

UPPER WITHAM INTERNAL DRAINAGE BOARD

Minutes of a meeting of Upper Witham Internal Drainage Board held on Monday 18th September 2017 in South Hykeham Village Hall, Lincolnshire at 2.00pm.

Present:

- Cllr. P. Burley
- Cllr. N. Craft
- Cllr. S. England
- Cllr. G Hewson
- Mr. J. R. Hollis
- Cllr. Mrs S. K. Howe
- Cllr. Mrs. R. Kaberry-Brown
- Miss. R. Longbottom
- Mr. F. H. Myers - **Chairman**
- Cllr. L. J. Pennell
- Mr. P. J. Roe
- Mr. C. Smith
- Mrs. J.S. P. Smith
- Cllr. T. Speakman
- Cllr. I Stokes
- Cllr. P. Vaughan - **Vice Chairman**
- Mr. S. H. White
- Mr. P Wright

In Attendance

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

Apologies:

Apologies for absence were received from Mr J. Boyall, Mr. B Charlesworth, Mr R. Epton, Cllr. P. Gowen, Mr. D. Jackson, Ms E. E. Jenkinson, Mr. V. Kerr, Mr. D. R. Knight, Cllr. J. Lee, Mr. R. Parker, Mr. R. J. Phillips, Mr. G. Porter, Mr. J. Scarborough (**Vice Chairman**), Mr. B. F. White and Cllr. Mrs. P. A. Woodman, MBE.

22.17 Declarations of Members' Interests.

Members nominated by the Councils declared interests relating to their respective Councils (City of Lincoln Council, North Kesteven District Council, South Kesteven District Council and West Lindsey District Council). The member nominated by Newark & Sherwood District Council was not present.

23.17 Chairman's Announcements.

The Chairman welcomed members and introduced Miss Rebecca Longbottom who had replaced Liz Massey on the Board as a member nominated by City of Lincoln Council. A welcome was extended to new member Cllr. Peter Burley, a member nominated by North Kesteven District Council who replaces Cllr. Chris Goldson.

The Chairman advised members of a change in elected members as on Wednesday, 13th September Mr. Bob Ballerini, former Vice Chairman and member of the Board for 26 years, resigned from the Board. Members placed on record their thanks for his service and contribution to the Board and their best wishes to Bob for the future. The Chairman had written accordingly.

Members were advised by the Chairman of the death of Mr. Mark Welsh, Lincolnshire County Council's lead Highways Officer for Flood and Drainage. Mark died prematurely on 06th July following a road traffic collision whilst he was attending a meeting in London. There was a large turnout for his funeral on 04th August and the Board was represented by Bob Fletcher, ADA Lincolnshire Branch Chairman, and Jane Froggatt.

24.17 Minutes of the Board Meeting on 22.05.17.

The Minutes of the Board meeting held on Monday, 22nd May 2017 were proposed by Mr. Colin Smith, seconded by Cllr. Pat Vaughan and APPROVED as an accurate record.

MATTERS ARISING:

24.17.1 Pay Award 2017/18 (minute 06.17.1 refers):

It was confirmed that the pay settlement for 2017/18 was applied across all salary and wage scales, therefore implementing the recurrent 1% and also the further 0.4% unconsolidated pay award for just 2017/18.

24.17.2 Insurance Renewals from 19.05.17 (minute 06.17.2 refers):

Two points were highlighted to members. Namely that the Board's provider for Business Combined had moved from Allianz, who were apparently no longer wanting to support IDBs, to Axa. Secondly, the new policy for cyber cover had now been implemented across all four Boards.

24.17.3 IDB1 Report (minute 14.14 refers):

It was confirmed that the IDB1 Report for 2016/17 had been completed and returned to Defra. Some new questions on Governance, including members' average attendances, had been included this year.

24.17.4 Director of Operations & Engineering Services Report (minute 16.17 refers):

The Chief Executive advised members of an incident regarding the new JCB JS180LR excavator. There had been an incident of theft of fuel and vandalism to the machine overnight on Tuesday 12th / Wednesday 13th September. In addition it was highlighted to members that an item of uniform which stated "Upper Witham Internal Drainage Board" had been stolen from the vehicle cab.

25.17 Minutes of the Finance and General Purposes Committee meeting, 06.09.17.

The minutes of the Finance and General Purposes Committee meeting held on Wednesday, 06th September 2017 were proposed by Cllr. Nick Craft, seconded by Cllr. Lance Pennell and APPROVED as an accurate record and the recommendations to the Board were NOTED.

