

UPPER WITHAM INTERNAL DRAINAGE BOARD

Minutes of a Meeting of Upper Witham Internal Drainage Board held on Monday, 20th September 2021 at the EPIC Centre, Lincolnshire Showground at 2pm.

Present:

Mr. J. Boyall.
Mr. A. Buckley.
Cllr. M. Green.
Cllr. G. Hewson.
Mr. J. R. Hollis
Mr. D. Jackson
Mr. E. Jackson.
Cllr. Ms. R. Longbottom.
Mr. F. H. Myers. - **Chairman**
Cllr. R. Oates.
Cllr. L. J. Pennell.
Mr R. J. Phillips.
Cllr. S. Roe.
Mr. C. Smith.
Mr. T. Speakman.
Mr W. Timmins
Cllr. P.J. Vaughan. - **Vice Chairman**
Mrs. J. Wilkinson.

In Attendance:

Mr. Ian Coupland, Acting Director of Operations.
Miss Jayne Flower, Executive Assistant.
Mrs. Jane Froggatt, Chief Executive.
Mr Guy Hird, Acting Head Engineering & Technical Services.
Mr. Steve Larter, Director of Finance & Governance.
Mr. Martin Shilling, Director of Engineering & Technical Services

25.21 Apologies.

Apologies for absence were received from Mr. T. Arnold, Mr. B. Charlesworth, Cllr J. Cottier, Mr N. Craft, Cllr. Ms. L. Dales, Cllr. S. England, Mr. P. Gowen, Ms E. E. Jenkinson, Cllr. Mrs. R. Kaberry-Brown, Mr. D. R. Knight, Mr. G. E Porter, Mr. G. Rawlings, Mr. J.R. Scarborough [Vice Chairman], Mrs. J.S.P. Smith, Cllr. I. Stokes, Mr. N. Tobin and Mr. S. H. White.

26.21 Declarations of Members' Interests.

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

27.21 Chairman's Announcements.

The Chairman warmly welcomed all members to the September meeting of the Board. He was delighted that the Board was able to meet again in-person, the last 5 meetings having been via videoconference due to the Covid-19 pandemic. However challenging and impersonal, technology had meant it had been possible to keep the Board's

business going during the pandemic. Throughout the last 20 months officers had been able to keep communications going, both internally and with staff in other organisations. Office business continuity, site visits, pump lifts and repairs, depot functions including the completion of the new depot, summer and winter maintenance programmes, and delivery of schemes like phase 1 of Thorpe Catchwater on Tillbridge Lane and Hardwick Ferry replacement culvert had continued, with appropriate Covid-19 risk assessments and mitigations.

Mr Will Timmins was welcomed to membership of the Board and his first meeting. The Chairman thanked him for agreeing to be co-opted to the River Till electoral ward vacant following the death last December of former member Chairman, Mr Paul Wright.

He also welcomed some members to their first in-person meeting of the Board, although they had joined and participated in on-line meetings, such as Elliott Jackson.

The Chairman put on record his thanks to Mr Nick Craft who was standing down as a Board member at the October Election. Nick first served as a member nominated by SKDC from May 2002 to March 2005, a period of 3 years, following which he had a break from the Board before being nominated once more by SKDC from 10th March 2008 to Jan 2019, a further 11 years. In January 2019 Nick Craft was nominated to represent the Long Bennington, Barkston and Normanton electoral ward and he therefore continued as a member of the Board for a further term. Nick therefore brought his experience and valued contribution to the Board for 17 years.

Finally, the Chairman reminded all elected members of the Board that Nomination Papers were posted out on 31st August for this year's October Election. Members were asked to please complete and return those nomination papers to Witham House office by the election closing date of 12 noon on Friday, 01st October.

28.21 Minutes of the Board Meeting, 24.05.21.

The Minutes of the Board's previous meeting, held on Monday, 24th May 2021 were proposed by David Jackson, seconded by Pat Vaughan and APPROVED as an accurate record.

MATTERS ARISING:

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

29.21 Minutes of the Finance & General Purposes Committee meeting, 08.09.21.

The minutes of the Finance and General Purposes Committee held on Wednesday, 12th May 2021 had been circulated with the agenda and following amendments by Cllr Lance Pennell were proposed, seconded and APPROVED as an accurate record.

MATTERS ARISING:

There were no matters arising, all being covered by the agenda, and recommendations from the sub-committee were received and noted.

30.21 Minutes of the Joint Services Committee meeting, 19.07.21.

The minutes of the Joint Services Committee held on Monday, 19th July 2021 had been circulated with the agenda.

MATTERS ARISING:

30.21.1 Chief Executive's Briefing: Covid-19 Arrangements (minute 6.1 refers).

The Chief Executive gave a brief update on the current position, which was also covered in her report on the agenda. The 3 priorities remain for the Boards to maintain a safe working environment for staff, to provide business continuity and as much of a near normal service as it is practicable to do, and to preserve staff welfare and resilience in order to be able to respond to heavy rainfall or flood events.

30.21.2 Break in to Upper Witham Depot [minute 6.2 refers].

It was highlighted to members that on Sunday 11th July 2021 shortly after 10.30pm, a depot break-in occurred. Considerable damage to the premises was caused, along with the theft of powered hand tools, an Ifor Williams trailer and fuel tanks. Offenders had entered at the rear of the site, cutting the fence before driving into the end roller shutter door and gaining access to the strong room by ramming a 4x4 vehicle into the breeze-block wall until it collapsed. The incident had been caught on CCTV and reported to Lincolnshire Police [but was not to be investigated further, as all 5 offenders were wearing hoodies and gloves]. The insurer had been informed, and it was extremely unfortunate that the 4 Boards' Property Insurance had only been renewed on Thursday 08.07.21.

Lengthy discussion took place regarding prevention measures currently being considered. The claim so far stood at £51.5k, with £30k being for the building repairs. In terms of prevention, a secondary barrier around the whole site would be preferred, but the Board does not own that land. Internally, we are looking at Armco fencing all around the perimeter. It was acknowledged that the location was a vulnerable/soft target. The Insurance Company had requested certain items be installed by the end of September, so this was an added cost and time pressure on repairs.

30.21.3 Insurance Renewals [minute 8 refers].

It was highlighted to members that there had been detailed discussion at JSC in July on the insurance renewals from 08.07.21. This year the policies had been renewed on a group basis across the 4 Boards, which had achieved some economies such as one cyber policy. However, the whole renewals process had been challenging this year, which had been a significant issue not only for our 4 Boards but for the 112 IDBs nationally. Some of this difficulty related to the impact of the Covid-19 pandemic on the insurance market nationally and some relates to the reticence in the market to insure IDBs given the claims history arising from the floods in autumn 2019 and winter 2020. Although each Board's budget had been increased in anticipation of renewal, the costs increase of insurance this year was way in excess of budget. For Upper Witham, the actual insurance costs 2020/21 were £30,976 [against a budget last year of £26,650] and the budget had been increased by

£18,350 for this year to £45,000. Upper Witham's actual insurance costs for renewal this year from 08.07.21 totalled £53,312.88.

Members noted the discussion at the 4 Boards' Joint Services Committee.

31.21 New Model Byelaws for the Board.

A paper proposing adoption of new Byelaws, together with a set of the revised Byelaws, had been circulated with the agenda and was introduced by the Chief Executive.

