

WITHAM THIRD DISTRICT INTERNAL DRAINAGE BOARD

Minutes of the one-hundred-and-twenty-sixth meeting of Witham Third District Internal Drainage Board held on Tuesday, 21st May 2024 in Minting Village Hall at 09.30am.

Present:

Cllr T Ashton
Cllr J Barrett
Mr I Clark
Mr J Davie
Mr C Dixon
Cllr I Fleetwood
Cllr M Foster
Cllr W Gray
Mr R Hairsine
Mr M Harrison
Cllr G Hewson
Cllr N Jones
Cllr R Longbottom
Cllr F M Martin MBE
Mr H Moreton
Cllr D Nannestad
Mr I Parker
Miss A Sayer
Mr D Sempers
Mr M I Thomas
Cllr P J Vaughan
Mr T Williams

Chairman

Vice Chairman

In attendance:

Mr. Ian Coupland	Director of Operations.
Ms. Jayne Flower	Executive Assistant.
Mrs. Jane Froggatt	Chief Executive.
Mr. Steve Larter	Director of Finance and Governance.
Mr. Martin Shilling	Director of Engineering & Technical Services.

3114 Apologies for absence.

Apologies for absence were received from Mr J Armstrong, Mr S Avison, Cllr B Bushell, Ms J F Holland, Mr M Hoyes, Cllr T Kemp, Cllr P Morris and Mr R J Weightman.

3115 Declarations of Interest.

Declarations of interest were received from members nominated by City of Lincoln, West Lindsey District and East Lindsey District Councils in matters relating to their respective Councils.

3116 Chairman's Announcements.

The Chairman welcomed everyone to the May Board meeting, one of the busier meetings of the year.

The agenda was necessarily heavily finance-led, it being that time of year to receive several reports relating to the closure of the preceding financial year to 31st March. The Chairman was pleased to note that the Board ended 2023/24 with a surplus position of £41,027 on 31st March 2024, which was a very reassuring position given the tremendous operational and financial challenges faced for 6 months from Storm Babet last October. The Statement of Claim submitted to the RFCC in December 2023 had been supported in principle on 19.01.24 and the subsequent Outline Business Case and supporting claim forms for the 17 sites affected in the Witham & Humber Drainage Boards, most in Witham Third's district, had also been approved. Some of the monies had now been reimbursed, which will be outlined later, and without this the Board would have faced a very different year-end deficit position of possibly £250k.

The Chairman advised that the Internal Auditor at TIAA had completed the independent review of 2023/24 and whilst some improvements were recommended for each Board, as presented to the JSC meeting on 13.05.24 by the Audit Director, he was pleased to advise that there were no material issues raised. There were 3 recommendations for Witham Third, to be looked at in detail later. Fiona Roe, Director at TIAA attended the JSC and will therefore not be attending each individual Board meeting in May, because the recommendations she made were routine.

Given the financial uncertainties faced at the end of January, members would hear today about the Statement of Claim monies reimbursed to the Board and particularly all the recovery/repair works well underway at pumping stations.

3117 Minutes of the Board meeting held on 30.01.24.

The Minutes of the Board's previous meeting, held on 30th January 2024 had been circulated with the agenda and were proposed by Cllr Pat Vaughan, seconded by Terry Williams and APPROVED as an accurate record.

MATTERS ARISING:

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

3118 Minutes of the Board's Standing Committee meeting held on 07.05.24.

The Minutes of the Board's Standing Committee meeting held on Tuesday 07th May 2024 had been circulated with the agenda and were proposed by Terry Williams, seconded by Ian Clark and APPROVED as an accurate record.

MATTERS ARISING:

3118.1 Operations Update, PSCA Works. (Minute 8 refers).

In response to a question, it was confirmed by the Director of Operations that PSCA works to be undertaken on main rivers in 2024 had been specified by the EA, the Boards had submitted quotations for doing the works and confirmation of works to be commissioned had been received at £319,050.99 for Witham Third DIDB. Full flail cuts had been commissioned this year, not health and safety cuts. But some main rivers have been classified as low consequence systems, so works will not be undertaken by the Board on these. For Witham Third, these are the River Waring, Tilehouse Beck and Stainfield Beck. We have objected to this reclassification, but it is for the EA to determine which watercourses they wish to maintain.

Cllr Fiona Martin questioned how the EA have classified some main rivers as low consequence systems, particularly the River Waring. She wished to object to this in the strongest possible terms. There followed much discussion and members confirmed they would be raising the matter. The Chief Executive confirmed she would write to Leigh Edlin, Area Director at the EA. Members felt strongly that the stretch of the River Waring, from Horncastle town traffic lights to the Swimming Pool, should be maintained as usual, particularly in the wake of recent and considerable flooding in Horncastle.

There were no further matters arising. Members noted the minutes and actions from the Standing Committee.

3119 Minutes of the Joint Services Committee held on 13.05.24.

The minutes of the Joint Services Committee held on 13th May 2024 were received and noted.

MATTERS ARISING:

There were no matters arising.

3120 Chief Executive's Report.

The Chief Executive's report had been circulated with the agenda, items highlighted included:

3120.1 Overview/Summary.

The Chief Executive was pleased to report some positive news, given how gloomy the position seemed at January Board meetings when we were dealing with the impact of Storms Babet, Henk etc and heavy rainfall events since October and had no certainty as to whether the Statement of Claim for third party costs incurred in receiving water from EA main river systems would be reimbursed:

- The Statement of Claim submitted to the RFCC in December 2023 was supported in principle, the OBC was submitted to the EA for the repair of affected pumping stations and the bulk of the £1,559,235.36 reimbursement claimed had now been received by the IDBs.
- Each of the 4 Boards had a modest 31.03.24 year-end surplus [NELDB £17,883; UW £43,922; W1st £16,043 and **W3rd £41,027**].
- The Internal Auditor at TIAA has completed the independent review of 2023/24 and whilst some improvements are recommended for each Board, as presented to the JSC meeting on 13.05.24 by the Audit Director, there are no material issues raised. There are 2 recommendations for W1st, **3 for W3rd**, 1 for UW and 2 for NELDB. Each Board has been given a 'substantial' assurance rating, the highest rating, for 2023/24.
- The Business Cases in the Capital Programmes are progressing, that being Timberland/Billinghay PS in W1st; Immingham and Mawmbridge PS in NELDB, **Woodhall Spa PS in W3rd**. Pyewipe PS in UW is nearing completion of refurbishment FDGiA scheme. The other schemes underway are **Telemetry in W1st, W3rd** and UW [NELDB being completed], the completion of Metheringham Fen PS refurbishment in W1st and the 2-pilot national LAPSIP schemes at Nocton and Bardney.