MATTERS ARISING:

25.17.1 Westborough Flood Alleviation Scheme (minute 3.1 refers):

It was noted that the Eastern element of the Scheme had been completed recently. Members were advised that the Board via BWB Consultants was still

ascertaining the position of the landowner on the Western side before considering invoking permissive powers under the Land Drainage Act 1991.

26.17 Minutes of the Joint Services Committee meeting held on 24.07.17.

The minutes of the Joint Services Committee meeting held on Monday, 24th July 2017 and recommendations to the four Boards were noted.

MATTERS ARISING:

26.17.1 Letter from JBA Consulting regarding North East Lindsey Board (minute 6.3 refers):

It was confirmed that no response from JBA had yet been received to the rebuttal of claim that the four Boards were procedurally incorrect in having a Joint Services Agreement, rather than NELDB having gone through a procurement process.

26.17.2 Internal Audit Services (minute 8 refers):

Members were advised that the ADA Lincolnshire Branch had accepted the four Boards' suggestion of the benefits of a 50% / 50% split between quality and price for the evaluation of tenders for the joint procurement exercise for Internal Audit Services. Tenders were due in by 5pm 15th September and therefore the evaluation process would begin shortly to appoint a new provider of Internal Audit Services.

26.17.3 Potential "Strapline" for the collective group of four Drainage Boards (minute 11 refers):

It was highlighted to members that whilst it was duly agreed, following a vote, that the new strapline for the four Boards would be "Witham and Humber Drainage Boards", the four Boards would remain separate legal entities and for Business purposes their individual entities, websites, headed paper etc would all be retained.

27.17 Chief Executive's Report.

The Chief Executive's report had been circulated with the agenda and issues highlighted included:

27.17.1 Partnership Approach to Catchment Management Project (item 2.0 refers):

Members were advised that of the five pilot studies one was particularly focused on Upper Witham and a workshop with all interested stakeholders would be convened by the EA in October 2017, with this second phase of the RFCC supported project to be completed by 31.03.18.

28.17 Receipt and publication of the External Auditors' Notice of Closure on the IDB Annual Return 2016/17.

A note had been circulated with the agenda advising members that at the time of agenda papers being posted, the Notice of Closure had not been received from External Auditors, Grant Thornton.

It was clarified that pleasingly all three Boards had now received their final "Notice of Closure" for 2016/17 and a clean audit. The Notice of Closure for 2016/17 was now published on the Board's website, at Witham House and in the drainage district at the Board's depot. Cllr. Nick Craft thanked Steve Larter, Finance Consultant for his achievement in closing the 2016/17 accounts with no matters raised by the Auditors.

29.17 Financial Performance Report 2017/18, to 31st August 2017.

The financial performance report for the first five months of 2017/18 had been circulated with the agenda and was presented by the Finance Consultant.

As at 31st August 2017 the Board was anticipated to have a positive budget surplus position of (£112,414) whereas the actual budget position was a surplus of (£190,275), i.e. a positive variance of (£77,861). This, however, was largely due to phasing at this point in the year as the five councils had paid the first of two tranches of Special Levy monies to the Board in May and Drainage Rates income was good but there remains seven months of 2017/18 to incur expenditure and high costs like overtime and electricity had yet to be incurred.

A breakdown of all significant variations was provided, as follows:

- Income (£40k).

The main income streams had been posted in terms of Drainage Rates raised (not necessarily paid) and Special Levies actually received for the first half year payment. The second Special Levy half year payments are due in November.

Rechargeable Works were being undertaken again for the EA with income received monthly 'on account' rather than in lump sums when works are completed. Therefore, the Rechargeable works income is currently (£6k) ahead of target.

Highland Water claims had been submitted to the Environment Agency for 2016/17 actual costs with a further balance of (£40,097) due and for 2017/18 Estimated claim (£167,500). 80% of the estimated claim for 2017/18 (£134,000) was due to be paid in September 2017 along with the balance for 2016/17 actual (£40,097), with the balance adjusted for actual 2017/18 spend payable the following September 2018.

A Flood Defence Grant in Aid (FDGiA) payment of (£33k) had been received for Westborough Flood Alleviation Scheme. Some of the expenditure to offset this was shown in One Off schemes although the first part of the scheme was not completed until September 2017, so the invoice for these works had not yet been received.

- Board & General Administration £2k.

Additional insurance costs for Cyber Liability cover £1k and various small variances.

- One off Schemes £1k.

This spend related to the Westborough Flood Alleviation Scheme. The bulk of the costs had not yet been incurred.

