

## **WITHAM THIRD DISTRICT INTERNAL DRAINAGE BOARD**

Minutes of the eightieth meeting of Witham Third District Internal Drainage Board held on Tuesday, 23<sup>rd</sup> April 2013 at Coningsby Community Hall.

### *Present:*

Mr. J. C. Smithson – Chairman  
Mr. P Hoyes – Vice Chairman  
Mr. R Armstrong  
Mr. I Clark  
Mr. R Coupland  
Mr. W S Crane  
Cllr. C J Darcel  
Cllr. I G Fleetwood  
Mr. J R Garner  
Mr. R Hairsine  
Cllr. P. Harness  
Cllr. G. Hewson  
Cllr. D C Hoyes MBE  
Cllr. M G Leaning  
Cllr. D Jackson  
Cllr. Mrs. F M Martin MBE  
Mr. I Parker  
Mr. D. J. Straw  
Mr. M. I. Thomas  
Cllr. P Vaughan  
Mr. R. J. Weightman

### *In attendance:*

Mrs. Jane Froggatt	Chief Executive
Mr. Martin Shilling	Director of Operations
Mrs. Anna Wilson	Finance and Rating Assistant
Miss Samantha Ireland	GIS Officer

The Chairman welcomed Members and Officers to the meeting and asked all present to stand for a minute's silence in memory of the late Cllr. Ray Curtis, longstanding member of the Board nominated by East Lindsey District Council, who had died on 17<sup>th</sup> February 2013.

### **2139 Apologies**

Apologies for absence were received from Mr. J Boyall, Cllr. W H Gray, Cllr. Mrs L J Marfleet, Cllr. Mrs I Parrott, Cllr. P Phillipson and Mr. P A Spilman,

### **2140 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.

### **2141 Chairman's Announcements**

The Chairman advised Members that Dogdyke Pumping Station Preservation Trust would be holding its first open day of the season on Sunday, 05<sup>th</sup> May 2013, the planned March open day having been cancelled due to the weather, and all were welcome to attend.

He went on to promote the Board's shared stand, with Witham First District IDB, at the Woodhall Spa show which this year will be on Sunday, 19<sup>th</sup> May 2013. Members attending the show were encouraged to drop in to the stand where the work of IDBs would be explained and promoted to the public.

Finally, the Chairman announced that members were invited to join the Board's visit to the national ADA demonstration site at Cross Guns Pumping Station near Wisbech on Wednesday, 17<sup>th</sup> July 2013.. The event is held every two or three years and is this year being hosted by North Level District IDB. A coach will take members to the demonstration, departing at approximately 8.30 am and leaving Wisbech for the return journey at 4 pm. Members were asked to confirm whether or not they will be attending so that coach numbers and lunch can be organised.

### **2142 Minutes of the Board's meeting held on Tuesday, 29<sup>th</sup> January 2013**

The Minutes of the Board's previous meeting held on Tuesday, 29<sup>th</sup> January 2013 at Coningsby Community Hall were APPROVED as an accurate record.

#### *MATTERS ARISING*

#### **2110 Lead Local Flood Authority [LLFA] Section 19 Flood Investigations**

The Chief Executive confirmed that Lincolnshire County Council, as the Lead Local Flood Authority for Lincolnshire, had now completed the Section 19 Flood Investigations report into the instances of internal flooding to residential properties in the two periods 28<sup>th</sup> and 29<sup>th</sup> June and 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> July 2012. The results had been shared with partner Flood Risk Management Authorities, like IDBs, and following a presentation to members of the county-wide environment scrutiny committee on 01<sup>st</sup> February 2013, it was planned that LCC Officers would be taking a more detailed presentation to the next meeting on 01<sup>st</sup> July. Cllr. Mrs Fiona Martin confirmed that she would be attending the scrutiny committee meeting and therefore it would be useful to receive an update on any matters arising in the Board's area at the next meeting. It was AGREED that Officers would update the Board at the next meeting.

#### **2125 Internal Auditor's Interim Report of January 2013**

The Chief Executive drew Members' attention to the matters arising from this minute and that, following this interim Report from the Internal Auditor which incorporates the recommendations from the public interest report into Caldicot and Wentlooge Levels IDB [published on 08.10.12], there would be a series of policies and procedures coming to the Board as new policies or as reviews of existing policies over the next year. She highlighted, for example, the revised Members' Code of Conduct and associated Members' Register of

Interests which was on the agenda today. Members NOTED this and that the Internal Auditor's substantive report on 2012/13 would come to the June meeting of the Board.