One of the next challenges will be to respond to the allocation/bidding process for the £75 million funding for IDBs announced at the NFU national conference in February. We do not yet know the funding criteria or process, guidance is anticipated in the next couple of weeks. What we do anticipate is that it will be a bidding process and the intent is that investment will be directed to those IDB assets which better protect agricultural land and food production, rather than the current FDGiA process which meets criteria geared primarily towards numbers of houses and non-agricultural businesses better protected from flood risk.

3120.2 Meetings with individuals & external bodies.

Several meetings have been held by local parish councils, town councils and with concerned residents following the Autumn/Winter flood events. These have been attended by a combination of Martin Shilling, Ian Coupland and Jane Froggatt:

- Fiskerton Parish Council, 7pm Thursday 11th January
- Residents of Goulceby, 10am Monday 15th January
- Langworth Flooding Meeting, 7pm Wednesday 07th February

As an additional update on the HH Langworth flooding complaint outlined in the report to the January Board meeting, it was noted that this complaint went to a Stage 3 review by members in accordance with the Complaints Policy. The Chairman, Vice Chairman and Terry Williams were the 3 panel members who reviewed the original complaint, the Board's handling of it and the content of responses at each stage. Following review, the complaint was not upheld at stage 3. It did proceed to the Ombudsman's office and is now complete.

- Witham & Brant Cluster Meeting, 7pm Monday 26th February 2024
- Horncastle Flood Forum Event [convened by Victoria Atkins, MP]- 1pm, Friday 01st March 2024
- Residents of Minting, 10.30am Wednesday 13th March
- Washingborough Parish Council, 6pm Wednesday 13th March
- Woodhall Spa Cemetery Drainage, 10am Friday 12th April
- Horncastle Town Council Flooding meeting, 7pm Thursday 25th April 2024

3120.3 Roy Hairsine commented that he wished to congratulate the team for making the case for reimbursement of the Statement of Claim to the RFCC and in achieving the result, this was supported by Members. Cllr Fleetwood recorded his thanks to Officers attending public meetings, stating this was a good communications exercise.

After full discussion, members received and NOTED the Chief Executive's report and update.

3121 Electoral Register approval, as part of the Elections Timetable 2024.

A brief position statement had been circulated with the agenda and was presented.

Members will be aware that Elections to each of the four Boards are held every three years (North East Lindsey, Upper Witham, Witham First and Witham Third).

The next elections are due for all 4 Boards in October 2024, for membership to run from 01st November 2024 to 31st October 2027 for those occupiers of land or their nominees who are directly elected. This electoral process does not affect those nominated members of each Board who are nominated by the relevant Special Levy paying Council.

The actions and timetable to complete the elections process within the required timelines was approved at each of the 4 January 2024 Board meetings.

The Chief Executive was appointed as Returning Officer for the 4 Boards at the January 2024 Board meetings.

The four Electoral Registers have been prepared, validated and advertised as available for Inspection from Monday, 29th April to Friday, 17th May 2024.

For the next stage, as there were no objections, inaccuracies or anomalies raised by any inspections by close of 17.05.24, each Board was asked to formally APPROVE the Electoral Register at its May meeting [UW 20.05.24, W3rd and W1st on 21.05.24 and NELDB on 22.05.24], following which we will advertise the approval of the Electoral Register on the website www.witham3idb.gov.uk and at Witham House.

Members were asked to note that Nomination Papers are due to be issued on 02nd September 2024, completed and returned by members standing for election by no later than 04th October 2024. Any members not wishing to stand are requested to advise the Chairman or Chief Executive please at their earliest opportunity.

Members APPROVED the electoral register.

3122 Internal Auditor's Report on 2023/24, including the AGAR Certificate.

A report on 2023/24 had been prepared by TIAA and had been circulated with the agenda, together with the Auditor's certificate part of the AGAR. In the absence of the Internal Auditor, this was presented by the Director of Finance.

The Internal Auditors (IA) TIAA undertook the 2023/24 internal audit remotely during March/April 2024 for Witham Third DIDB. The key outcomes from the audit were stated in the independent report as follows:

1. The IA's overall assurance opinion for 2023/24 is retained at **Substantial Assurance**, there is a robust system of internal controls operating effectively to ensure that risks are managed, and process objectives achieved, as was the case for the previous years 2020/21, 2021/22 and 2022/23.
2. Three priority three recommendations (Routine) have been made this year by IA:
 - a. Strategy, policies and procedures to be reviewed and kept up to date, in accordance with their review period.
 - b. Expense claims to be fully signed off with a date by staff and the Chief Executive Officer.

- c. Purchase orders to be fully completed, signed and dated.
3. Reference was made to good corporate governance being practiced by the Boards, with appropriate Board member involvement acknowledged.
4. The accounting records were noted as all in order, up to date and in balance.

Overall, the Board can be satisfied that the governance, risk and control framework is working well, and the finances are all in order. The full report was submitted to the Board for approval. Fiona Roe, Director of Local Government and Emergency Services from TIAA attended the Joint Board Meeting on 13th May 2024.

Members received and NOTED the report and Substantial Assurance rating on 2023/24 from TIAA, the Board's Internal Auditors.

3123 2023/24 Financial Report for month 12, as at 31.03.24.

A report on 2023/24 year-end had been circulated with the agenda and was presented by the Director of Finance. The financial performance as of 31st March 2024 was summarised as:

Budget 2023/24	Actual (Surplus)/Deficit	Variance
£	£	£
(0)	(41,027)	(41,027)

The Board had a modest surplus of (£41,027) at the end of the financial year which will be transferred to Reserves. Whilst this was a healthy outturn position, members were reminded that the Board had more financial risk especially regarding electricity costs in heavy rainfall events and there is reliance on significant PSCA income to the Board. Therefore, it is important that the Board's reserves are increased over the coming years, to mitigate some of this additional financial risk.