- Conservation (£1k).

Underspend on conservation budgets.

- Depot (£7k).

Reduced recharges as last year the Operatives undertook various works at the depot.

- Drains £0k and Pumping Stations (£17k) – Wages & Plant Holding Account (£9k) - overall net (£26k).

There were variances to budget on Electricity (£9k), wages and overheads (£9k), fuel (£1k), Motor Insurance (£1k) and maintenance and servicing (£1k). Members were reminded that winter is approaching and overtime payments were being incurred now, so these figures were expected to balance out over the next quarter.

- Joint Services/Witham House (£4k).

The first three month invoices as at 30th June 2017 had been produced and paid by the Board. The next invoices will be prepared at the end of September 2017. The Joint Services Committee monitors these budgets and at the last quarter end there was overall minimal variance.

- Consents & Enforcement £0k.

The actual costs incurred for the year will be invoiced in full to Lincolnshire County Council (included in income) and therefore are 'nil' cost to this Board. This is under a Memorandum of Understanding which has been extended to 31/03/2018.

- Director of Operations/Engineers (£7k).

The first three month invoices as at the end of June 2017 had been produced and paid by the Board. The next invoices will be prepared at the end of September 2017. The JSC monitor these budgets and at the last quarter end there was overall minimal variance.

- Contribution to Reserves/Pay Contingency £0k.

No contribution to reserves had been provided for in the 2017/18 Estimates. No separate pay contingency was provided for although the base estimates for wages and salaries included a 1% uplift. The 0.4% unconsolidated sum for 2017/18 is in addition to the 1% uplift.

- Rechargeable Works £7k.

This is the additional works undertaken which will be invoiced, mainly to the EA, over the course of the year.

- EA Precept (£2k).

The first half yearly amount of £83,413 IDB Precept was paid to the EA in July 2017 and the second payment of £83,413 is due in November 2017. The 2017/18 budget included a 2% increase but the Precept was not increased, so there will be a £3.3k saving on this budget head over the full year.

The total of all variations was (£78k), which accounts for the month five position being better than forecast.

- Drainage Rates 2017/18.

Members were briefed on the current position of the Drainage Rates collected for 2017/18 (including the previous years' arrears) as at 31st August 2017. The collection rate stands at 86.6% (92.6% @P5 2016/17) which is lower than last year's collection rate. First reminders were despatched on 10th August 2017 and final reminders will be despatched in the week commencing 25th September 2017. A court date had been set for 04th

December 2017. All historical outstanding rating queries are now resolved and only in year land transfers are now being actioned, which is a positive position.

- Plant & Machinery Replacement Programme.

The new tracked excavator had been purchased at a total cost including the Prolec height limiter of £117,598 and the Herder weed basket for £6,050.

Sales include the JCB JS145 for £20,000 (traded in) and mowing buckets and an old hedge cutter (total £2,200).

- Bank Balances & Investments.

As at 31st August 2017 these were as follows:			
Lloyds			£ 213,533.92
Nationwide Instant Access			£ 193,661.73
Nationwide 90 Day Notice			£ 14,102.07
		Total	£ 421,297.72

Following discussion, members received and NOTED the financial position for month five of 2017/18, as at 31st August 2017.

30.17 Statement of Expenditure for 01st April to 31st August 2017.

The Statement of Expenditure for the five months to 31st August 2017 had been circulated with the agenda.

Expenditure totalled £633,428.55 gross or, net of £51,633.17 reclaimable VAT, £581,795.38 net. Of this, £10,544.94 was rechargeable to other Boards.

Issues raised included:

- items 28 to 31 and 35 / 35: Members were advised that the fuel payments to Carlton Fuels and Chandlers Oil were done on a quotation basis. For every fuel order three quotes were obtained and the order placed with the lowest price for the requested delivery timescale.
- Items 62: £83,413.00 to the Environment Agency. This is the first payment of the IDB Precept to the EA, the second and final one is due in November.
- Items 63 to 73: It was clarified that the payments to Essential Fleet Services are correct and for individual vehicles, all vehicles are now leased.
- Item 94: £9,177.60 to K&W Mechanical Services. Members were informed that this item was the height limiter device for the new JCB tracked excavator.
- Item 130: £2,640.00 to Maltby Electrical. All Boards are undertaking an Electrical Inspection of the Pumping Stations, which is for the domestic supply (lights etc).

Members NOTED the Expenditure incurred in the five months period to 31st August 2017.