#### 2128 Annual value as at 31<sup>st</sup> December 2012, rates setting and the Board's proposed budget for 2013/2014

It was confirmed that following the Board approval of the 2013/14 budget at its last meeting, the budgets had been set for the year and Special Levy demands had been sent out to the relevant District Councils for payments due on 01<sup>st</sup> May and 01<sup>st</sup> November 2013 and to the direct levy ratepayers for payments due 01<sup>st</sup> April 2013, based on the 2.7% rates uplift agreed to set a balanced budget.

#### 2129 Report of a Loss to the Board

As required by the Board's Financial Regulations, a financial loss to the Board, arising from theft from Fiskerton Fen PS of diesel pump parts, had been reported at the previous meeting. An update was given and whilst there was no evidence that events were connected, a member of staff had resigned on 12<sup>th</sup> February 2013 following which all locks and keys at the depot and Pumping Stations had been changed as a precaution. Interviews had been held for a successor Land Drainage Operative on 19<sup>th</sup> April and the Chief Executive and Director of Operations confirmed that Mr Joe Motley had been appointed and would start on 07<sup>th</sup> May 2013.

The Loss Adjustor would visit site in due course as part of the Board's insurance claim relating to the loss. The loss had been reported also to the Internal Auditor and to Lincolnshire Police and a crime reference number allocated. Members NOTED the update.

#### 2131 Consents and Enforcements

It was reported that the review meeting of the consents and enforcements service, provided under the Memorandum of Understanding by the Board to LCC as the Lead Local Flood Authority since April 2012, had been held as planned on 21<sup>st</sup> February 2013 between Lincolnshire IDBs and LCC. In short, LCC was pleased with the service which IDBs had provided for and on their behalf in the extended catchments and as the total workload of 56 consents and 48 enforcements had come to an invoice total of circa £21k, it had been agreed that this was a good value service for the LLFA utilising the IDBs' expertise. The 3 IDBs in central Lincolnshire, Upper Witham, Witham First DIDB and Witham Third DIDB, had seemingly picked up most of the cases referred from the extended catchments. At the review meeting on 21<sup>st</sup> February it was agreed that all IDBs would invoice for 2012/13 work as at 15<sup>th</sup> March 2013 and it was confirmed that the 3 invoices for central Lincolnshire had been submitted to LCC. These totalled £18,413.54, of which £4,578.40 was for Witham Third's work in the extended catchment. It was reported that the 3 Boards had therefore recruited a joint Consents and Enforcements Officer, Mr Garry Winterton, 3 days per week to 31<sup>st</sup> March 2014 when workload and income would be reviewed. Members NOTED this update.

### **2143 Minutes of the Standing Committee meeting on 9<sup>th</sup> April 2013**

The Minutes of the Standing Committee meeting held on 9<sup>th</sup> April 2013 were APPROVED as an accurate record and the Committee's recommendations were NOTED. There were no matters arising, these being covered by the agenda.

### **2144 Minutes of the Joint Administration Committee meeting on 15<sup>th</sup> April 2013**

The Minutes of the Joint Administration Committee meeting held on 15<sup>th</sup> April 2013 were tabled, given the meeting did not take place until after the agenda and papers for the meeting were circulated. After due consideration, these were APPROVED as an accurate record.

#### *MATTERS ARISING:*

#### Joint Administration Committee Budget for 2013/14

Members' attention was drawn to the agreement by all three Boards party to the April 2009 Joint Administration Agreement, to uplift the £288,800 2012/13 budget to £306,350 for 2013/14. It was highlighted that the largest part of this £17,550 uplift was accounted for by an increase of £10,200 to Superannuation in order to properly set the budget to actual costs of staff.

### **2145 Financial Performance Report to 28/02/2013, month 11 of 2012/13**

The month 11 finance report for 2012/13 to 28<sup>th</sup> February 2013 was presented. On income, a total of £923,134 had been received and all Special Levies income for the year has been received from Councils. The income for the year from Direct Levies was £145,355, leaving £3,607 outstanding in rates payments for the year.

On expenditure, the total to 28<sup>th</sup> February was £861,946 against a budget of £814,801, a variance of £47,146 above expected spend for the period. This is attributable to two cost centres, drains maintenance and Pumping Stations which have an overspend variance of £21,332 and £27,441 respectively. Higher than usual expenditure on these two cost centres reflects the unusually wet year since April 2012 and it was pointed out that this is underlined when later the Director of Operations' Report will show the high number of hours the PS pumps have been in use this last year in comparison with use in previous years.

It was highlighted that as at 28<sup>th</sup> February, the projected year end outturn for 31<sup>st</sup> March 2013 is an income position of £992,555 and an expenditure position of £943,658 which gives a surplus overall for the 2012/13 year of £48,897 [subject to any variations during the Annual Accounts 2012/13 closure process].