The following table set out the 4 Witham & Humber Boards' outturn positions as at 31st March 2024:

Board	Outturn 2023/24
NEL	(£17,883)
UW	(£43,922)
W1	(£16,043)
W3	(£41,027)

All Boards ended the financial year with a modest surplus, which was far better than envisaged due to the significant storm Babet and Henk events in autumn / winter 2023/2024. Whilst this was positive news, the recovery work was still ongoing and significant repair costs would be incurred in the coming months to recommission pumping stations and repair the large number of bank slips. The Director of Operations is leading the recovery works schemes.

These figures and positive year-end positions include the response costs relating to Storms Babet and Henk being reimbursed to the Boards i.e., electricity, staffing/overtime and immediate pumping station repair costs, but not any of the major repairs.

Statement of Claim:

A Statement of Claim was prepared and submitted to the Anglian (Northern) Regional Flood & Coastal Committee (A(N)RFCC) in December 2023 for the £1,559,235.36 additional costs

incurred relating to dealing with excessive water entering the IDB systems from EA main river bank breaches, overtopping and excessive seepage. This claim mainly covered Storm Babet rather than Storm Henk:

Witham Third District IDB	£985,918.08
Witham First District IDB	£492,215.47
Upper Witham IDB	£74,583.15
North East Lindsey IDB	£6,518.66
Total	£1,559,235.36

The claim covered 2 main elements, the initial costs for electricity, staffing/overtime, and initial repair costs:

	Electric Oct/Nov		Staff to date		Emergency Repairs		Sub Total			
	£		£		£		£			
W3	£	84,572.18	£	62,219.69	£	3,691.11	£	5,435.10	£	155,918.08
W1	£	141,325.76	£	30,379.72	£	-	£	510.00	£	172,215.47
UW	£	28,439.95	£	16,078.20	£	-	£	65.00	£	44,583.15
NEL	£	5,418.66	£	-	£	600.00	£	-	£	6,018.66
	£	259,756.54	£	108,677.61	£	4,291.11	£	6,010.10	£	378,735.36

The second part of the claim was for the estimated costs of operating mobile pumping into December and potentially over Christmas, plus the major repair costs to the pumping stations that had been either inundated during the storm or have run excessive hours during the event, meaning repairs are needed to ensure the long-term reliability of the pumps and motors.

	Electric Dec	Xmas Staff Refuelling, etc	Planned Repairs	Sub Total Estimates
W3	£ 25,000.00	£ 5,000.00	£ 800,000.00	£ 830,000.00
W1	£ 40,000.00		£ 280,000.00	£ 320,000.00
UW	£ 15,000.00		£ 15,000.00	£ 30,000.00
NEL	£ 500.00		£ -	£ 500.00
	£ 80,500.00	£ 5,000.00	£ 1,095,000.00	£ 1,180,500.00

The Chief Executive presented the claim to the A(N)RFCC at its meeting on 19th January 2024. It was received and supported by the Committee Chairman, and was agreed to be funded as follows:

	W3 £	W1 £	UW £	NEL £	Total £
Scheme Cost	0.00	0.00	0.00	2,096.40	2,096.40
Incident Response	76,345.90	30,889.72	16,143.20	600.00	123,978.82
Highland Water 1	42,742.72	6,503.60	2,770.53	1,745.80	53,762.66
Highland Water 2	66,829.46	174,822.15	40,669.42	2,076.46	284,397.48
Sub Total Funded	185,918.08	212,215.47	59,583.15	6,518.66	464,235.36
FDGIA submissions	800,000.00	280,000.00	15,000.00	0.00	1,095,000.00
Total overall claim	985,918.08	492,215.47	74,583.15	6,518.66	1,559,235.36

To date, the scheme costs, incident response costs and Highland Water 2 amounts have been received from the EA, and the Highland Water 1 amounts are included in the usual Highland Water claims submitted on 01st May 2024. These claims are usually paid in September and include the balance of the 'actual' for the previous financial year (i.e. 2023/24) plus 80% of the estimated cost for the current financial year (i.e. 2024/25). The balance for

the actual 2024/25 will be paid in the following September 2025. However, as these additional 'actual' costs for 2023/24 have been incurred, officers had requested earlier payment of this element by the EA.

In terms of the FDGIA submissions, officers (particularly the Capital Programme Manager) worked with EA colleagues to develop a business case and then a submission for each affected pumping station site (18 sites) for approval. Pleasingly, all submissions have been agreed and the remedial works have commenced on sites. A schedule of the locations is included in the Engineering Services report. A separate full refurbishment business case has been submitted for Woodhall Spa pumping station, which was affected by the heavy rainfall events, but which is also subject to a business case for major refurbishment.

The success of the Statement of Claim has significantly contributed to the positive outturn positions for each Board, without reimbursement of those costs the Board would have had a significant year-end deficit on 31.03.24.

Electricity:

Members were presented with tables showing electricity costs incurred by each Witham & Humber Drainage Board for the six months period 01st April 2023 to 30th September 2023 (excluding Storm Babet and the new standing charges/rates applied from 01st October 2023):

Board	Full Year Budget	Profiled Budget	Actual	Variance
NEL	£90,000	£27,000	£14,998	(£12,002)
UW	£192,000	£70,769	£47,021	(£23,748)
W1	£305,000	£78,449	£73,554	(£4,895)
W3	£220,000	£70,419	£52,985	(£17,434)

However, the following table sets out electricity costs by Board for 01st April 2023 to 31st March 2024, so it includes Storms Babet (October 23) and Henk (January 24) plus the other rainfall events and the new standing charges/rates from 01st October 2023:

Board	Full Year Budget	Actual	Variance
NEL	£90,000	£53,584	(£36,416)
UW	£192,000	£247,455	£55,455
W1	£305,000	£553,907	£248,907
W3	£220,000	£325,627	£105,627

These are significant overspends on budgets already increased from 2022/23 for 2023/24.

NEL did not experience the significant rainfall events that were experienced by the 3 Boards in central Lincolnshire, although they have had excessive groundwater since the events. They do also have gravity outfalls at most of their pumping stations.

The plan was that any underspend (variance) on the electricity budgets in 2023/24 would be transferred to an Emergency Events reserve, to help mitigate excessive electricity costs incurred during wet weather events. However, with these overspends (except in NEL), this has not been possible.