31.17 Drainage Rates Write-offs.

A paper setting out a request for the write off of drainage rates had been circulated with the agenda.

The Board has a policy for writing off Drainage Rates demands under the value of £2.50 and a report detailing the 33 accounts under this limit had been circulated with the agenda. The total of these 33 accounts amounted to a write off of £53.18, as follows:

Account	Value £
21	0.65
81	0.97
85	1.3
87	1.94
93	2.33
100	0.58
128	2.2
173	1.94
179	1.88
184	1.04
189	1.17
248	1.45
258	2.07
289	1.55
294	2.46
295	1.55
297	1.04
364	1.83
387	2.33
425	2.5
441	1.49
470	1.62
481	1.62
484	1.81
493	0.39
522	2.33
523	1.62
576	2.27
593	1.81
594	1.23
617	0.52
644	1.36
648	2.33
TOTAL	<u>53.18</u>

Members approved the write off of drainage rates income totalling £53.18 and spread across 33 accounts as listed.

32.17 Health and Safety Report.

A health and safety report had been circulated with the agenda, providing an update. Health and safety issues highlighted included the completion by the Operations Manager of Hi-Vis clothing provision and designation of the depot as a Hi-Vis work area (and the Operatives are in Hi-Vis when on site).

The report was received and NOTED.

33.17 Director of Operations & Engineering Services' Report.

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

- Planned Maintenance Programme 2017.

The planned summer maintenance programme had continued through this period. After a warm, dry June/July, the changeable weather through August adversely effected harvest, which in turn hampered access on to those drains abutted by arable fields. The ideal growing conditions also produced thick, vigorous growth on both the banksides and within the channel, making the cutting of vegetation somewhat slow at times.

There were also instances when, due to the wet ground conditions, access was not reasonable. The Board's midi-digger became 'bogged-down' on 03.08.17 in very soft conditions caused by the high water table adjacent to the Boutham North Intake Drain, which drains towards Coulson Road. It was retrieved with the assistance of a larger machine working from the adjacent cycle track (ABBA plant hire), and there was only minor damage to the hydraulic pipes.

The watercourses to benefit from winter maintenance this coming 2017/18 season were outlined as:

- Cricket Till
- Padmoor Drain
- Pennells Soke Dyke
- Burton Pump Drain
- Thorpe Pump Drain NE, NW, and SW

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 of the intended working sites where work will be undertaken during the winter months.

- Plant.

The new JCB JS180LR tracked excavator, ordered from TC Harrison JCB Ltd. of Lincoln, was delivered to the Board's depot in June and had been fully employed on the Board's summer maintenance programme. This was unfortunately the vehicle which was vandalised on 12th / 13th September, including the theft of 400 litres of fuel.

A new low loader trailer was also delivered. Ordered from DAS Services Ltd. of Cherry Willingham, this Bailey Low Deck Trailer will be used primarily to transport the midi digger around the district and to locations of re-chargeable works. It will be towed by the McCormack tractor. Tenders were received from four companies and that received from DAS Services was the most financially competitive and met all the technical requirements of the specification. The purchase price for the trailer was £7,135.

Also within the plant replacement programme for this financial year 2017/18 was the procurement of a weed basket for use on the Board's Atlas 140W wheeled excavator. This had been purchased at a price of £5,450. In addition, a new 'head stock' piece had been procured to fit on to the new JCB JS180LR machine. This is the piece that fixes the weedbasket to the dipper arm of the machine. This was purchased for £600. Both these items were purchased from Mastebroek of Boston and were funded from within the approved plant replacement programme.

- Pumping Stations.

The renovation of the diesel engines at Pyewipe Pumping Station continues with the completion of the renovation of the no.3 engine [a 9 horse power twin cylinder], the isolating

penstock of no.2 engine and the re-plumbing of the cold water system to all 3 engines along with other smaller elements of the station's infrastructure.

The Board's officers continue to attempt to progress the replacement of the control panel for the 3 electric pumps at Pyewipe Pumping Station. However, this is proving problematic with slow responses for information requests to the Environment Agency.

The automated weedscreen cleaner at Torksey Syke PS had required repair, after it was found that the grab failed to open/close.

- Re-Chargeable Work.

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 consists of both grass cutting and vegetation control, some mechanical and some by hand.

- Workforce.

Operatives from the three Boards along with the Supervisor from North East Lindsey DB enjoyed a visit to the factory of JCB Heavy Plant Division at Rocester, Staffordshire on 26.07.17. The day included a factory visit and tour of the 'JCB Experience' which members have enjoyed in the past, but in addition the Operatives were given the chance to operate a variety of heavy plant and equipment at the company's testing ground at a nearby quarry.