Members NOTED the month 11 position and the projected 31<sup>st</sup> March 2013, 2012/13 year end position.

### **2146 Schedule of Expenditure 01.10.12 to 31.3.13**

Members had received two schedules of expenditure statements with the agenda. The first was for the period 01<sup>st</sup> October 2012 to 31<sup>st</sup> December 2012 and the second was for 01<sup>st</sup> January to 31<sup>st</sup> March 2013.

The Chief Executive highlighted two items to Members. The first was expenditure of £10,680 for a second hand staff welfare unit. This would mean staff had a dry area to use for lunch periods when out on site, together with small kitchenette, clothes drying area and a secure storage area for hand tools rather than these being left in vehicle cabs overnight. Although costly, this would avoid the annual hiring of such a facility which happens now. The second was expenditure of £743.38 incurred on 12.02.13 for new padlocks and deadlocks for the depot and pumping stations.

Members NOTED the expenditure incurred during the period.

### **2147 New Sage 200 Finance and Sage 50 Payroll Systems**

Members received a Briefing Note on progress in implementing the new SAGE 200 Finance system and integrated SAGE 50 Pay system, which is HMRC RTI compliant as required.

The systems went live as intended on 01<sup>st</sup> April 2013 will capture data for 2013/14 in full. However, to enable closure of 2012/13 Annual Accounts, the previous Dataflow system licence has been renewed, as part of the project, to enable access to data.

The project budget of £31,425, split equally across each of the 3 Boards as agreed by the Joint Administration Committee on 03<sup>rd</sup> December 2012, means each Board contributed a budget of £10,475. The project has met intended timescale and come in on budget so far at a total cost of £27,222 and with an anticipated total spend of £27,872, or £9,291 per Board. There are some teething difficulties which need to be worked through but the systems are operational and the Internal Auditor had checked, for example, that he is satisfied with accuracy of the pay system.

Members NOTED the content of the Briefing Note on the implementation of the new finance and pay systems to support the Board.

### **2148 Revised Banking arrangements for the Board**

Members had received with the agenda a paper outlining the process to review Banking arrangements, which the Board had agreed to on 23.10.12 and delegated authority to Officers in consultation with the Chairman and/ or Vice Chairman to revise arrangements if preferential terms were available.

A set of criteria had been drawn up for both the Board and for Witham First DIDB, Upper Witham IDB having determined not to jointly procure a revised arrangement but to remain with its current Bank. Nine potential providers had then been invited to discuss what terms they could each offer the two IDBs and by a process of elimination, potential providers were

reduced to three [one of which included the Co-Operative Bank as current provider]. Following analysis of the terms of banking on offer, Officers recommended to Chairmen and Vice Chairmen of both Boards that current accounts be moved to NatWest, albeit the Co-operative current account would be maintained [at no cost] until the first week in November in case any Special Levy payments are made into this long-standing account. This had been agreed and new Bank accounts had been set up accordingly with NatWest which met the original specification, e.g. providing a BACS payments system to enable electronic payments and reducing the reliance on cheques, provision of internet banking with tiered authorisation, provision of weekly bank statements, works with the new SAGE finance and pay systems and there is a local branch available to reduce staff travel into Lincoln.

Members NOTED that following review, revised banking arrangements had been set up for the Board with NatWest although the current account with the Co-Operative Bank would be retained, at no cost, until early November 2013.

### **2149 Code of Conduct for Members and Register of Members' Interests**

Members had received with the agenda a revised Code of Conduct for Members which it was confirmed is compliant with the 'Code of Conduct for Board Members of Public Bodies' issued by the Cabinet office in June 2011.

The Chief Executive confirmed that this revised version was as commended to IDBs by ADA nationally and she had sent it to the Internal Auditor and his comments had been incorporated in this version presented to the Board. If approved, it would replace the Board's 1987 Code of Conduct. A change of emphasis in the Code was for Members to keep their own declared interests up to date, rather than the Board asking them to do so. The new Code of Conduct would need to be periodically reviewed and amended in the light of changes to guidance.

After discussion, it was resolved to ADOPT the revised Members' Code of Conduct and Register of members' Interests and it was further AGREED that the Register of Members' Interests would be established and held at Witham House. For Members' ease of reference, it was also AGREED that blank copies of the form for registration of Members' Interests would be circulated with the Board's agenda for the next meeting, so that these could be completed by Members and handed in at the 25<sup>th</sup> June 2013 meeting.