- 31.21.1 As previously advised, IDBs nationally have been awaiting Defra's support to amend current Byelaws. The new Model Byelaws for IDBs [& Councils] had been published by Defra and Ian Moodie at ADA has sent them through to all IDBs, along with the process for approval. The purpose of these Byelaws is to give Boards powers to prevent an increase in Flood Risk and to effectively manage Land Drainage

As with the exercise for revised Standing Orders recently completed, a set of new Byelaws for each of the 4 Boards had been drafted in the Defra prescribed format. The proposed Byelaws do provide on page 4 for a maximum 9 metres Byelaw distance [the maximum a Board can set without making a special case to the Minister]. The current Byelaw distances are W3rd and W1st both 9 metres, NELDB 7 metres and Upper Witham has the least Byelaw distance at 6 metres.

- 31.21.2 Before we advertise the Byelaws for consultation, we must agree them and get the 'appropriate persons' (i.e., Chief Executive & Chairman) to sign and date them. They are brought to the September 2021 Board meetings (NEL 14th September, UW 20th September, Witham Third 21st September and Witham First 28th September 2021) for this purpose, and then we commence the process of consultation.

If approved today, the Board must publicise the proposed Byelaws. The advertising should show that, whatever media is used, it gives everyone an equal opportunity to object to the proposals. For example, we are obliged to advertise online and in at least one local newspaper in the area affected by the Byelaws and write to all affected parties [including the EA, Natural England, all 5 District Councils relevant for Upper Witham, LCC etc]. The Board must provide a copy of the Byelaws at the office for public inspection, for a period of at least one month.

Boards must advise anyone who wants to object to the proposals to write to the Board at Witham House, with their objections set out in writing.

In order to comply with the spirit of these requirements, it is proposed that following approval of the proposed Byelaws by all 4 Boards by 29th September 2021, we advertise the proposed new Byelaws on the 4 Boards' website for the required period of one month from Thursday 30th September to Monday, 01st November 2021. It is also necessary to place the notice of proposed new Byelaws in a newspaper in the relevant drainage district, so we propose for Upper Witham, Witham First District and Witham Third District IDBs to use the Lincolnshire Echo and for NELDB to use the Scunthorpe Telegraph and Grimsby Telegraph.

The Boards will need to advise all relevant Councils and public bodies in their drainage districts [e.g., Natural England, the Environment Agency etc], at the start of the consultation process on 30.09.21, to give them an opportunity to comment on the Byelaws and to raise any objections.

We will respond to any/all objectors in writing, explaining why we believe the proposed Byelaws are justified, or how we intend to change them in response to their comments received through consultation.

The Boards are also required to invite objectors to consider withdrawing their objections, giving a period of at least 2 weeks for them to withdraw or sustain their objections, or offer further comments. If objectors do not respond, their objections stand.

If we significantly amend the Byelaws, to meet objectors' concerns, the Boards should then further advertise the amended Byelaws. Affected parties can then comment on the new proposals [in effect, a second consultation process].

If any objections are not withdrawn or resolved before we submit the proposal to the Defra Minister for confirmation, the Minister may consider those objections when a Board submits the proposed Byelaws for confirmation. Boards may apply to the Minister for confirmation of the Byelaws one month after either of the following:

- the date of publication of the notice [i.e., 30.09.21].
- the last date of publication if more than one newspaper is used.

Each Board must send to Defra 2 sealed copies of the Byelaws [i.e., sealed with the Board's seal] signed by an authorised person, i.e., the Chairman and Chief Executive, and:

- an explanation of why the Byelaws are necessary.
- a statement of where the Byelaws were deposited and advertised, with the dates and times.
- a copy of the newspaper pages and any website pages where the Byelaws were advertised, with a statement that the Board made appropriate efforts to reach all affected parties.
- copies of any objections sent to the Board and your response. If the Board did not receive objections, include a statement explaining that there were no objections
- a statement of when the local and other public authorities (Environment Agency, Natural England, local navigation authority or harbour authority) were notified.

31.21.4 The increase of Byelaw distance to 9m, from 7m for NELDB and 6m for UWIDB.

Members were asked to consider the reasons for increasing the Byelaw distance, consistency being a key consideration. Witham First and Witham Third District IDBs have operated a Byelaw distance of 9m for several years [since the last adoption] to no ill-effect. This distance is also

used amongst many of the county's IDBs [LMDB, BSIDB, W4IDB, Ancholme all currently operate a 9m byelaw distance.] The increase for NELDB and UW may result in the number of consent applications rising, but this will be marginal inconvenience compared to the benefits for the Boards.

The main purpose of the 9m Byelaw is to protect the Board's access to those watercourses maintained by the Board. It enables the Board to control any development or other work within their access and working areas adjacent to the watercourse scheduled for maintenance by the Board. The distance of 9m is determined by a number of criteria:

- size/width of operational plant [4-5m including the swing of an excavator], safe working distance from bank top [1 – 2m] safety zone to rear of machine to reduce risk of crushing [1-2m], wear and tear of channel batter through slips and or erosion [1m], space to dispose of material removed from maintained watercourse [including cut vegetation and silt removed on periodic basis].
- In certain instances, the distance can be relaxed to allow development within the 9m distance and still provide unobstructed access for the Board's maintenance activities or those of the Board's contractor. However, this is considered on a case-by-case basis by application and a standard 9m starting point for negotiation seems a good precaution when Defra is allowing that as the maximum Byelaw distance without additional special request.

The need for the Board's prior written consent does not suppose refusal. The Board cannot unreasonably withhold its consent (s23(3) of the Land Drainage Act 1991).

The fee remains at £50 for the W&H Boards. This has not changed since the Land Drainage Act [1991] was enacted, whilst other Boards have increased their fees or introduced developer fees and charges.

31.21.5 Assuming all four Boards approve and sign the Byelaws at their September 2021 meetings, and it was reported that the other 3 Boards had met and done so, then complying with the advertising process and inspection period of at least one month, we propose the consultation period on the Byelaws commences from 30th September 2021 and closes on Monday, 01st November 2021. Therefore, it can be assumed that the Byelaws will be available and advertised for at least the duration of October, and beyond depending upon what date of newspaper publication is used.

Any objections received will be responded to in writing, and we will then give objectors a period of 2 weeks to withdraw the objection.

Following this period of at least one month we can then apply to the Defra Minister for confirmation, as set out.

The Boards may have the new Byelaws in place before the end of this year, subject to consultation responses/objections received and whether a second consultation period is therefore required before applying for

Ministerial Confirmation. The process then is dependent upon the time taken for Ministerial Confirmation of the Byelaws.

Following discussion, members were content to APPROVE the revised Byelaws for the Board and authorise the Chairman and Chief Executive to sign them, prior to commencement of a period of consultation as set out.

32.21 Chief Executive's Report.

The Chief Executive's report had been circulated with the agenda. Covid-19 having been discussed earlier; issues highlighted included:

32.21.1 Membership of the Board.

On Upper Witham IDB, the vacancy for the electoral ward of River Till & Sturton [the vacant seat following the death of Mr Paul Wright in December 2020], had been filled with the co-option of Will Timmins. Nick Craft, Upper Witham member for Long Bennington, Barkston & Normanton electoral ward had decided not to seek election in October 2021. Nick attended his final Finance & General Purposes Committee meeting on 08.09.21.

