

## WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

**Minutes of the one hundred and twenty eighth meeting of Witham First District Internal Drainage Board held on Tuesday, 21<sup>st</sup> May 2024 in Branston Booths Village Hall, Lincoln at 2pm.**

### Present:

|                  |                      |
|------------------|----------------------|
| Mr E Applewhite  |                      |
| Mr D C Armstrong | <b>Chairman</b>      |
| Mr P Carrott     | <b>Vice Chairman</b> |
| Mr S Cobb        |                      |
| Cllr K Fernandes |                      |
| Mr W Grantham    |                      |
| Cllr M Head      |                      |
| Cllr G Hewson    |                      |
| Mr R Hickling    |                      |
| Dr B Maplethorpe |                      |
| Mr A Means       |                      |
| Mr C R Oxby      |                      |
| Dr V Stanton     |                      |
| Cllr P J Vaughan |                      |

### In attendance:

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

### **2694 Apologies for absence.**

Apologies for absence were received from Mr D Busby, Cllr I Carrington, Cllr M Clarke, Mr P Gilbert, Cllr A Hagues, Mr M Harrison, Mr A G Hodgson, Mr D Leggate, Mr S Leggate, Mr I Mair, Mr S Maplethorpe and Cllr L Sanders.

### **2695 Declarations of Interest.**

Declarations of interest were received from members appointed by City of Lincoln Council and North Kesteven District Council, in matters relating to the respective Councils. Mr Steve Cobb declared an interest in matters relating to Sandhill Beck.

### **2696 Chairman's Announcements.**

The Chairman welcomed Members and Officers to the May meeting of the Board, traditionally one of the busier meetings of the year.

He reported there had been no changes to City of Lincoln Council's appointments to the IDB, following the local elections on 04th May 2023. Long-standing members Gary Hewson and Pat Vaughan would continue to serve on the Board.

There had been no notification of any changes to Board membership from NKDC.

The Chairman reported that 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. He was pleased the Board ended 2023/24 with a modest surplus position of £16,043, an excellent result given the impact of Storm Babet and other heavy rainfall events over the last 6 months, and the end of year could so easily have been a considerable deficit given the costs incurred had the Statement of Claim for third party costs incurred by the Board not been successful.

The Internal Auditor at TIAA had completed the independent review of 2023/24 and whilst some improvements were recommended for each Board, there were no material issues raised. There were 2 recommendations for Witham First DIDB, to be considered later. Each of the 4 Witham & Humber Drainage Boards had been given a 'substantial' audit assurance rating for 2023/24, the highest rating. Fiona Roe, Director at TIAA attended the JSC meeting on 13th May and given the substantial assurance ratings, and limited recommendations, she would not be attending each individual May Board meeting.

#### **2697 Minutes of the previous Board meeting, 30.01.24.**

The Minutes of the Board's previous meeting, held on 30<sup>th</sup> January 2024 were proposed, seconded and APPROVED as an accurate record.

#### **MATTERS ARISING:**

*There were no matters arising, all issues having been covered on the agenda.*

#### **2698 Minutes of the Executive Committee meeting, 07.05.24.**

The minutes of the Board's Executive Committee meeting held on Tuesday, 07<sup>th</sup> May 2024 had been circulated with the agenda and were proposed, seconded and APPROVED as an accurate record.

#### **MATTERS ARISING:**

##### **2698.1 Chief Executive's Update (minute 5, page 1806 refers).**

Mr Steve Cobb raised his concerns in relation to the final bullet point in the minute, as follows:

- *"Mr Steve Cobb reiterated his continuing objection to the way in which the IDB had received water from the EA main river system and how that water had been evacuated by the Board's staff. Jane Froggatt advised that she felt his detailed points in several letters to her had been replied to in full and she defended the staff's actions in very challenging heavy rainfall events. Mr Mark Harrison mentioned that excess water was elsewhere in the drainage district, through nobody's fault in the IDB, and he had*

*experienced an unofficial spillway on his land from EA main river. In response to a specific concern about AWS's Canwick STW, Martin Shilling confirmed that he had spoken to Matt Moore at AWS and he had demonstrated that the clean water discharge is into a piped system and directly into the South Delph, so there is no foul discharge into the IDB system as suspected previously. The drawings had been shown to Martin. It is not as clear in respect of the Washingborough STW and this may warrant further investigation".*

Mr Steve Cobb insisted that, in his opinion, contaminated sewage water was being discharged into the IDB maintained watercourse.

Officers advised that the matter previously raised had been addressed with AWS and the EA, the former discharging under licence conditions regulated by the EA in terms of water volume and quality. The IDB had no evidence of a breach of licencing conditions and had received AWS's explanation. Mr Steve Cobb was advised to refer his continuing concerns to AWS and the EA.

### **2699 Joint Services Committee, 13.05.24.**

The minutes of the Joint Services Committee held on 13<sup>th</sup> May 2024 had been circulated with the agenda and were received and NOTED by members.