### **2150 Presentation on the Board's new website**

Members received a presentation from Miss Samantha Ireland, joint GIS Officer, on the Board's new website [www.witham-3rd-idb.gov.uk](http://www.witham-3rd-idb.gov.uk) which was launched on 08<sup>th</sup> April 2013.

The website was developed internally and editorial control will be maintained internally, enabling information to be uploaded in timely fashion and hopefully ensuring that the website can be maintained and changed as and when required to be a useful, user friendly information tool.

The Home Page was demonstrated and the menu bar with drop down facility for users to navigate information they require. The aim was to make it interactive for members of the

public who, for example, wished to make a consent application, a complaint or to be able to email comments to the Board. A big improvement was the ability for members of the public to access maps and drain references for the drainage district and the extended catchment. GIS information layers had also been included. Although it was not long since the launch, there appeared to have been a high number of visits to the new website to date.

Members thanked Samantha Ireland for her presentation and NOTED the launch of the new website.

### **2151 Director of Operations' Report**

Members had received the Director of Operations' report with the agenda and he added to this with a presentation of additional information, including a comparison of rainfall levels and hours the PS pumps had operated in recent years. This demonstrated the exceptionally wet year in 2012/13 and the comparatively high number of hours the pumps had been operating.

He outlined the high flow events recently including the period 27<sup>th</sup> to 28<sup>th</sup> January 2013, on this occasion caused predominantly by the rapid melt of snow on the upland catchment. As on frequent occasions in the last year, the Board's workforce was deployed to the outfall of the Horncastle Ings system and the Board's mobile pump was used to control levels within the Ings system, albeit on this occasion water levels were higher than previously experienced this winter and water was out of bank and moving towards Tesco's car park, to reduce the risk of flooding to land and properties in Prospect Street. Cllr. Mrs Fiona Martin asked that her thanks to the Board's Operatives be placed on record and conveyed to staff for assisting again with flood alleviation.

Surface water flooding was also experienced in some of the Wolds villages and calls for assistance were received from Minting, Langworth and Bullington.

Members were advised that the high water levels and high flows in the last 6 to 9 months meant saturated ground conditions had led to a high number of bank slips throughout the district. In addition to the usual winter maintenance programme therefore, the Board's staff had been deployed to undertake bank slip repairs. The weed control work in North Delph had been completed and the winter bushing programme had started but because of the additional unplanned work, like bank slip repairs, the bushing work on Lissington and Legsby Beck would not be completed as planned and would be carried forward into the winter 2013/14 programme.

The Director of Operations tabled a paper offering an evaluation of the tenders received for the purchase of a replacement 4x4 vehicle, as approved in the 2013/14 budget with a provision of £24,000 for a new vehicle and an estimated trade in income of £4,000 for the existing Toyota Hilux. Five invitations to tender had been sent out, with only two tenders returned, from Duckworth Isuzu and Mark Harrison. After discussion as to towing capacity on an Isuzu versus a Ford, wear and tear on engine size and whether or not to trade in the existing vehicle given the ability to respond now to flood events, it was AGREED to retain the Toyota Hilux rather than accept the trade in prices offered of £3.5k to £4k and it was also AGREED to accept the tender received from Mark Harrison for the provision of a Ford

Ranger 2.2TDCI at a purchase price of £26,592 [+ VAT, which the Board can reclaim]. It was NOTED therefore that the Board was determining a course of action which means an additional cost of £6,592 above the £24,000 in the approved budget.

Members NOTED the Director of Operations' report and presentation.

### **2152 Consents and Enforcements**

A schedule of Consents and Enforcement cases, both within the Board's drainage district and within the extended rainfall catchment area referred to the Board to deal with under Memorandum of Understanding for and on behalf of LCC as the Lead Local Flood Authority, had been circulated with the agenda.

The Board's Engineer, Alan Gardner, outlined in the paper the continued rise in the number of cases received and that a significant backlog existed such that he and Upper Witham IDB's Engineer had asked the joint Consents and Enforcements Officer, Garry Winterton who was originally appointed for 2 days per week, to increase his hours to 3 days per week until 31<sup>st</sup> March 2014.

It was confirmed that timesheets are completed for catchment consents and enforcement cases such that, under the terms of the Memorandum of Understanding with LCC, the LLFA can be invoiced for the provision of this service. The invoice of ££4,578.40 for 2012/13 work had been submitted on 15.03.13 and Officers had confirmed at the review meeting on 21.02.13 that the Board would continue to provide the service in 2013/14 on similar terms.

Members received the report and NOTED the position on consents and enforcement cases to April 2013 and the agreement to continue the service to LCC as the LLFA for 2013/14 under a Memorandum of Understanding.