32.21.2 Staffing Issues.

There had been some staffing difficulties in Boards, particularly in Upper Witham's Operatives, relating to a combination of vacancies, some absences due to planned elective operations and some relating to confirmed Covid-19 cases and/or the requirement to self-isolate due to someone in the household testing positive. One week this summer, Upper Witham had only 3 Operatives available out of a workforce of 9.

There are Land Drainage Operative vacancies in both Upper Witham and Witham Third DIDB [appointments were made in both Boards, but candidates withdrew days before their start dates, illustrating that the current labour market is buoyant for excavator drivers and IDBs cannot compete with the construction sector pay rates at present]. Following readvertisement of the posts, interviews were scheduled for Thursday, 09.09.21 [post meeting note: interviews were unsuccessful but following yet further advertisement, a further round of interviews was held on 04.10.21].

32.21.3 Responsible Finance Officer.

A report was presented to the 4 Boards' Joint Services Committee on 19.07.21 which set out the rationale for designating a Responsible Finance Officer [RFO] role for each of the 4 Boards, and what that role entails. There is no requirement under the Land Drainage Act 1991 to have an equivalent role to that of the Section 151 officer role in the Local Government Act 1972. However, as part of improving clarity and transparency in our Boards' governance arrangements, it is good practice to designate who carries the RFO role.

The JSC had recommended that the RFO role be agreed, as set out in the minutes of its meeting on 19.07.21, and with no cost consequences

to the Boards. Each Board was therefore recommended to approve that the RFO role be assigned to the 4 Boards' Director of Finance & Governance post. This was **AGREED** by members.

32.21.4 Training.

The Boards did not host a member training event last year, the last being in Woodhall Spa on 27.11.19. Following the 2021 Elections and APMs in November, it was suggested that we host a member event in late November/early December. Members were asked for their views on whether an on-line training event or an in-person event is preferable. A potential date is Wednesday, 01.12.21.

32.21.5 Capital Schemes.

Thorpe Catchwater bank reinstatement scheme, phase 1 at Tillbridge Lane, was completed at circa £40k direct cost [net of the Board's plant and Operative costs] and phase 2 was necessarily delayed due to the presence of water voles and it being breeding season. The scheme will resume as soon as practicable, but given the water voles and now that the Board is a few weeks behind on the summer maintenance programme due to staffing and machine vandalism etc, realistically it is likely to be March-time before the scheme resumes,

Andrew Buckley argued that this would be the fourth winter he was waiting for these remedial works to be completed. Normal rain causes floods in the locality, not just heavy rainfall events, because the ditch is not cleared. He requested a third party be contracted to undertake the work. Lengthy discussion followed and given the Board's resources the scheme would need to be undertaken in-house.

Pyewipe Pumping Station refurbishment scheme, GiA funded with £15k Board contribution, would be progressed once Richard Wright could be freed up from planning applications to undertake some of the projects like this one.

The Chief Executive's report was received and noted.

33.21 External Auditors' Notice of Closure on the IDB Annual Governance and Accountability Return (AGAR) 2020/21.

The Annual Governance & Accountability Return [AGAR] for 2020/21 was agreed at the Board meeting held on 24th May 2021, subsequently published on the website for public inspection and despatched to the External Auditor on 11th June. The External Auditor, PKF Littlejohn LLP, completed their audit and published the formal Completion of Audit Certificate (section 3 of the Annual Governance and Accountability Return (AGAR)) and it was issued and received on Sunday 19th September 2021.

This confirmed that regulatory requirements had been met and there were no other matters to draw to the attention of Board members. This completes the External Audit for 2020/21 and pleasingly all 4 Boards received the same Audit opinion. All Notices of conclusion of audit on 2020/21 would be displayed at the office, depots and on the website www.witham3idb.gov.uk

Members noted the External Audit Notice of Closure on the IDB Annual return 2020/21.

34.21 Election Process 2021.

The Chief Executive gave a verbal update on the Election process. The current 3-year term of office for those directly elected members of all 4 Boards in the group expires on 31.10.21. The new terms of office will run from 01.11.21 to 31.10.24. Those members nominated by the 5 relevant Councils to Upper Witham are unaffected by these elections. A timetable for the 3-year elections for all 4 Boards had been approved at the January meeting and the Chief Executive was appointed as Returning Officer.

The four Electoral Registers had been prepared, validated and advertised as available for Inspection from Friday, 30th April to Thursday, 20th May 2021.

It had been confirmed there had been no objections, inaccuracies or anomalies raised by any inspections by c.o.p. 20.05.21, and each Board approved the Electoral Register at their May meetings, and the Electoral Register was advertised on the website www.witham3idb.gov.uk and at Witham House office.

Members were reminded that Nomination Papers were issued on 31st August 2021 and must be completed and returned by members standing for election by no later than noon on Friday 01st October 2021. Any members not wishing to stand were requested to advise the Chairman or Chief Executive at their earliest opportunity. If any members had a problem with these dates (e.g., away on holiday) or indeed if any members required assistance on completion of the Nomination Paper, they were asked to inform Officers well in advance of the closing date so support could be provided. Some nomination papers were outstanding, and any members who required assistance could meet with Jane and Jayne at the end of the meeting today.

Members noted the update.

35.21 Revised Financial Regulations.

A summary of 5 minor updates to the proposed revised Financial Regulations and Statement of Internal Control had been circulated with the agenda and was presented by Steve Larter, Director of Finance & Governance.

The full document had been presented to the JSC at its meeting on 19th July 2021 and Members of the JSC were content to recommend them for approval at each of the 4 Witham & Humber September Board meetings.

Members noted the summary presented and were content to APPROVE the revised Financial Regulations.

36.21 Schedule of Expenditure, 01.04.21 to 31.08.21.

The Schedule of Expenditure incurred for the five months of 01st April to 31st August 2021 had been circulated with the agenda. It was highlighted that this refers to invoices paid in the five months period.

Expenditure totalled £767,822.55 gross or, excluding £79,941.22 VAT, the net amount of £687,881.33. Of this, £30,637.40 was rechargeable expenditure to other bodies.

Items raised by or highlighted to members included:

- Items 2-5: various amounts to Alpha Concrete for works to Thorpe Catchwater and Hardwick Ferry drains.
- Items 62-64: various amounts to BSS Group Ltd for works to Thorpe Catchwater and Hardwick Ferry drains.
- Items 114 and 115: £7,500 and £61,500 respectively (net) to Chandlers (Farm Equipment) Ltd for the Maschio Buffalo 250 front/rear mounted flail mower and Massey Ferguson used 7715 tractor (KX17 EWW) as part of the approved plant programme.
- Item 125: £3,319.00 (net) to Eastern Industrial Door Services for replacement panels in the large roller sectional door following the depot break-in.
- Item 126: £83,413.00 (net) to EA for the Flood & Coastal Erosion Risk Management Precept (1st of 2 payments, total due £166,826.00).
- Item 202: £2,456.30 (net) to Lindum Group Ltd for Static guarding services at the depot following the break-in, being claimed as part of the insurance claim.
- Item 221: £2,454.00 (NET) to Martin Childs Ltd for Long Lane Drain reverse slip-in check valve part of the FDGiA Westborough Scheme.
- Item 228: £332.00 (net) to Morbey Fencing for repairs following the break-in.
- Item 395: ££9,578.01 (net) to TDL Equipment for repairs to the Atlas FX65 JJU following theft of the exhaust system DPF and is part of an insurance claim.