#### **MATTERS ARISING:**

There were no matters arising.

### **2700 Chief Executive's Report.**

The Chief Executive's report had been circulated with the agenda; the report was taken as read, with issues highlighted:

#### **2700.1 Current Position:**

The Chief Executive was pleased to report some positive news, given how gloomy the position seemed at the January Board meeting when we were dealing with the impact of Storms Babet, Henk and heavy rainfall events since October and there was no certainty as to whether the Statement of Claim for third party costs incurred by the IDBs 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 at the RFCC meeting on 19.01.24, 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 4 Witham & Humber Drainage Boards, mostly Witham Third DIDB and Witham First DIDB.
- 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 had 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 Witham First DIDB**; Immingham and Mawmbridge PS in NELDB, Woodhall Spa PS in W3rd. Pyewipe PS in UW is nearing completion of refurbishment as a FDGiA scheme. The other schemes underway are **Telemetry in W1st**, W3rd and UW [NELDB being completed], the completion of **Metheringham Fen PS** refurbishment in Witham First DIDB and the **2-pilot national LAPSIP schemes at Nocton and Bardney in Witham First DIDB's drainage district**.

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 imminently. 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 EA FCERM GiA process which meets criteria geared not towards agriculture but primarily towards numbers of houses and non-agricultural businesses better protected from flood risk.

There is likely to be a short turnaround time for recovery and asset improvement bids, and we believe any schemes will need to be completed by 31.03.25. A full update will be provided to the 15.07.24 JSC meeting, with further updates to the November Board meetings.

#### 2700.2 Staffing.

Billy Reddish, Land Drainage Operative with the Board working primarily on the John Deere tractor/flail combination, has retired at 4-weeks' notice. His last working day was Monday 22nd April, his final day of employment was 25th April 2024. Billy had completed 8 years' service, joined initially Upper Witham IDB in April 2016 and he moved to Witham First in 2019. He requested no leaving do, although Richard Marshall, Foreman, presented him with his choice of vouchers as his retirement gift. We are currently advertising for a replacement Operative role, with interviews scheduled for 29.05.24.

Dave Tempest, Land Drainage Operative predominantly on an excavator, will remain on sick leave for some time whilst recovering from major surgery. It is unlikely that he will return to work this weed cutting season. This leaves just 3 staff currently operating in Witham First, including the Foreman.

The Chief Executive's report and update were discussed and NOTED.

#### **2701 Approval of the Electoral Register.**

A report was circulated with the agenda and presented by the Chief Executive.

Elections to each of the four Witham & Humber Drainage 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.

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

For the next stage of the election process, as there were no objections, inaccuracies or anomalies raised by any inspections by close of play on 17.05.24, each Board is being 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 the approval of the Electoral Register would be advertised on the website [www.witham3idb.gov.uk](http://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 no later than 04th October 2024. Any members not wishing to stand were requested to advise the Chairman or Chief Executive at their earliest opportunity.

Members APPROVED the Electoral Register and noted the report and timescales.

### **2702 Internal Auditor's Report on 2023/24, including the AGAR Certificate.**

A report had been circulated with the agenda and was presented by the Director of Finance and Governance, who emphasized that this was the independent report to the Board from the auditor.

TIAA, the Internal Auditors (IA), undertook the 2023/24 internal audit remotely during March/April 2024 for Witham First District IDB. The key outcomes from the audit were 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. Two priority three recommendations (Routine) have been made this year by IA.
  - a. Policies and procedures to be reviewed and kept up to date, in accordance with their review period.
  - b. The risk management policy and strategy to be added to the policy handbook, to ensure version control.
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.
5. 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 Services Committee Meeting on 13th May 2024.

Members received and noted the Audit Report, accepted the assurance rating of 'Substantial for 2023/24' and the IA's completed Audit Certificate which will form part of the AGAR.

### **2703 2023/24 Financial Report for month 12, as at 31.03.24.**

A report on 2023/24 prepared by the Director of Finance had been circulated with the agenda. This is the baseline report from which the Statement of Accounts and the AGAR are compiled. The financial performance as at 31st March 2024 was summarised as:

| Budget 2023/24<br>£ | Actual (Surplus)/Deficit<br>£ | Variance<br>£ |
|---------------------|-------------------------------|---------------|
| (0)                 | (16,043)                      | (16,043)      |

The Board was showing a modest £16k surplus position at the end of the financial year, which would be transferred to Reserves. Whilst this was a healthy outturn position, Members were reminded that the Board had increased financial risk, especially relating to electricity costs in heavy rainfall events. The reliance on PSCA income from undertaking works on EA main rivers was highlighted. It was important that the Board's reserves were increased over the coming years to mitigate some of the 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)        |
| <b>W1</b> | <b>(£16,043)</b> |
| W3        | (£41,027)        |

All Boards ended the financial year with a modest surplus, which was far better than envisaged due to the impact of recent significant storm events. Whilst this was positive news, the recovery works to assets was ongoing and significant repair costs would be incurred in the coming months to recommission pumping stations and repair the large number of bank slips and other damage.