Plant & Machinery Replacement Programme:

Members were provided with a report that showed the budgeted purchases and sales for 2023/24 as 31st March 2024. The Aebi machine at £22,000 and rear arm flail at £12,480 had been purchased as well as a second-hand van at £5,995. Two 4x4 vehicles were purchased (ex W1 & NEL leased vehicles) for £19k & £9k and during Storm Babet an additional mobile pump was purchased for £26.5k. The tilt rotator for the long reach excavator remains in the

programme to be purchased.

Drainage Rates 2023/24:

The report detailed the current position of the Drainage Rates collected for 2023/24, including previous years' arrears, as at 31st March 2024. The collection rate for 2023/24 was 99.9% (99.4% in 2022/23), slightly better than last year's collection rate. Any unpaid amounts at the year-end 31.03.24 were rolled forward into accounts, to be collected in 2024/25. All historical outstanding rating queries were resolved and only land issues raised in-year were being actioned.

Reserves:

The Board has a General Reserve Policy of holding 10% to 15% of budgeted annual income/expenditure. This currently has an allocation of (£346,614). The year-end surplus of (£41,027) will increase the **general reserve balance to (£387,641)**, which is 18.04% of 2024/25 estimated income and expenditure of (£2,148,777). This is above the Board's current policy, although the aspiration is to increase to at least 20% of turnover.

Following discussion Members:

- NOTED the 2023/24 financial performance for the period 01st April 2023 to 31st March 2024.
- NOTED the Governance update.
- REVIEWED AND NOTED the Schedules of Expenditure incurred in the three months 01.01.2024 to 31.03.2024.
- NOTED the unaudited Annual Report and Accounts 2023/24.
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3124 Annual Governance Statement 2023/24.

A copy of the Annual Governance Statement (AGS) 2023/24 for Members to complete and approve was provided. The Annual Governance Statement is incorporated into and forms part of the Annual Governance and Accountability Return (AGAR) for 2023/24. The Board has a statutory requirement to complete and approve the AGAR, later on this agenda.

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

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

Once agreed, the Accounting Statements and full AGAR may be approved.

The Chairman took the Board through the relevant 8 statements for the response to each to be agreed.

Members were content to:

- complete in the affirmative the Annual Governance Statement (AGS) 2023/24.
- incorporate the completed AGS into the overall Annual Governance and Accountability Return 2023/24 which appears elsewhere on this Agenda.

3125 IDB Annual Governance and Accountability Return (AGAR) 23/24.

The Annual Governance and Accountability Return (AGAR) for 2023/24 had been circulated with the agenda and was presented by the Director of Finance.

The AGAR has 4 separate sections and normally needs to be approved at a full Board meeting before 01st July. It also must be submitted, along with additional requested information, to the nationally appointed External Auditor PKF Littlejohn LLP by Monday 01st July 2023 for their review. Alongside this, the rights of public inspection will also commence on Monday 10th June until Friday 19th July 2024. This period must incorporate the first 10 working days of July, as required by statute.

The AGAR comprises the following key sections:

- Annual Internal Audit Report 2023/24 [received earlier in the agenda]
- Section 1 – Annual Governance Statement 2023/24 [completed earlier in the meeting]
- Section 2 – Accounting Statements 2023/24 [part of this item]
- Section 3 – External Auditor Report and Certificate 2023/24 to be issued by 30.09.24].

Accounting Statements utilises the information used in the preparation of the Statement of Accounts which appears elsewhere on this Agenda. These were reviewed and noted.

Once approved, the AGAR document is published on the Board's website to meet its requirements under the Accounts and Audit Regulations 2015. This will be from Friday 07th June 2024.

The statutory deadline by which the AGAR and signed external auditor report and the Notice of Conclusion of Audit must be published is 30th September 2024.

Board Members **APPROVED:**

- the Annual Governance and Accountability Return (AGAR) 2023/24.
- The publishing of the AGAR on the Board's website along with the notice to commence the period of public rights from 10th June to Friday 19th July 2024.

3126 IDB Revaluation and potential reconstitution of each Board.

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

On Thursday 07th March 2024, DEFRA launched a consultation seeking views on the content of a draft statutory instrument (SI), which will enable implementation in England of sections 94 to 97 of the Environment Act 2021 that amend and insert various provisions in the Land Drainage Act 1991. **The draft SI is entitled: The English Drainage Boards (Alternative Valuation Calculation) Regulations 2024.** Defra is seeking views on plans to update how internal drainage boards allocate their costs to agricultural land holdings and local authorities.

IDBs are mainly funded locally through drainage rates paid directly by agricultural land occupiers and special levies issued to local authorities, based on valuation calculations set out in the Land Drainage Act 1991. These valuation calculations determine the proportional split between the charges for the agricultural ("chargeable properties") and non-agricultural land ("other land") in their districts.

In determining the special levies charge paid by local authorities in relation to the non-agricultural land, the Land Drainage Act 1991 refers to rateable values shown in a "non-domestic rating list of a charging authority on 01st April 1990" and "valuation list (for domestic

properties) on 31st March 1990". This is in accordance with Section 37 (5)(a) and (b) of the Land Drainage Act 1991. However, in many parts of England, these 1990s rating lists are no longer available as they are either missing or incomplete.

Council tax has since replaced the rateable value of domestic properties, which is based on a property's capital value as opposed to its rateable value. Therefore, it was necessary to develop a methodology for calculating a 'notional rateable value' of residential properties from its capital value, in each property band.

The Association of Drainage Authorities (ADA) is very supportive of the proposed changes.

The draft SI provides an alternative valuation calculation that IDBs may use to value the land, allowing them to apportion their expenses between the beneficiaries of their work. ADA is supportive of Defra's intention to keep the new valuation calculations as similar as possible to the current arrangement utilising contemporary data, and to leave the apportionment between drainage rates and special levies broadly unchanged.

Where IDBs choose to use the new valuation calculations, they would need to update aggregate values for both chargeable properties (i.e. agricultural land and buildings) and other land (non-agricultural land) to maintain the balance of apportioning their costs. To achieve this the IDBs will need to use more up-to-date data for the other land from the Valuation Office Agency (VOA) and more current data for the chargeable properties to ensure consistency.