Cllr Lance Pennell asked if the Board anticipated any power supply issues with the current constraints nationwide for gas and increasing energy prices. Members were advised that all 4 Boards are low risk on gas, with gas usage being very low. For the ESPO contracts for electricity, the Boards are part of the ESPO (Eastern Shires Purchasing Organisation) and are as protected as much as can be until renewal of the framework next year.

Members received the expenditure schedule and NOTED the expenditure incurred in the five months 01st April to 31st August 2021.

37.21 Financial Performance Report 2021/22 to 31st August 2021.

The summary financial position 2021/22 as at 31st August, month 5, had been circulated with the agenda. The report was presented by the Director of Finance and Governance. The summary position was as follows:

	2021/22 Budget	Profiled Budget	Actual	Variance (3-2)
	£	£	£	£
Income	(1,395,659)	(667,972)	(667,951)	21
Board & General Admin	23,920	13,753	11,261	(2,492)
One Off Schemes	0	0	2,454	2,454
Conservation	2,000	236	273	37
Depot	72,010	35,038	55,039	20,001
Drains	644,170	313,048	289,725	(23,323)
Pumping Stations	205,460	65,561	49,075	(16,486)
Joint Admin/Witham House	153,288	54,453	55,116	663
Consents & Enforcement	14,844	0	0	0
Director of Operations/Engineers	104,004	39,976	41,203	1,227
Contribution to/(from) Reserves	(19,200)	0	0	0
PWLB	0	0	0	0
Rechargeable Works	25,000	6,011	18,246	12,235
EA Precept	170,163	85,082	83,413	(1,669)
FRS17 Pension Adjustment (net)	0	0	0	0
Wages & Plant Holding Account	0	(40,565)	37,047	77,612
(Surplus)/ Deficit	0	(95,379)	(25,100)	70,279

The Board's budget profile as of 31st August 2021 was an anticipated positive variance of (£95,379). The actual position was a budget surplus of (£25,100), a negative variance of £70,279. The negative variance included some rechargeable works undertaken (mainly PSCA works for the EA) which had yet to be recharged. The recharges would be done shortly for the 6 months to 30.09.21. Approximately £40,000 of the variance was due to the direct costs incurred of materials [not Operatives and Plant costs] for the Tillbridge Lane Bank Slip reinstatement scheme.

Drainage rates income as at 31.08.21 was [£217,243.42] of £261,020.39 invoiced for 2021/22, a collection rate of 83.2% compared with 81.0% for the comparable month 5 in last year 2020/21. Special Levy income to the Board from the 5 councils had been received, the second tranche being due in November.

The Highland Water claims had been submitted to the Environment Agency for 2020/21 actual costs, with a further balance of (£37,892) due from last year, and on the 2021/22 estimated claim of (£207,000) the EA was due to pay 80% (£165,600), so a total of [£203,492] was payable to the Board this month.

Insurance claim monies have been received for the Board's wheeled excavator Atlas exhaust system (£7k), following vandalism and theft of the exhaust system. Further insurance claim monies will be due once the 11.07.21 depot break-in restoration works are completed, and the claim is finalised.

For one off schemes, the main scheme to be undertaken is the refurbishment works at Pyewipe Pumping Station totalling £368,950 with FDGIA grant awarded of £282,950. Further funding of £71k has been received in the last financial year 2020/21, underwritten initially by the Environment Agency's Anglian [Northern] RFCC. The remaining funding of £15k will be resourced by the Board, as previously approved. So, (£322,100) has been received in previous financial years to undertake these works. Only minimal spend has been incurred so far on this scheme, as it is programmed to be progressed later in the financial year.

A break-in that occurred at the depot on the evening of 11th July 2021 had impacted on time and budgets. Various tools and equipment were stolen along with an Ifor Williams trailer. Substantial damage was done to the building, requiring a new external roller shutter door, repairs to fencing and replacement blockwork and flood door in the workshop area of the building. As this affected the plant room, a significant amount of plumbing and electrical panels would be stripped out whilst the walls were rebuilt and replaced. Some costs had been incurred to rectify the door and fencing £4k, small tools £3k and onsite security £2k. An historic electricity account has also been received for the old depot meter used during the build of £2k (previously estimated bills were issued).

Members were reminded that the Board approved on 25th April 2016 the adoption of a watercourse, 'D7' from the Teal Park development to Pike Drain, subject to receipt of a commuted sum and associated agreement. DEFRA approval was sought and approved at the time. Despite numerous attempts to get the agreement in place and the monies paid over to the Board, due to staffing changes at Lincolnshire County Council (LCC) this did not materialise. However, contact has now been re-established and the issue is being progressed by LCC. This should result in a commuted sum of £49,500 being paid to the Board during the next couple of months, with the Board then maintaining this stretch of watercourse as previously approved.

On bank balances and investments, as at 31.08.21 these were as follows:

Lloyds Current	£	179,652.56
Lloyds Deposit	£	5,000.00
Nationwide Instant Access	£	603,335.31
Nationwide 90 Day Notice	£	14,470.29
Total	£	802,458.16

PWLB Loan - Balance Outstanding

2.68%

£ 1,132,450.26

Original loan £1,200,000. Loan period 30 years from 18/01/2019. Maturity date 15th November 2048. Repayments made 15th May and 15th November each year.

Members noted the 2021/22 financial performance for the five months 01st April to 31st August 2021.

38.21 Write-off of Drainage Rates.

A report had been circulated with the agenda and was introduced by the Director of Finance and Governance. The Board has a policy for writing off Drainage Rate demands under £2.50, these being uneconomical to pursue. The following 28 accounts were outstanding as at 31st August 2021 but were under £2.50 for 2021/22.

Account	Value £	Account	Value £
0021	0.71	0295	1.70
0081	1.06	0297	1.13
0085	1.41	0364	2.00
0087	2.12	0441	1.63
0100	0.64	0470	1.77
0128	2.41	0481	1.77
0173	2.12	0484	1.98
0179	2.05	0493	0.42
0184	1.13	0523	1.77
0189	1.27	0576	2.48
0213	2.19	0593	1.98
0248	2.12	0594	1.34
0258	2.26	0617	0.57
0289	1.70	0644	1.49
		TOTAL	45.22

As each account is under £2.50, the Board was recommended to write off the debt, totalling £45.22.

Account 10-0050-6 had a change of use to residential, industrial units and commercial premises. It was moved to Special Levy in 2021/2022, but there was an outstanding balance of £42.45. It was requested that the Board write off £42.45 for this account.

Following discussion, members were content to **AGREE** that the following amounts were written off:

Under £2.50	£45.22
Special Levy	£42.45

39.21 Health and Safety Update.

A Health & Safety update by Ian Coupland, Acting Director of Operations, had been circulated with the agenda and was presented.

Operatives were extremely busy with the summer work programme, this in itself makes having one man on one machine easier, as part of our Covid-19 precautions, but does create the problem of moving vans and machinery from site to site. Whilst it may seem easy just to send two Operatives in a vehicle, we have not been without our cases of Covid-19 or people having to self-isolate, so we are very conscious of being able to provide cover should we have a wet weather event. We are having to move machinery by low-loader more than normal and in some instances hiring a car transport trailer to move vans from site to site. All staff are still issued with the necessary PPE and equipment to undertake their daily duties.