The Board's Pumping Station attendant, Simon Horton, is currently on extended sick leave following surgery in late July and is not expected to return to work until January at the earliest. In the meantime, his duties are being covered by other members of the workforce and the pumping station attendant for Witham Third District IDB, Adrian Skelton.

- Westborough Flood Alleviation Scheme.

Work to complete improvements to the east of the village was completed on 23 August. 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 are two small elements of reinstatement that will be completed later in the year, when conditions for planting hedgerow species are appropriate.

Discussions with regard to the management of the remaining works on the western side of the village continue, as do the discussions with the land owners affected by the proposed works.

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

Members received and NOTED the report and presentation.

34.17 Consents & Enforcements.

A report setting out the position statement on consent applications and enforcement cases, both within the drainage district and in the extended rainfall catchment had been circulated with the agenda.

Byelaw Consent Applications:

Reference	Location	Applicant	Details	Date
UD-3391-2017-CON	Sand Beck, Stubton Road, Brandon	Beeswax Dyson Farming Ltd	SW/treated FW outfall from barn conversion	10-05-17
UD-3530-2017-CON	Pike Drain, Boultham Park, Lincoln	P Casey (Land Reclamation) Ltd	Replacement wingwall for footbridge	20-07-17

Section 23 Land Drainage Act Consent Applications – District:

Reference	Location	Applicant	Details	Date
UD-3538-2017-CON	Ferry Lane, Skellingthorpe	T R Holmes (Farms) Ltd	SW outfall from residential development	11-08-17
UD-3605-2017-CON	Land North of Ferry Lane, Skellingthorpe	T R Holmes (Farms) Ltd	SW outfall from industrial development	

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-3427-2017-CON	Yorke Hurst, Station Field, Skellingthorpe	Keith Simpson Associates	SW outfall serving single dwelling	13-06-17
UE-3463-2017-CON	9b Ingham Road, Stow	Mr J M Cady, Ms M Kemp	SW/treated FW outfall	19-06-17
UE-3465-2017-CON	Vicarage Lane, Long Bennington	LCC	5no. road gulley outfalls into ditch	20-06-17
UE-3512-2017-CON	Swinderby Road, Eagle	Highgate Homes Ltd	SW outfall from residential development	24-07-17
UE-3567-2017-CON	Whisby Road, North Hykeham	Lindum BMS	SW/treated FW outfall from industrial development	01-09-17

Enforcement Issues – District:

Reference	Location	Description / Comments	Actions
UD-2131-2015-ENF	<i>Sudbrook Beck, Sudbrook</i>	Possible bank slip due to water extraction	Awaiting confirmation work completed
UD-3508-2017-ENF	<i>Fosdyke Delph, Lincoln</i>	Fallen tree in watercourse	Awaiting removal
UD-3587-2017-ENF	<i>Fosdyke Delph, Lincoln</i>	Caravans, sheds and general rubbish obstructing access	Network Rail are 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	Awaiting to receive an update from the Parish Council
UE-3597-2017-ENF	Sproxtton Road, Skillington	Possible blocked culvert and watercourse	Investigations on going

Members received and NOTED the report on consents and enforcements both within the drainage district and within the extended catchment where the Board operates under a MoU for Lincolnshire County Council, as the Lead Local Flood Authority (LLFA).

35.17 Engineering Services' Report.

Members received and NOTED the report on Engineering Services issues, particularly planning applications.

36.17 Western Growth Corridor (WGC) Lincoln.

The Engineering Services Officer gave an update on the Board's input to the Technical Working Group for the Western Growth Corridor in Lincoln and advice provided to the Local Planning Authority and developer. Consultations are ongoing with the Task and Finish Group. Further meetings have been delayed until after the public consultations (which have been extended and delayed) are completed. There will be a drainage meeting at some point, but no date has yet been set.

It was noted that the Board's position remains to advise against development in the flood plain but, accepting the determination of planning applications is a Local Planning Authority (LPA) role, in this case City of Lincoln Council, then members supported the continued officer input to advise the LPA and potential developer on flood mitigation measures.

37.17 Any Other Business.

There being no further items of business, the meeting closed at 15:45.

38.17 Date, Time and Place of Next Meeting.

The next meeting incorporating the Annual Public Meeting of the Board was confirmed for Monday, 20th November 2017 at 2.00pm in South Hykeham Village Hall.

.....Chairman.....Date
UW BM 18.09.17