ADA is strongly supportive of these reforms, enabling a more accurate basis for the fair proportioning of drainage rates and special levies by existing IDBs. ADA has been assisting Defra in developing these amendments by helping to test the proposed new valuation methodology with several IDBs, using contemporary data provided by the VOA. ADA would like to see the new statutory instrument enabled at the earliest opportunity.

Without the changes as set out in Environment Act 2021 and the supporting draft SI, existing IDBs cannot extend their boundaries, and new ones cannot be established. ADA is in favour of enabling IDBs' careful management of water levels for the benefit of the landscape and communities to be expanded to other part of England, where there is local demand and support for the locally coordinated management of lowland watercourses and flood and water control assets.

The Defra consultation on the draft SI: The English Drainage Boards (Alternative Valuation Calculation) Regulations 2024 was issued on Thursday 07th March 2024 and closed on Friday 19th April 2024.

Implications for Witham and Humber Boards were discussed.

Should the SI be implemented the Boards have the option to 'do nothing' and stay with their existing calculations for the apportionment of their costs between agricultural land holdings and special levy, based on the 1992 values.

Should the Boards wish to 'update' their valuations then a full revaluation exercise using the more up to date data could be undertaken. This means a full revaluation of agricultural land as well as using the updated VOA data on Council Tax bandings and NDR Rateable Values. This could be a costly and time-consuming exercise to undertake, as valuers would need to be engaged as well as all the data to be checked.

The outcome would not only be a revised split of each Board's costs between agricultural

land holders and special levy, which could have implications positive and negative, but until the exercise is undertaken the size of the variances will not be known. It will also require a new calculation for the land transfer rate for any land which moves from 'agricultural' to 'other' land. Once a Board has served notice that it wishes to update its values this cannot be retracted.

If it was agreed that some or all the Boards wished to undertake this exercise, then it would be sensible to do first the Board which is likely to have the least impact (i.e. North East Lindsey), followed by Witham First (majority agricultural land), then **Witham Third (no sub-districts and 3 special levy paying Councils)** and finally Upper Witham (which has 2 sub-districts and 5 special levy paying Councils).

There have been suggestions by some Members that some of the existing Witham & Humber Drainage Boards are too large and that they should be reconstituted to be smaller Boards, closer to the DEFRA recommended size of no larger than 21 Members. Only NELDB complies with Defra guidance on this point, at 21 members.

Due to the possibility of recalculating the apportionment of costs as set out, it was recommended to members that any reconstitution of Boards is done alongside/after any revaluation exercise. It would also be sensible to tie this in with an election year, which are every 3 years, so after this year's 2024 elections we may have the SI published, determine then whether to undertake revaluation exercises in each Board and determine also at that point whether to reconstitute each Board tied in with elections in 2027 and 2030.

Cllr Tom Ashton advised that he felt the Board should proceed with extreme caution on this issue. He would not want this Board to be the first, commenting that there was no point in just redistributing the income in a different way. He felt it was a step in the right direction and would be supportive of extending the Board's boundaries.

Terry Williams commented that, putting aside the mechanics and details, as a matter of general principle this SI was sound. Valuations are currently 35 years out of date, it is a sound idea to undertake a revaluation. He agreed that the Board should proceed with caution but accepted that it was an exercise that needs undertaking.

Cllr Donald Nannestad raised the issue of cost of the exercise, stating that it would be extremely expensive. He was keen to move the Board membership size to 21 members, questioning also if there was any scope to formally merge the Boards, a different issue.

Cllr Gary Hewson asked where the Board currently got its valuation calculations. It was confirmed that this was set at the 1991 land values.

Members AGREED that it was prudent to wait for the SI to be enacted, see what other Boards did on this matter and discuss then how to proceed.

3127 Operations Report, including the Health & Safety Update.

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

Between the 4 Boards, there have been 4 reported Incidents:

- (UW) – LDO banged own face when replacing a bonnet. Chipped tooth. Investigation completed.

- (Woodhall Depot) – Team member tripped over dust sheet due to refurbishment/ decorating. Injured, banged, and bruised, but no time off work. Line Manager investigated. Recommendation: housekeeping improvement during such works and clear at end of day.
- (UW) – LDO was welding and a hole the size of 20/50p burned in fire retardant overalls. Investigation completed, and recommendation to replace overalls at 2 yearly intervals – due to them becoming contaminated with oils, greases, and lubricants, as well as natural depletion of the fire retardancy.
- (Woodhall Depot) – external fire at the ‘burning bin’ – investigation completed. Recommendation to cease all burning at the yard. On the 29th of April Woodhall depot was the scene of a fire in the yard. Operatives lit a fire in the large burning bin to dispose of some brash and debris and emptied the workshop bins onto the fire. Ten minutes later a couple of small explosions occurred, and an object flew from the fire landing in a stack of pallets, 10–15 minutes later they burst into flames. The operatives attempted to put the fire out with extinguishers but by this time the stack of twin wall pipes had caught, and the smoke was too dense to be safe. The fire brigade had already been called and attended quickly. Two Fire appliances attended from Woodhall & Horncastle and the fire was swiftly dealt with. **The value of the items lost in the fire totalled £5,157.65 and this loss is therefore reported to the W3 Board for write-off.** At no time was any machinery or building at risk, the bin was in the furthest corner of the yard.

Training:

- March 2024 onward – IOSH Working Safely (1 day course) delivered by Cope Safety Management Ltd for Safety Representatives on rolling programme to ensure operational cover is maintained.
- Feb / March 2024 – IOSH Managing Safety (3-day course) was attended by Works Supervisor & Foremen (this will continue rolling programme, for all Foremen).
- SHOC training – ongoing refreshers
- Cat and Genny early May 2024
- Street Works (some Operatives and Supervisors)
- Spraying PA1 and PA6W due early May 2024.

The planned de-silting and reforming programme the Boards had in place for the 2023/24 winter months has had to change due to the extremely wet ground conditions and due to the large recovery programme following storms Babet and Henk. Operatives have undertaken some bushing works and started bank slip repairs where accessible. There were a substantial number of slips across all Boards, and it will take more than one season to repair them. Operatives were looking at repair methods for slips and repairing them in order of severity. Work had started preparing machinery for the start of the vegetation management season.

