)/Deficit	0	(492,293)	(580,161)	(87,868)

On income, this was (£57k) ahead of budget profile. Of this, rechargeable works income was (£23k) ahead of profile largely reflecting PSCA works for the EA.

Highland Water income had been received in September 2017, with 80% of the Estimated claim for 2016/17 (£134,000) having been paid by the EA along with the balance on the actual claim for 2015/16 being paid (£40k). The balance on the actual claim for 2017/18 is payable by the EA in September 2017.

Flood Defence Grant in Aid (FDGiA) grant income of (£33k) had been received for the Westborough Flood Alleviation Scheme, an earlier (£5k) having been received at the end of 2016/17.

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

Lloyds	£ 304,271.98
Nationwide Instant Access	£ 493,661.73
Nationwide 90 Day Notice	£ 14,102.07
Total	<u>£ 812,035.78</u>

The position was viewed with caution, as it was pointed out that all five Councils had paid their second tranche of Special Levies due by 01.11.17 and the Drainage Rates collection rate was 94.8% (with £224,055.50 collected as at 01.11.17) compared to 98.0% at the same point last year. This income level would, however, have to sustain the Board until May 2018 when the next tranche of Special Levies was due to the Board and when 2018/19 drainage rates income would start to be received. Balances would therefore reduce over the next few months.

Members received the financial report and NOTED the month seven 2017/18 position.

54.17 Statement of Expenditure, 01.09.17 to 31.10.17.

The Statement of Expenditure incurred for the two months to 31st October 2017 had been circulated with the agenda.

Expenditure totalled £221,752.36 or, excluding £20,712.69 VAT, the net amount of £201,039.66. Of this, £1,178.73 was rechargeable expenditure to other bodies.

Items raised by or highlighted to members included:

- item 42 - £2,000 (net) to Grant Thornton UK LLP for External Audit fees in respect of the 2017 Annual Return.
- item 46 - £480.04 (net) to Irelands Farm Machinery Ltd for a repair to the steering fault and replace the sensor on the Spearhead BD13 EBC (fair wear and tear).
- items 56 to 66 - to Lincolnshire Pension Fund. There followed discussion about the requirement on the Board to make inroads into the pensions deficit with contributions in addition to the Employer's Contribution Rate (ECR).
- item 157 - £500.00 (net) to University of Hull for a contribution to the Eel and Pumping Station project, to which many IDBs had made a similar financial contribution.

Members received the report and NOTED the expenditure incurred in the two months to 31.10.17.

55.17 Health & Safety Update.

An update on health and safety issues had been circulated with the agenda and was presented.

Three of the four Boards, including Upper Witham, use Cope Health and Safety Ltd as their external health and safety advisors and a combined annual review meeting was held on 07.09.17 to review the work in each Board over the last year and to discuss priorities for the forthcoming year.

Some of the issues discussed were:

- Lone worker Buddy system introduced in summer 2017 and due to be reviewed on 06.12.17.
- Overhead Cable Avoidance course completed for all Operatives.
- There had been no near misses in any of the four Boards.

Members NOTED the update on health and safety.

56.17 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". The approved set of Financial regulations and Statement of Internal Control would be uploaded to the Board's website www.upperwitham-idb.gov.uk

57.17 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.upperwitham-idb.gov.uk

58.17 ADA Lincolnshire Branch's recommended Pay Award 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.

59.17 Director of Operations and 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 as follows:

- **Planned Maintenance Programme**

The planned summer maintenance programme had continued, and work was slightly behind where it would normally be, due to the loss of the JCB JS180 excavator for approximately six weeks as a result of the theft of fuel and vandalism it suffered. A machine was transferred from Witham First District IDB once it became available, to reduce the delay in completing the works programme. The majority of the arable fields accessed were complete, with only drains accessed from late crop fields, such as sugar beet, remaining to be done.

There had been isolated periods of heavy rainfall which meant ground conditions had been too wet to access certain areas without causing damage, so work had been diverted to reaches accessed by strips and tracks where possible.

The watercourses that will benefit from winter maintenance in the 2017/18 season are:

• Cricket Till	1.1km
• Padmoor Drain	0.64km
• Pennells Soke Dyke	2.4km
• Burton Pump Drain	6.5km
• Thorpe Pump Drain NE, NW, and SW	3.37km
Total	14.01km

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 that work will be undertaken during the winter months.

- **Plant**

Specifications and invitations to tender had been issued for the provision of a replacement wheeled excavator in line with the agreed plant replacement programme. Quotations were due in on 08.12.17. The purchase was scheduled for delivery by 01.06.18. The Board could consider a trade-in deal with the existing Terex wheeled excavator purchased in 2009 which had at this point completed over 6,500 hours of work but the option to maintain the excavator within the fleet was also being considered.

The new JCB JS180LR tracked excavator, ordered from TC Harrison JCB Ltd. of Lincoln was delivered to the Board's depot in early June but then suffered vandalism and the theft of fuel and its batteries along with other damage on the night of 12th /13th

September. It was collected and returned to work upon completion of the repairs on 06.11.17.

The major elements of damage were listed as:

- Fabric liner to cab
- Glass door panel
- Cover latches
- 2 Batteries
- Flashing beacons
- Fuel tank
- Fuel refilling pump
- Radio
- Prolec height limiting system

The value of the insurance claim associated with this incident was £6,375.