Office Staff are still working from home wherever possible, but the office is now staffed every day of the week and open to the public and site visitors, by prior appointment. We are starting to have small face to face work meetings, managed by a booking system, with Jayne Flower managing the requests.

All 4 September Board meetings are face to face meetings, and as such have been subject to written risk assessments being undertaken and circulated prior to the meetings.

Covid-19 arrangements and the risk assessments are reviewed weekly at Management Team meetings and any change in national guidance is kept under review.

Cope, external Health and Safety provider, completed their annual audit visits to all four Boards. The written report for Upper Witham was expected soon, and no concerns had been raised.

There had been two near misses reported across all Boards since the last report in May. Both involved a vehicle driving through long grass and dropping the front wheel over the edge of a bank slip. These have both been investigated internally and tool box talk given to remind Operatives to drive as far from the edge as is possible and if not sure of the conditions, then do not drive through long grass. This does highlight the importance of Health & Safety flailing cuts before drain banks are driven on. This is made easier with the use of the front flails we now have on tractors in addition to the large side-arm flails.

We have had one accident reported, this was on Witham First and involved a cable strike. This was a BT cable and not a powerline but is taken just as seriously. Our internal investigation concluded that the Operative did not set the height limiter because it was a BT cable, he has been advised he should do so and will receive further training. We have always instructed all our Operatives to class all overhead cables as if they are live and as such to measure them using the provided 'Suparule', complete the relevant paperwork and set the machine's height limiter. Annual training is taken by all Operatives for working around overhead powerlines.

We have held a Health and Safety representatives' meeting with no new issues to report, main concerns were for winter piling works on bank slips. This activity has now

been risk assessed by Cope the external H&S advisors, and options are being discussed with different suppliers of equipment to make this process safer.

Thirteen staff have now undergone awareness training for CDM Regulations 2015, to ensure we have a better understanding of the requirements on the industry and what changes we need to make to ensure compliance.

We have also had some of the teams undertake Underground cable training and the latest recruits have completed Overhead Cable Avoidance training. We have completed the first round of excavator training, which means that all Operatives on machines [excavators] have now completed their basic and tracked excavator training, There was a meeting earlier this month with the training provider to arrange the second phase, to organise the conversion training from tracked to wheeled excavators and to discuss getting attachment tests on some of the equipment that can be classed as high risk, e.g., excavator mounted tree shears. Undertaking this training will also help the Boards to evidence that our Operatives are competent in the duties they undertake, which is increasingly something we need to be able to do both in terms of H&S requirements and to satisfy our insurers. Annual overhead powerline avoidance training is booked for the 26th and 27th October.

The company retrofitting the excavator Cab Hand Rails had now fitted them to all Witham First DIDB machines, Witham Third DIDB machines and Upper Witham's machines. It is good to be able to report that this exercise is complete.

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

40.21 Environmental Update.

A report by Fiona Scott, Environment & GIS Technician, had been circulated with the agenda and was presented by Guy Hird, Acting Head of Technical and Engineering Services.

As a public body, under the Natural Environment and Rural Communities Act (2006), Internal Drainage Boards must have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of normal functions such as policy and decision-making. 'Conserving biodiversity' may include enhancing, restoring or protecting a population or habitat.

The report set out the agreements and achievements of the Board's environmental activities from September 2020 to September 2021.

The Board continued with successful monitoring, box maintenance and box replacement (where necessary) of the owl box scheme. Badger setts within the Board's district were being mapped and sett activity closely monitored.

The Board's Environment & GIS Technician will use the new ADA guidance to update the Board Biodiversity Action Plan and develop a Nature Strategy, a joint one for the 4 IDBs. In response to a question from Robert Oates about prior sight of the Nature Strategy, it was confirmed this will either be brought as a draft version to the November Board meeting for review by Members or if time allows it will be circulated in draft to members before the November Board meetings, for comments and input prior to coming to the November Board meeting for approval.

The Environment & GIS Technician will represent the GLNP on the Waterlife Recovery East (WRE) Steering Group and is now the Secretary for Lincolnshire ADA's Environment Committee.

Members received and noted the report and update.

41.21 Plant Programme 2022/23 Briefing Note.

A briefing Note had been circulated with the agenda and was presented by the Director of Finance and Governance and the Acting Director of Operations.

The plant, vehicle, machinery and equipment replacement programmes are considered by the Board annually as part of the budget setting process for the subsequent financial year. It is important that when the programme is approved, the Board can demonstrate that it is affordable in terms of the initial purchase costs (resourced from the Plant Replacement Reserve) and can afford the annual depreciation charges from its Revenue Budgets.

The proposed replacement programme showed the preceding financial year 2020/21 actual spend, the current financial year 2021/22 actual spend to date and/or budgeted spend, and the budgeted spend for the following financial years from 2022/23 to 2027/28.

For the last couple of years two main issues have arisen. Firstly, the initial cost of machine purchases is increasing, especially items that are manufactured abroad. This has been notable for example with wheeled excavators. As many firms increase prices from 01st January, the Plant Programme comes to the Board in September each year enabling the procurement process to be started and invitations to tender to be sent to potential suppliers, evaluations and orders to be placed by December.

Secondly, the lead-in timescales from order placed to receipt of goods has also extended considerably, with plant often arriving after the start of the weed cutting season in early July [even when delivery by June has been specified]. This can give operational issues if the old plant and machinery is traded in. Hence, it is prudent to place orders by December, with intended delivery by 30th June the following year.

The Board owned depot truck (Isuzu Rodeo) has now been sold, which is a carry-over from 2020/21.

Due to the underspends achieved against the budgets in the current year on the plant programme [notably the programme estimated £220k for the new tractor/flail but actual expenditure on the Case/Herder is £202.6k], it is proposed to earmark £15,000 of this year's available plant programme budget to purchase a second-hand forklift for the new depot to replace the current one. A replacement forklift was in the plant programme in 2019/20 but was removed pending the depot becoming operational and assessing what was required. Initially, a teleporter was considered with a budget of £25k but this will not be functional in the spacing between the racking in the depot building. This additional fork-lift purchase is an amendment to the current year programme. This was discussed by the Finance & General Purposes (F&GP) Committee at its meeting on 08th September 2021 and this additional purchase is fully supported and recommended to the Board by that committee.

Whilst the Board has a policy of planning machine replacements at 7 years, officers always assess the condition of plant before replacement. Due to the condition of the machine, hours worked and maintenance costs, it was proposed to defer the planned purchase of the replacement wheeled excavator and associated weed basket from 2022/23 until the following financial year 2023/24.

Following discussion and review, Members were content to **APPROVE**:

- the purchase of a second-hand forklift in 2021/22 with a budget of £15k, as recommended by the F&GP Committee.
- the amended Plant & Machinery Replacement Programme for 2022/23, including the deferral of the planned wheeled excavator and associated weed basket purchase into 2023/24.
- the Plant & Machinery Replacement Programme for the subsequent five years 2023/24 to 2027/28, subject to the proviso that any changes required in either items to be purchased or budget allocated be referred to the Board for approval.

42.21 Operations Report.

A report had been circulated with the agenda and was presented by the Acting Director of Operations.