Staffing:

Shaun Smith left the Board in December to pursue a career in agriculture and was replaced by Darren Gowshall, who moved across from Upper Witham [Darren lives in Horncastle, so it was a sensible move for all parties]. Aaron Ward has joined the Pumps team, Aaron has also moved from Upper Witham where he was the Operative on the midi-excavator. Ed Crawford has also joined the pump team, moving out of the hand team hosted by W3rd. Nick Johnston has joined the hand team, hosted by W3rd but working across 3 of the 4 Boards, from North Lincolnshire Council.

Greetwell Pumping Station:

The leaning transformer slab is due to be replaced soon, an order has been placed with EME solutions to install a new transformer on a new concrete base. The cost is £59,460.00 as part of the recovery scheme.

Stamp End Pumping Station:

No updates to report since November 2023.

There is still a delay in the legal work to achieve the transfer of this pumping station from LCC (Lincolnshire County Council) to the Board, due to change in ownership of land adjacent to the pumping station and an easement agreement is now needed with Cadent / National Grid rather than Western Power, say respective solicitors. The Board's legal fees are being met by LCC.

Short Ferry Pumping Station:

Both pumps and motors have now been removed and have gone to Fen Flow of Spalding for repair, as part of the recovery scheme. Currently the water from this station is being managed by the 8 submersible pumps provided and managed by the EA (Environment Agency).

Stainfield Pumping Station:

The pump here is still away for repair, this is due to having some extra resilience measures built into the work. The motor is going to be stood on a pedestal about a meter higher than now. One of the 2 submersibles has also failed and will be lifted soon to be repaired, these works are part of the recovery scheme. The 4 x submersible pumps have now been removed by the EA and an 8" mobile pump is currently pumping the water at this station; this pump has been supplied and managed by the EA. Water levels here are back to normal managed levels. However, this station will be affected by the breach on the EA's Marsh Drain indefinitely, and the EA has confirmed there are currently no plans to plug the breach due to lack of recovery funding.

Southrey Pumping Station:

The motor sent away for repair is currently being worked on at an estimated cost of £45,000. It was due to come back but when bench tested after rebuilding it was found to have a fault and has had to be stripped down again. We have also placed an order to replace and lift the transformer at this site at a cost of £101,600. This will be undertaken by EME solutions, this work is part of the recovery scheme.

Coningsby Ings Pumping Station:

The motors have been overhauled and returned; they are currently in storage until ready to be refitted. The pumps are due to come out and have the top bearings replaced and resilience built in by sitting the motors on pedestals. The new control panel has been ordered at a cost of circa £90,000. This work is part of the recovery scheme. However, the reinstatement of the pumping station is linked to discussion with the EA about the breach repair on the main River Bain.

Marsh Lane Pumping Station:

One of the pumps has failed and been lifted and sent away for repair as part of the recovery scheme.

Winter maintenance.

The Board's workforce has undertaken a mixture of bushing, reforming, de-silting and bank slip repairs to, Reephams beck, Lissington/Legsby beck, Wispington beck, Stixwould Engine drain, Kirkstead engine drain, Park beck, Dogdyke Engine drain, Scothern North fen drain,

Scothern fen drain and Linwood drain. We have also undertaken PSCA work for the EA on the River Bain at Dogdyke and Kirkby on Bain.

PSCA Works by all 4 IDBs 2023/2024 for the EA:

Officers have quoted and been awarded the work for the coming maintenance season with values of: NELDB £165,857.49, UW £198,381.64, W1 £105,598.34 and **W3 £319,050.99**.

The estimates will fluctuate in terms of the final actual costs/income to the Boards, due to changes made by either party. For example, it is not expected to be able to access all the banks previously worked, due to their condition. The EA have also removed the requirement for PSCA maintenance from watercourses they have now classified as low consequence systems. These systems the EA had confirmed are:

- NELDB: Brockelsby Beck and Butforth Drain.
- Upper Witham: Shire Dyke.
- Witham First: Old Sleas and Ancaster Beck.
- **Witham Third: River Waring, Tilehouse Beck and Stainfield Beck.**

Officers have objected to the removal of maintenance on these watercourses with colleagues at the EA, as discussed earlier in the meeting.

Leased vehicle fleet:

Upper Witham, Witham First and Witham Third were made aware that Go Plant Fleet Services, the company that provide the Boards with 19 of their lease vehicles, have gone into administration. We have been made aware that 17 vehicles are financed by PEAC and 2 by Virgin Money. PEAC have made contact and are keen to carry on and deal with us direct but only as a finance lease with no ongoing maintenance (currently we lease vehicles with full maintenance). The 2 vehicles with Virgin Money have been bought by a lease company called Dawson Group as part of a larger deal with Virgin. Dawson Group have made contact and have assured Officers they will keep leasing the vehicles at current rates until the leases finish and have also offered to support us with vehicles if negotiations with the finance company fail for the other 17 vehicles. The breakdown of vehicles is 2 x 4x4's and 6 Vans with Upper Witham, 2 x 4x4's and 1 Van with Witham First and **Witham Third have 1 x 4x4 and 7 Vans.**

It was confirmed as an update to the paper that Dawsons have indeed purchased all the vehicles and re-leased them to the Boards on existing terms, so the matter now RESOLVED satisfactorily.

Plant Programmes:

Members discussed the plant programmes for Upper Witham, Witham First and Witham Third which were presented for approval. Each Board has a 7-year replacement policy, and officers review the hours, condition and costs of each piece of plant, to move the machinery back and keep it a year or so longer wherever possible.

The revised plant programmes, with purchases and disposals deferred accordingly after review, have recently been reviewed by relevant subcommittees and are recommended to each Board for approval.

Members received and NOTED the Operations Report and update and APPROVED the Witham Third DIDB plant programme for 2025/26.

3128 Engineering Report.

The Engineering Services Report had been circulated with the agenda and was presented by the Director of Engineering & Technical Services.

Whilst it had been several months since the last of the winter's high rainfall events, the fallout from these storms continued to place a heavy workload upon the resources of the Boards. Officers attended numerous meetings with Parish Councils who have taken an active interest in the flood risk within their parishes. Meetings or written communication has taken place with the following councils: Washingborough, Fiskerton, Horncastle, Minting & Gautby, Stapleford, Brant Broughton, Aubourn & Haddington, Langworth and Westborough.