### **2153 Schedule of Planning Applications**

A schedule of Planning applications, relating to ELDC, WLDC and LCC, which had been considered by the Board in the period 15<sup>th</sup> January to 02<sup>nd</sup> April 2013 had been circulated with the agenda.

It was NOTED that on some applications the Board's Engineer had raised no objections and that on other applications, where comments or objections had been submitted, these were summarised in the paper. Members raised no further questions on the comments submitted to Local Planning Authorities.

### **2154 Refurbishment of Fiskerton Fen (Short Ferry) Pumping Station**

Members received a Briefing Note on progress on this scheme which the Board had agreed on 23.10.12 to fund in year 2012/13 through virement of £20,000 from the planned telemetry budget [as there was no budget provision]. The rationale for the scheme was the poor physical state of the weed screen access platform, the timber rail sleepers, for example,



were rotten and dangerous. In addition, the sump walls were in poor condition and needed major work.

The work had progressed well on the sump walls, the provision of an additional bond between the existing mass concrete support fillet and the sump walls, cleaning the walls and application of a bonding agent overlain with a sand/cement screed.

The separate contractor would next supply and fit the new steel weed screen access platform.

Members NOTED the progress to date on the scheme and that phase one is complete. There would be a completion of the scheme before the Board's next meeting and an update will be provided.

### **2155 Ings Drain, Horncastle Pumping Station Scheme**

Members received a Briefing Note from the Board's Engineer on the progress with the FDGiA funded scheme in Horncastle to provide a permanent pump station on the Ings Drain. The successful tender was received from C G Godfrey Ltd and the civil engineering contract had been awarded in the sum of £22,445. The mechanical and electrical contractor, Andrew Sykes Hire Ltd, is scheduled to deliver the package station in early May and the site should by then have been prepared to enable the pump station to be lowered into the ground on arrival. Electrical works still need to be completed and the pump station commissioned thereafter.

Members NOTED progress on the scheme and Cllr Mrs Fiona Martin added that it would be reassuring to local residents to have a permanent pump facility in place with telemetry rather than the current reliance on the Board's workforce to anticipate heavy rainfall and turn out to man the mobile pump on many occasions.

An update report would come to the next meeting as final commissioning of the pump station was anticipated for early June.

### **2156 Mark Avenue Culvert, Horncastle**

Board members received a progress report on this issue, initially raised with AWS and reported to the Board in October 2012. The culvert installed in 1983 had apparently been disowned by AWS and the Board had concerns that such an asset should be maintained given its strategic importance in Horncastle and the history of flooding in the area.

After repeat correspondence since 05.10.12, AWS had conceded the asset should be maintained and agreed to take back the asset on to their maintenance schedule but wished to open negotiation with the Board about adoption of the culvert by the Board.

The Briefing Note set out the process to go through to determine asset condition, what works are necessary to deal with any defects and the costs of future maintenance and eventual replacement, culminating hopefully in a proposition coming to the Board which is acceptable both to the Board and to AWS.

Members NOTED the position, the work to be undertaken and that a position statement and proposition would come to the Board in due course.

**2157 Fiskerton North Engine Drain (Barlings) slip repair**

Members received a Briefing Note on the condition of this Drain near Low Barlings where for a reach of 100 metres Fiskerton North Engine Drain runs parallel to Reepham Brook. Damage had been caused removing half the material between the 2 drains after three overtopping events on 10<sup>th</sup> and 29<sup>th</sup> December 2012, 27<sup>th</sup> and 28<sup>th</sup> January and 18<sup>th</sup> March 2013.

The Engineer and Director of Operations planned to control future overtopping via a designated spillway to be created about 30m upstream of the bend on Reepham Brook. The spillway will comprise stone across the crest and scour resistant geotextile fixed down the batter. At the site of the major slip, the damaged steel piles will first be removed then the batter of Fiskerton North Engine Drain will be repaired. The Board's workforce will undertake the repair and materials have been ordered.

Members NOTED the need for this major bank slip repair and the proposed method to undertake the works. A progress report will come to the next Board meeting.

**2158 Any Other Business**

With the Chairman's support, one further item of business was raised.

Mr Stuart Crane suggested that as it had been such a wet year and the Board's workforce had been flexible in difficult circumstances and as, furthermore, the Board was projecting a surplus end of year financial position a payment should be made to those operational staff in appreciation of their hard work. Members supported this suggestion and it was AGREED after discussion that a non-recurrent payment of £300 each would be paid and the Board's appreciation and thanks would be conveyed to staff.

**2159 Date, Time and Place of Next Meeting**

The Board's next meeting was confirmed for Tuesday, 25<sup>th</sup> June 2013 at 10.30am in Coningsby Community Hall.

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