There had also been a number of breakdowns experienced by the Board's plant whilst undertaking maintenance work over the last 2 weeks:

- Claas tractor required repairs to the rear pto gear box
- Spearhead Twigo SPV was serviced and its flail head required repairs to bearings and shafts. In addition, its Prolec height limiter required a replacement control unit at a cost of £1500.
- Kabota midi-excavator required a new set of track rollers, these were bought and then fitted by the Board's operatives.
- Atlas 150W required a repair to its Prolec system
- McCormack tractor was fitted with a new rear tyre.

- **Pumping Stations**

No faults had been reported during this period and pumping hours continued to reflect the relatively dry period experienced during September and October. This had resulted in relatively low electricity bills and 'underspend' to date in this line of the Board's budget.

- **Re-Chargeable Works**

The Board had continued to undertake maintenance work on behalf of the Environment Agency. The Board's workforce had completed obstructions runs and hand work on Boutham Catchwater Drain and Skellingthorpe Beck with vegetation clearance on Skinnard and Cardinal Dyke, Shire Dyke and Foston Beck. This work was undertaken by the Board's workforce to a programme and specification agreed with the EA such that it dovetails with the Board's own summer maintenance programme.

The Board had received orders from the Environment Agency to complete work required under the Public Sector Co-operation Agreement for the year 2017/18. This amounted to a value of £26,262 and consisted of both grass cutting and vegetation control; some mechanical, some by hand.

The Board had also undertaken work on behalf of Anglian Water Services Ltd. at their North Hykeham and Marston treatment works compounds and West Lindsey District Council at Heapham Road attenuation system.

In addition, it was reported that the EA was placing an order for circa £13k worth of winter works at Foston / Allington. There was a backlog of bushing and tree work necessary to bring the channel to a good standard.

- **Workforce**

Two Operatives had received training on the proper use of overhead cable measurement devices and how to assess the risk of working in the vicinity of overhead cables. This training was an essential part of the Board's risk assessment process and reduced the risk of cable strikes and the subsequent harm to operatives.

The Board's Pumping Station attendant, Simon Horton, was currently on extended sick leave following surgery in late July and was not expected to return to work until January, at the earliest. His duties were being covered by other members of the workforce and the pumping station attendant of Witham Third DIDB, Adrian Skelton.

- **Westborough Flood Alleviation Scheme**

Work to complete improvements to the east of the village was completed on 23.08.17. This work included the reprofiling of a small trackside watercourse, renewing an existing culvert crossing and providing an overspill facility directly into the River Witham. This work was undertaken by J.E. Spence Ltd. of Skegness. There were two small elements of reinstatement that would be completed later in the year, when conditions for planting hedge row species were appropriate.

Discussions with regard to the management of the remaining works continued, alongside discussions with the land owners affected by the proposed works on the west of the village.

This scheme had been delayed for a number of reasons, including a re-design at the request of a land owner. This scheme was subject to Grant in Aid funding from the Environment Agency and a total of £38k had been received by the Board to date (£33k of which was on 05.05.17).

Members received and NOTED the report and presentation.

16:15 Mr B. F. White and Mr. V. Kerr left the meeting.

60.17 Engineering Services Report.

The Engineering Services Report had been circulated with the agenda.

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

16:17 Cllr. Nick Craft left the meeting.

61.17 Consents and Enforcements Report.

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

Byelaw Consent Applications

Reference	Location	Applicant	Details	Date
UD-3632-2017-CON	Running Furrows Drain Poplar Farm Grantham	Buckminster Estate	Removal of (redundant) sewer outfall	25-09-17

Section 23 Land Drainage Act Consent Applications – District

Reference	Location	Applicant	Details	Date
UD-3605-2017-CON	Land North of Ferry Lane, Skellingthorpe	T R Holmes (Farms) Ltd	Attenuated discharge, residential development	18-09-17

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
UE-3589-2017-CON	High Street, Scampton	Pride Homes (Lincoln) Ltd	Attenuated discharge, residential development	18-09-17
UE-3630-2017-CON	93 Station Road, Waddington	Mr D Sempers	Access culvert for residential development	18-09-17

Enforcement Issues – District

Reference	Location	Description / Comments	Actions
UD-3508-2017-ENF	<i>Fosdyke Delph, Lincoln</i>	Fallen tree in watercourse	Tree removed. Case closed 26-10-17
UD-3587-2017-ENF	<i>Fosdyke Delph, Lincoln</i>	Caravans, sheds, general rubbish obstructing access	Network Rail issuing notice to vacate and tort notices.

Enforcement Issues – Extended Area

Reference	Location	Description / Comments	Actions
UE-3442-2017- ENF	318 Brant Road, Lincoln	Maintenance to watercourse required	NKDC will report when complete
UE-3571-2017- ENF	56-60 Saxilby Rd, Sturton By Stow	Possible maintenance to watercourse	Complete 18-10-17
UE-3597-2017- ENF	Sproxton Road, Skillington	Possible blocked culvert and watercourse	Investigations ongoing

Members received and NOTED the report.

62.17 Any Other Business.

There were no further items of business and the meeting closed at 16:30.

63.17 Date, Time and Place of Next Meeting.

The next meeting of the Board was confirmed for Monday, 22nd January 2018 in South Hykeham Village Hall commencing at 2.00 pm.

.....Chairman.....Date
UWBM 20.11.17