In addition, there had been numerous meetings with professional partners within the County principally to raise and address the many issues affecting the Boards' assets and maintained systems. For example, meetings relating to the recovery of the Stainfield Fen/Shortferry catchment where the EA has raised the issue of future land use with owners and occupiers of land within the catchment.

The Boards have pressed the EA for similar meetings to discuss areas similarly hard hit by the winter's events, for instance Canwick, Sandhill and Heighington Fens, Branston Fen in the First District and Coningsby Ings and Tumby Drain in Third District.

Tumby Drain is a particularly difficult issue because a breach in the main river defences has resulted in the entire flow of the Horncastle Canal to pass through an adjacent gravel pit and over agricultural land, using the Board maintained Tumby Drain to find its way back into the Canal channel downstream of a public highway. This is a particularly complex legal, as well as technical, issue for the EA to deal with.

The issue of reinforced over spill weirs from main river in to pumped catchments has also been raised, by the Boards affected, with the Agency. The effect of these weirs on the receiving pumped catchments needs to be more fully acknowledged by the Agency. The issues raised with the Agency include the impact upon the owners and occupiers within the catchments, the additional loads placed upon the existing pump capacity and the increase in the risk of flooding to the pumping stations.

Lincolnshire County Council:

The Council continues to undertake the initial investigations relating to the 240 s19 investigations it has commissioned as a result of this winter's storms and flood events. The investigations relate to the flooding of over 890 individual residential properties. The Council is also mindful of the 600 'near misses' that have also been reported as these will help them in evaluating the myriad issues and problems within many surface water systems.

Woodhall PS Refurbishment:

IDB No	TD-1251-2014-PRO
EA National Project No	ANC403I/003A/017A
GIA Claim No	TBC
GIA Approval Amount	£2,718, 040 (inc. contingency)
Project Stage	Detail Design / Tender

An Outline Business Case (OBC) has been submitted to the EA and has received technical approval. We are waiting for final approval, which should be with us by the end of May.

The preferred option includes new fish friendly pumps, new MCC, relining of the discharge pipes, improvements to the access and raising the control building to a level above the height of the River Witham defences to provide resilience to the pumping station. A summary of the cost and benefits presented in the OBC was:

Option	Construction Cost	Contingency	Total Project Cost	Benefit	Benefit cost ratio	Partnership Funding Score	GIA available
1	£1,704,400	£1,013,640	£2,718,040	£48,204,388	17.7	117%	£2,718,040

Preparation of the detail design is underway to determine the specification of the pumps and the location of the new control buildings, this is likely to be undertaken by Stantec under the Scape framework. This may be progressed in conjunction with the detail design for Timberland & Billingham PS to allow for efficiencies in procurement, if we can align timescales.

A CCTV survey has been undertaken of the discharge pipes to allow preparation of the tender documents for the initial phase of the work. Preparation of the tender documents for the first phase of works which include the pipe relining work and the access track improvements is underway.

No direct income or expenditure has been incurred on this scheme as at 31st March 2024.

Telemetry (W3):

IDB No	JA-1583-2014-ASS
EA National Project No	ANC501E/000A/189A
GIA Claim No	IDB 0553
GIA Approval Amount	£112,500
Project Stage	Delivery

This project is progressing although has recently been delayed due to Storm Babet. Out of the 12 sites to be installed, 9 (Bardney Abbey, Bardney Fen, Bardney Manor, Coningsby, Dogdyke, Horncastle Ings, Kirkstead, Marsh Lane and Stamp End) have been fully completed and invoiced so far.

Income and spend as at 31st March 2024:

<i>Telemetry</i>	Budget	Actual	Variance
Income	(£112,500)	(£93,750)	£18,750
Expenditure	£112,500	£41,259	(£71,241)
Net	£0	(£52,491)	(£52,491)

Members received and NOTED the Engineering & Technical Services Report.

3129 Planning and Consultations Report.

A report had been circulated with the agenda and was presented by the Director of Engineering & Technical Services.

The Board had received several consultations and had commented on various planning applications to the various local planning authorities. A full schedule was provided where responses included no objections, minor standard comments referring to soakaways or the requirement for consent to be obtained from the Board.

Two items where the Board had OBJECTED were highlighted to members.

S/215/00456/24/DC &
S/215/02508/22 &
S/215/02473/23 &
S/215/00790/21 &
S/215/0683/20,
S/215/00136/17,
S/215/01572/16,
S/215/01587/16 &
S/215/00066/19

DISCHARGE CONDITION 4 (SURFACE WATER), CONDITION 5 (FOUL WATER) AND CONDITION 7 (ROAD CONSTRUCTION) IMPOSED ON S/215/02508/22.

LAND TO THE REAR OF 99-101 WITHAM ROAD, WOODHALL SPA, LINCOLNSHIRE

The Board had previously Objected to the above application with the comments below:

Thank you for the opportunity to comment on the above application. The site is within the Witham Third District Internal Drainage Board area, the site is adjacent to the Board maintained Abbey Lane Drain Extension (2104) and Woodhall Sewer (2047)

The Board Objects to the Application.

TD-2918-2016-PLN

Reason;- the proposed layout and landscaping plans show details within the Witham Third District Internal Drainage Board 9m Byelaw distance which prevents or obstructs the maintenance operations with heavy plant (Tractor Flail units and Excavators). This would increase Flood Risk to the site and Woodhall Spa in general. The Applicant has been aware of the requirements of the Board through a number of meetings and exchanges of emails.