Across the group of 4 Witham & Humber Boards, Operatives were currently busy with our summer maintenance programme, involving grass and hedge cutting and in-channel vegetation control. We are noticing this year a difference in the crops grown around the area, there being less early crops like oil seed rape and peas. The previous earlier harvest of these, gave us some arable land to start working from. With a change in the last couple of years to crop patterns and lot of later crops being grown, everything seems to be coming off the land at once, giving the Board a real challenge of a short timescale to undertake our watercourse maintenance before the fields are worked. This, on top of the disappearance of a lot of the grass margins we used to work from, is going to lengthen our summer maintenance season.

Ian Coupland had met all the working Foremen and was starting to put a winter maintenance programme together for 2021/22.

Upper Witham had really had a difficult start to the summer maintenance season, the Board had also been an Operative short due to Matt Wright leaving in June. The vacancy was advertised, candidates interviewed, and the preferred person was offered the position. This person accepted, handed in their notice and was due to start at the end of their four-week notice period, but one week before joining changed his mind. In addition, staff isolation and a confirmed Covid-19 case led to two weeks with only three Operatives in work, of the workforce of nine. Officers were seeking to appoint an Operative particularly to work on an Atlas wheeled excavator. Further interviews were held on Thursday 09.09.21, to no avail and the recruitment process is once again underway.

There had been numerous machinery breakdowns to deal with, from hydraulic rams snapped on the Herder flail, the windscreen on the Energreen SPV had a stone smash through and then the replacement glass was fitted incorrectly by the Dealer and only lasted a few days before it also cracked. We also had to wait circa 12 weeks for a replacement exhaust system on an Atlas machine, following an overnight theft from site [this was subject to a successful insurance claim]. So, with a shortage of Operatives, a

change to crop patterns and challenges with machinery this summer it has not been a smooth summer maintenance programme this year to date.

As previously mentioned during the meeting, the Board had suffered a break-in to the depot on the night of Sunday 11.07.21. The thieves were 12 minutes on site, cutting through the perimeter fence to gain site access, then ram-raiding one of the 3 roller shutter doors to get internal access [that door had to be replaced and we had night security for a week until this was replaced]. They were unable to breach the internal secure room steel door, so repeatedly drove their 4x4 truck at the internal wall block work until they demolished the wall. The main items taken were circa £15k of powered hand tools like chainsaws and strimmers, but extensive damage to the blockwork and associated electrics and plumbing occurred and is also subject to an insurance assessment, quotations for repairs and an insurance claim in due course when this is quantified and completed. Lincolnshire Police attended site Sunday night/early Monday morning and the CCTV footage was reviewed. As all 5 offenders were wearing gloves, hoods etc the case was not investigated further, and the Board was issued with a crime number.

The Red / White diesel issue is still being challenged by ADA and other parties nationally. As it stands, we have kept our excavators on red and our tractors that are not used for haulage on red diesel. Keeping the tractors on red is a slight risk as Customs and Excise have confirmed that travelling from one site to another or flailing watercourses in a City, Town or Village would not be classed as an agricultural duty. But to put the infrastructure in place i.e., purchase fuel bowsers on each Board so we can fuel red and white is not affordable or practical when it looks like we will have to put everything on white diesel from April 2022. We can then flush our current bowsers and tanks out and we are just delivering one fuel type again. If we do not get the agricultural classification, it is going to be open season on our machines left on site overnight, we fear they will be soft targets. In keeping with the rest of the IDB sector, we are planning on implementing the changes from April 2022 which will be a budget pressure estimated at approximately £13k for next year.

Members were reminded that all prices across the industry are increasing regularly, and stock availability is sometimes weeks or months. This led to increasing repairs and maintenance/ servicing bills plus delays for delivery of parts from overseas.

The new Case tractor /Herder flail combination that was due for delivery in June 2021 was late coming from Case and was currently in Holland at Herder having the flail fitted, delivery to the Board being delayed now until early October.

The Atlas 150w wheeled excavator machine that had the exhaust system stolen was now back up and running, the Board having waited around 12 weeks for parts to arrive from Germany and with downtime accordingly in the weed cutting season.

Burton Pumping Station:

Burton Weed screen is due to be replaced. This is still ongoing, and work will be undertaken once we can drop to Winter channel retention levels.

Coulson Road Pumping Station:

The pump that was removed for repair is now back in situ and working well. The second pump here is going to be checked electrically, as it is giving some amp readings that are questionable.

Thorpe Catchwater [Tillbridge Lane] Bank reinstatement scheme:

The second phase of this scheme was due to take place around the end of September, but as mentioned earlier, we are going to have to review this timing due to being behind on our summer vegetation maintenance programme. We will endeavour to complete the work as soon as we possibly can do so.

Regarding PSCA works, as reported at the May Board meeting, it had not been an easy process this year. Pleasingly, officers now had all the relevant paperwork, specifications, maps and confirmations/order numbers from the EA needed to undertake the works. Unfortunately, some flail cuts had been missed due to late receipt of this paperwork from the EA.

Members NOTED the Operations report and update.

43.21 Engineering Services Report.

The Engineering Services Report had been circulated with the agenda and was presented by the Acting Head of Technical and Engineering Services, Guy Hird.

There had been no flood events to report since the May Board meeting.

Multi agency Rain Gauge Project (JA-5378-2020-ASS):

Officers were exploring on behalf of all four Boards whether to be involved with this multi-agency scheme. Potential partners across Greater Lincolnshire are the 3 Lead Local Flood Authorities [LLFAs] namely Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council. Other partners include Anglian Water and other Internal Drainage Boards (but not the EA). The scheme is proposed to be part funded by the Anglian (Northern) RFCC Local Levy and a draft bid was submitted by Lincolnshire County Council in November 2020. The proposal is to have 'live' web-based rainfall data available to partners during heavy rainfall events and historic data for post event investigations including the LLFA led Section 19 investigations. Approximately 50 sites would be located across the area hosted by partners in appropriate secure sites which potentially could be the Boards' Pumping Stations. However, we need to understand more about locations, potential ongoing maintenance costs for which the Boards may be liable etc before agreeing to participate in what is currently an expression of interest stage project. There has been no change since the May meeting and information is awaited from Anglian Water.

Lincolnshire Local Resilience Forum (LRF) (JA-1400-2014-ORG):

The next full six-monthly meeting was due to be held on 12th October 2021. In addition to the main meetings the 'LRF Flood Group' subgroup is due to meeting on 02nd September, the agenda includes 'FloodEx2022' which is a significant regional exercise taking place in September 2022 involving all the LRFs along the Trent Catchment as well as all the East Coast LRFs covering both Tidal and Fluvial Flooding.

Hykeham Pumping Station (UD-4904-2019-PRO):

This station has an issue with a leaking outfall chamber, and this is being investigated and options to remedy it to be reported subsequently.

Hardwick Ferry (UD-5304-2020-PRO):

Works to renew a failed culvert had been completed

Pyewipe Pumping Station (UD-220-2013-PRO):

Planning Permission had been granted by City of Lincoln Council for the construction of a new pump control house. This building will house the new Motor Control Centre (MCC) that will control the 3 electrically driven pumps on the site. The process to receive Grant in Aid monies from EA was completed in January 2020, upon the receipt by the Board of £282,950 plus a further £71,000 contribution underwritten by RFCC. This second sum being the Western Growth Corridor S104 contribution to be used for the provision of an additional Weedscreen cleaner. The Board agreed in June 2020 to contribute £15,000 towards the total scheme costs of £368,950.