Drg No. 193 / Ph 1-002 & Drg No. 193 / Ph 1-004

- A swale is shown to the west off the entrance off Witham Road preventing access to the maintenance strip to Abbey Lane Drain Extension (2104) – this is unacceptable.
- A fence and shared access drive is shown to the east of the entrance off Witham Road preventing access to the maintenance strip to Abbey Lane Drain Extension (2104) – this is unacceptable.
- Two trees are shown to the east of the entrance off Witham Road preventing access to the maintenance strip to Abbey Lane Drain Extension (2104) – this is unacceptable.
- The balance ponds on the south of the site are potentially within the 9m Byelaw distance, Woodhall Sewer (2047) – confirmation they are at least 9m away from the top of the bank is required.
- The balance pond at the north of the site is potentially within the 9m Byelaw distance – confirmation they are at least 9m away from the top of the bank is required.
- A section of fencing on the south of the site appears to be within the 9m Byelaw distance, Woodhall Sewer (2047) – confirmation they are at least 9m away from the top of the bank is required.
- An informal footpath (grass) is shown from the entrance off Witham Road running west, potentially this will interfere with maintenance activities, Abbey Lane Drain Extension (2104). Further details and discussion is required to determine if this is acceptable.
- An informal footpath (grass) is shown from the entrance off Witham Road running east, potentially this will interfere with maintenance activities, Abbey Lane Drain Extension (2104). Further details and discussion is required to determine if this is acceptable.
- An informal footpath (grass) is shown at the south corner of the site, potentially this will interfere with maintenance activities, Woodhall Sewer (2047). Further details and discussion is required to determine if this is acceptable.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse. At this location the full 9m is required to be kept clear of all obstructions.

As previously highlighted by the Board the watercourse to the west of the site has a major outfall and it is vital that the watercourse is maintained to a suitable standard to reduce the impact of potential flooding. The current lay does not allow for access of mechanical plant, fencing, trees and a shared access is shown close to the watercourse. Previously the Board has said potentially it would schedule the watercourse and maintain it. But the proposed layout is unacceptable for this to happen, a strip of suitable width should be left clear of all obstructions.

Since then, the Board has been in consultation with the developer who have rectified the design based on our comments. The Board has therefore REMOVED it's Objection.

S/215/02474/23 &
S/215/00790/21 &
S/215/00067/19 &
S215/00066/19 &
S/215/00136/17

VARY CONDITIONS NO. 1 (APPROVED PLANS), NO. 2 (EXTERNAL MATERIALS), NO. 3 (LANDSCAPING) S/215/00790/21 FOR THE DETAILED PARTICULARS RELATING TO THE ERECTION OF 150 DWELLINGS OUTLINE S/215/00067/19.

LAND REAR OF 101, WITHAM ROAD, WOODHALL SPA

The Board has Objected to the above application with the comments below:

TD-3213-2017-PLN

Thank you for the opportunity to comment on the above application. The site is within the Witham Third District Internal Drainage Board area, the site is adjacent to the Board maintained Abbey Lane Drain (2101), Abbey Lane Drain Extension (2104) and Woodhall Sewer (2047)

The Board Objects to the Application.

Reason;- the proposed layout and landscaping plans show details within the Witham Third District Internal Drainage Board 9m Byelaw distance which prevents or obstructs the maintenance operations with heavy plant (Tractor Flail units and Excavators). This would increase Flood Risk to the site and Woodhall Spa in general. The Applicant has been aware of the requirements of the Board through a number of meetings and exchanges of emails.

Drg No. 193 / Ph 2-004 & Drg No. 193 / Ph 2-002

- A fence (dotted line next to 8 trees) is shown on the north of the site preventing access to the maintenance strip to Abbey Lane Drain Extension (2104) – this is unacceptable.
- A fence and shared access is shown on the north of the site preventing access to the maintenance strip to Abbey Lane Drain Extension (2104) – this is unacceptable.
- At least nine trees are shown on the north of the site preventing access to the maintenance strip to Abbey Lane Drain Extension (2104) – this is unacceptable.
- Four houses and gardens are shown to the east of the site preventing access to the maintenance strip to Abbey Lane Drain (2101) – this is unacceptable.
- A fence and substation(?) are shown to the east of the site preventing access to the maintenance strip to Abbey Lane Drain (2101) – this is unacceptable.
- At least six trees are shown to the east of the site preventing access to the maintenance strip to Abbey Lane Drain (2101) – this is unacceptable.
- Trees are shown to the south of the site preventing access to the maintenance strip to Woodhall Sewer (2047) – this is unacceptable.
- An informal footpath (grass) is shown to the east, potentially this will interfere with maintenance activities, Abbey Lane Drain (2101). Further details and discussion is required to determine if this is acceptable.
- An informal footpath (grass) is shown to the south, potentially this will interfere with maintenance activities, Woodhall Sewer (2047). Further details and discussion is required to determine if this is acceptable.
- Two sections of fencing on the south of the site appears to be within the 9m Byelaw distance, Woodhall Sewer (2047) – confirmation they are at least 9m away from the top of the bank is required.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse. At this location the full 9m is required to be kept clear of all obstructions.

The Applicant has been aware of the requirements of the Board through a number of meetings and exchanges of emails and it is disappointing and unacceptable drawings are still being submitted through the planning process that do not conform to the Boards requirements.

Both issues were now resolved, and the objections had been lifted.

Cllr Fiona Martin asked why the Gleeson Homes development at Poppyfields, Clark Court in Horncastle had not been included on the report as it had flooded recently. She was very surprised to see it was not on the list, the Board had objected to the development due to the proximity to Thunker Drain. An update would be provided.

Members NOTED the report.

3130 Consents and Enforcements Report.

The Consents and Enforcements Report had been circulated with the agenda and was presented by the Director of Technical & Engineering Services.

There was nothing to highlight to Members on this occasion.

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

3131 Environmental Update.

A report had been prepared by Nick Downing, circulated with the agenda and was presented by the Director of Engineering & Technical Services. There were no issues to highlight to Members.

Members were given advice regarding Buffer Strips; with new Environmental Land Management Schemes (ELMS) being implemented, buffer strips along watercourses are one possible option for landowners. For buffer strips to be sustainable through management from a Drainage Board there needs to be suitable provisions put in place. In June there will be a

meeting hosted by the Middle Level Commissioners with ADA, Defra, Natural England and the Environment Agency in attendance where these provisions will be discussed.

It is important in future that any buffer strips that it is intended to use as part of a scheme, landowners apply for consent from the Drainage Board if that land is adjacent to a Board maintained watercourse.

Members NOTED the Environment update.

3132 Any Other Business.

There being no further items of business, the meeting closed at 11:50.

3133 Date, Time and Place of the Board's Next Meeting.

The Board's next meeting, incorporating the Annual Public Meeting, was confirmed for Tuesday 19th November 2024 at 09:30am in Minting Village Hall.


..... Chairman 19-11-24 Date
W3rd B.M. 21.05.24.