The scheme includes the provision of:

- i. a new pump control building and MCC,
- ii. the refurbishment of the penstocks controlling flows within the syphon under the Fosdyke Canal and,
- iii. the provision of an automatic Weedscreen cleaner to the 'Old' electric pump that will deal with the flows emanating from the proposed Western Growth Corridor development.

The metal probes that monitor water levels on site had corroded causing the system providing the continuous monitoring of water levels on site to fail. These probes have been replaced and the system reinstated.

A site meeting was held on 25th November 2020 with Western Power Distribution to agree the impact on their equipment and relocation of the metering.

Westborough (UD-364-2013-PRO):

Following back flow through the new discharge pipe in to the River Witham on Long Lane during the flood event in January a second 'duck bill' one way valve is due to be fitted to prevent a reoccurrence. This has arrived and is in the depot awaiting installation.

Lincoln Flood Alleviation Scheme (UD-1077-2014-PRO):

Officers have been involved in detailed discussion with the EA concerning their proposals to automate the operation of this washlands scheme. The electrical control gear of the sites is due for replacement this financial year and the EA are to combine this with the provision of automation and remote operation through an improved telemetry system.

The thresholds of operation and the schemes effect upon the Board maintained systems and stations remains un-changed and will continue to be as previously agreed. Provisions have been made for inclusion by the EA, of the Board's telemetry system.

Pump control panels are installed and working. There are several minor works to be undertaken to complete the project. Works are almost complete.

A memorandum of understanding will be produced with the Environment Agency to provide clarity of operation and the interaction with the Board.

Heapham Road Balancing Pond (UE-2491-2015-ASS):

Heapham Road Balancing Pond is outside the Board's area but is only two fields away from the Board maintained Somerby Drain to the edge of the District. Upstream of the District the Operations Team has a long-established arrangement with West Lindsey DC to undertake rechargeable annual maintenance of Somerby Drain up to Gainsborough, excluding the Balancing Pond which is an 'online' attenuation feature built to for Heapham Road Industrial Estate. It was originally built in 1969 and extended in the early 1990's. A multi-agency meeting to discuss the condition of the asset took place on 08th June 2021.

Despite the site being neglected for a long period the lagoons are still able to work at near design capacity and there are no signs that it has overtopped the exceedance weir, so flows into the Board's area have not been more than expected. Seven Trent Water have acknowledged ownership of the site and are due to inspect and ensure the piped links between the two lagoons are fully operational. Further discussion on the site will be held as part of the City of Lincoln and West Lindsey Operational Flood Group.

Western Growth Corridor, WGC (UD-128-2013-PLN) (UD-4618-2019-PLN):

At the Board meeting in June 2013 the Board confirmed its objection in principle to the development within flood plain. However, it was agreed that Officers would continue to co-operate and take part in multi-agency meetings to safeguard the Board's interests and minimise the impact on the pumped drainage system maintained by the Board.

Although yet to be determined the current City of Lincoln Planning Application (2019/0294/RG3) for the proposed development could be granted soon. As a result, there are now monthly progress meetings attended by all the agencies together with individual meetings/site inspections relevant to the different agencies.

A meeting has been held to discuss several topics that relate to the Board including:

- Contributions for infrastructure
- Land Drainage and Byelaw consents
- Scheduling of watercourses by the Board

It was reported at the May board meeting those documents being circulated contained several fundamental items that did not align with the agreed principles for the drainage of the site and how it interacts with the pumped drainage system. Following a dialog and site meetings, progress has now been made and the situation has been clarified. Further discussions are ongoing.

Lincoln Flood Defences - June Update from the EA:

The EA are currently undertaking work on the flood defences in Lincoln as part of a £6m scheme. This includes strengthening the riverside walls on the Fosdyke Navigation with new sheet piles. Repairs of the concrete and masonry walls or sheet piling with gabion baskets on Sincil Dyke. Work is due to finish in October 2021.

Members received and NOTED the report and update.

44.21 Planning and Consultations Report.

A report had been prepared and was presented by the Acting Head of Technical and Engineering services, Guy Hird.

There were no recommendations to the Board on this occasion, the information within the report was for information.

The Board had received several consultations and commented on various planning applications to the different Local Planning Authorities [LPAs]. A full schedule was provided.

Members NOTED the report.

45.21 Consents and Enforcements Report.

The Acting Head of Technical and Engineering Services introduced the Consents and Enforcements Report which had been circulated with the agenda and set out the position, both within the drainage district and in the extended rainfall catchment where the Board acts for and on behalf of LCC, as the LLFA. For this Board, the consents had been steadily increasing since the last report, and the enforcement workload continues to increase:

Introduction

A date is shown when the consent has been given, or an enforcement issue closed.

Byelaw Consent Applications:

Reference	Location	Applicant	Details	Date
UD-5648-2021-CON	Hykeham Pump Drain South	Jonathan Wray	Field underdrainage outfalls	26-05-21
UD-5739-2021-CON	Stapleford Parish Drain	Jonathan Wray	Roof run-off from grain store via pond	02-07-21
UD-5744-2021-CON	Pike Drain Diversion	Wates Construction	Attenuated discharge from school, Hykeham Rd	
UD-5775-2021-CON	Fen Pump Drain South	National Grid plc	Expose gas pipeline valve and do works if required	20-08-21

Section 23 Land Drainage Act Consent Applications – District

Reference	Location	Applicant	Details	Date
UD-5748-2021-CON	Pig Lane, Lincoln	City of Lincoln Council	Discharge from highway, Western Growth Corridor	22-07-21
UD-5752-2021-CON	Meadow Lane, North Scarle	Trent Valley IDB	Minor urban flood alleviation scheme	

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-5621-2021-CON	Heath Lane, Normanton on Cliffe	South Kesteven District Council	Treated foul water discharge, two dwellings	24-06-21
UE-5683-2021-CON	SW side of Ingham	TT Partnership	Enclosure of 133m of ditch	24-06-21
UE-5708-2021-CON	Queensway, Sturton by Stow	Gelder Group Ltd	Restricted discharge from 14no. dwellings	17-06-21
UE-5755-2021-CON	Torgate Lane, Bassingham	Mr Colin Coulson	Fil in upstream end of ditch for access to paddock	26-07-21
UE-5768-2021-CON	Land adjacent Redmills House, Cammeringham	Brooke Construction (Lincs) Ltd	Restricted discharge of surface and treated foul water from two dwellings	12-08-21

Enforcement Issues – District

Reference	Location	Description / Comments	Actions
UD-4851-2019-ENF	The Fosdyke Delph	Material restricting access	A works compound and debris are now blocking access. Review when works finished.
UD-5245-2020-ENF	Unit 15 -17 Allens Business Park, Skellingthorpe Road, Saxilby, Lincoln LN1 2GH	Debris and equipment on West of Saxilby Outfall Drain downstream of the railway	To date the obstruction has not been moved. Phone calls made and emails sent to follow up. Further contact has been made and it has been promised the obstructions will be removed, they claim some has already been removed.
UD-5344-2020-ENF	Newark Road, North Hykeham	Fallen tree across Pike Drain	Investigating.
UD-5447-2021-ENF	Burton	Potential maintenance of riparian watercourses adj to Fosdyke Navigation and A46 By-pass	Investigation on going, the case involves River and Canal Trust and Highways England.
UD-5498-2021-ENF	Old Wood, Skellingthorpe	Obstructed culvert holding up water. Which outfalls into Platts Drain	Some work has been done to clear the obstruction, but more is required. Case on going
UD-5647-2021-ENF	Fen View Blackmoor Road Aubourn LN5 9SX	Blackmoor Farm, defended by EA bank for properties within the Brant Washland site Collapsing culvert/concern with EA pump	Investigating and EA contacted. No further information.

UD-5656-2021-ENF	32 Northcliffe Road Grantham NG31 8DP	Fence and gate erected within By- law distance preventing access.	Agreement now in place Case closed 2-8-2021.
UD-5770-2021-ENF	near A607, Manthorpe	Bales in Running Furrows	Removed by Board because of risk of blockage. Letter sent. Case closed 27-8-21
UD-5777-2021-ENF	25 Saxilby Road, Skellingthorpe	Garage building on top of the culverted section of Clifton's Drain Branch No 2	NKDC contacted with regard to permissions. Letter to be sent to house holder
UD-5780-2021-ENF	Altham Terrace, Lincoln.	Obstructed culverted watercourse causing flooding on Hall drive.	Investigating.

Enforcement Issues – Extended Area

The Board acts as Agent for Lincolnshire County Council, the Lead Local Flood Authority

Reference	Location	Description / Comments	Actions
UE-4730-2019-ENF	Dyke off Long Leys Rd, Lincoln	Maintenance to watercourse	Case closed 17-12-2020 but reopened 29-01-2021. Further work has been done since the May meeting Case on-going.
UE-4915-2019-ENF	The Green Welbourn	Possible maintenance to watercourse	Waiting for information.
UE-5354-2020-ENF	Doddington Village	Potential obstruction to watercourse.	Investigating and waiting for LCC CCTV survey results. LCC have carried out investigations on the piped systems and further work is due. A joint meeting with land owner and LCC is due to take place.
UE-5422-2020-ENF	Bulby Lane Fulbeck	Potentially obstructed watercourse	Landowner(s) have agreed to clear watercourse. No further update.
UE-5580-2021-ENF	Rosehill Close, Saxilby	Drainage issues	Investigating
UE-5750-2021-ENF	Hawthorne Close, Glentworth.	New gabion retaining wall in watercourse	No enforcement action required. Case closed 3-08-2021
UE-5757-2021-ENF	Carlton Road, Sudbrook	Flooding in the village, potential obstruction in watercourse.	LCC have been work on the piped system in the village, but the watercourse downstream requires de-silting. Enforcement letters have been sent.
UE-5762-2021-ENF	Main Street North Carlton	Watercourse and road crossing	LCC requested to look at road culvert.

Members received and NOTED the report on consents and enforcement cases.

46.21 Request to adopt and schedule for maintenance a watercourse to extend Wigsley Pump Drain at North Scarle.

The Board had received a request from Trent Valley Internal Drainage Board for the Board to adopt and schedule for future maintenance a 600m length of riparian watercourse that discharges into the existing Upper Witham maintained Wigsley Pump Drain at North Scarle

Trent Valley Internal Drainage Board had identified an area of land within the village of North Scale that cannot drain positively and during wet periods remains saturated. This is an area where Trent Valley Internal Drainage Board and Upper Witham Internal Drainage Board have a common boundary. The land is very flat and there are many places that can drain to either Board's drainage district, depending on watercourse maintenance and improvements. There is a long history of co-operation between the Boards in such areas and in one area a formal change to the common boundary was carried out.

Trent Valley Internal Drainage Board had explored all options but were unable to provide a positive drainage route within their district. Because the land is flat, a route is available to discharge the water into a riparian watercourse within Upper Witham Internal Drainage Board's drainage district. Their proposal is to discharge into this watercourse by installing a length of pipe which provides an 'overflow' route when the ground is saturated. The ground is sand and gravels, so the system would not work as a direct discharge for the village, and it is not expected to discharge much water.

However, for the system to be effective, a good maintenance regime is required for the open watercourse downstream of the piped section into the top end of the Board maintained Wigsley Pump Drain. Unfortunately, some riparian watercourses are not maintained appropriately or frequently enough and if this was to be the case the scheme would not be able to provide a solution.

Trent Valley Internal Drainage Board has agreed to take on the responsibility for the piped section of the minor improvement scheme. That Board is also willing to undertake maintenance on 600m of open watercourse within the Upper Witham Internal Drainage Board drainage district, the grounds for works outside their district would be permissible on the grounds that such works immediately outside the district provide benefit to land within the Trent Valley Internal Drainage Board district.

The watercourse has recently been flailed and Trent Valley Internal Drainage Board will remove the accumulated material to the original bed level. The watercourse will be put into a good condition. It is clear the watercourse has very little flow and generally works as a linear soakaway.

The Board has an approved written Policy for the Scheduling of Watercourses (2014). The Policy is written for land and watercourses within the drainage district. For the Board to consider adopting anything outside the district it would have to be just outside, in an area with a known issue or where it is thought to be demonstrable benefit to the Board.

The watercourse does comply with the adoption Policy because 'the watercourse lies within and/or serves a developed area or an environmentally sensitive area that could be impaired without regular maintenance.'

There were two options for the Board:

- Not schedule the watercourse; in this case the responsibility for maintenance would be undertaken by Trent Valley Internal Drainage Board [in Upper Witham's drainage district].
- Schedule the watercourse and the Board undertake maintenance of the reach requested by Trent Valley Internal Drainage Board.

The watercourse is an extension of Wigsley Pumped Drain and provides a direct flow path to an area that currently is unable to drain when there is a wet period. For it to work effectively, it needs regular maintenance. An approximate estimate is that the length of watercourse would entail about a half-day per annum tractor/flail work. The Board would not be adopting or scheduling for maintenance any structures on the watercourse, should there be any such structures at any point.

Trent Valley Internal Drainage Board, who are promoting the scheme, have already agreed to schedule the watercourse if Upper Witham is unwilling to do so. This would mean they would have a scheduled watercourse not only outside their drainage district but within Upper Witham Internal Drainage Board's drainage district.

It would be more appropriate for Upper Witham Internal Drainage to adopt and schedule this watercourse for maintenance as it is within the Board's drainage district. If it was scheduled it would benefit from the protection of the Board's Byelaws, which it would not be the case if Trent Valley Internal Drainage Board were to schedule it, a key difference.

Any consenting and enforcement within the watercourse under the Land Drainage Act [1991] could only be done by Upper Witham Internal Drainage.


In keeping with the Board's Policy [2014] and following discussion at the Board's Finance & General Purposes Committee on 08.09.21, Members were content to **AGREE** that the Board adopts and schedules for future maintenance the riparian watercourse as an extension of Wigsley Pump Drain, but not any structures on or within that watercourse which would remain a riparian responsibility.

47.21 Any Other Business.

There were no further items of business and the meeting closed at 16.15.

48.21 Date, Time and Place of Next Meeting.

The next meeting of the Board incorporating the Annual Public Meeting was confirmed for Monday, 15th November 2021, venue and format to be confirmed.


.....Chairman..... 15-11-21 Date
UW BM 20.09.21