The outturn 31.03.24 position includes the response costs reimbursed following the Statement of Claim relating to Storm Babet to 30.11.23, i.e., electricity, staffing/overtime and immediate pumping station repair costs, but not any of the major repairs that are required.

A Statement of Claim for £1,559,235.36 was prepared and submitted to the Anglian (Northern) Regional Flood & Coastal Committee (A(N)RFCC) in December 2023, and presented by the CEO on 19.01.24, for the costs 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 and costs incurred to 30.11.23, rather

than subsequent Storm Henk on 02.01.24. The Witham First DIDB element of the total £1.6 million claim was £492,215.47:

|                                  |                      |
|----------------------------------|----------------------|
| Witham Third District IDB        | £985,918.08          |
| <b>Witham First District IDB</b> | <b>£492,215.47</b>   |
| Upper Witham IDB                 | £74,583.15           |
| North East Lindsey IDB           | £6,518.66            |
| <b>Total</b>                     | <b>£1,559,235.36</b> |

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

|     | Electric Oct/Nov    | Staff to date       | Fuel              | Emergency Repairs | Sub Total Actuals   |
|-----|---------------------|---------------------|-------------------|-------------------|---------------------|
| 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          |
|     | <b>£ 259,756.54</b> | <b>£ 108,677.61</b> | <b>£ 4,291.11</b> | <b>£ 6,010.10</b> | <b>£ 378,735.36</b> |

The second part of the claim was for the estimated costs of operating mobile pumping into December and over Christmas, plus the major repair costs to the pumping stations that had been either inundated during the storm or had operated excessive hours during the event, meaning repairs are needed to ensure the longer-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              |
|     | <b>£ 80,500.00</b> | <b>£ 5,000.00</b>          | <b>£ 1,095,000.00</b> | <b>£ 1,180,500.00</b> |

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 it was agreed in principle that it 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 and Highland Water 2' elements of the Statement of Claim had been paid by the EA. The Highland Water 1 amounts are included in the usual Highland Water claims, submitted to the EA on 01st May 2024. These claims are usually paid in September each year and include the balance of the 'actual' costs

incurred 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 costs incurred will be paid in September 2025. However, as these additional 'actual' costs for 2023/24 had been incurred, officers have 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 an outline business case [OBC] and then a submission for each affected pumping station site. This meant OBCs for 17 sites were prepared and submitted for approval. All submissions have been approved and the repair works have commenced on sites, led by the Director of Operations.

The success of this Statement of Claim has significantly contributed to the improved outturn positions for each Board, without which the Boards would have incurred significant deficits and depleted reserves.

#### Electricity costs in 2023/24

Witham First DIDB's electricity costs for the year totalled £553,907 against a budget for the year of £305,000. The budget had been increased to £305,000 in 2023/24 from £69,000 in 2022/23.

The following table set out electricity costs incurred by Board for 01<sup>st</sup> April to 30<sup>th</sup> September 2023 usage (so it excludes Storm Babet on 20.10.23 and the increased standing charges/rates applied from 01.10.23):

| 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)       |
| <b>W1</b> | <b>£305,000</b>  | <b>£78,449</b>  | <b>£73,554</b> | <b>(£4,895)</b> |
| W3        | £220,000         | £70,419         | £52,985        | (£17,434)       |

However, the following table set out full-year electricity costs incurred by each Board for 01<sup>st</sup> April 2023 to 31<sup>st</sup> 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 01<sup>st</sup> October 2023:

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

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

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

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



### Plant & Machinery Replacement Programme.

Members discussed the details of the programme that showed the budgeted purchases and sales for 2023/24 as at 31st March 2024. The Atlas excavator had been purchased at £187,000 and the associated weed basket for £8,175. The Atlas 140W was sold for £27,000 and 3 weed baskets for £2,200. A 4x4 has also been purchased (ex W3 leased vehicle) for £17.5k. All budgeted purchases and sales planned for 2023/24 had been completed.

For 2024/25, the Tenders have been received and an order placed for the replacement tractor/flail combination with a Spearhead Aspen self-propelled vehicle for £230,457. This is less than the budget of £240,000. The Director of Operations anticipates delivery by mid-June. Currently, the planned sale of the Case tractor and Herder flail has been deferred to provide additional flailing capacity within the Board and across the group. The trade in value offered was £30k, however the future sale value is unlikely to reduce much by deferring this sale.

### Drainage Rates 2023/24

The current position of the Drainage Rates collected for 2023/24 including previous years' arrears as at 31st March 2024 was presented. The collection rate was 99.6% (99.0% at the same period in 2022/23), so it was comparable to last year's collection rate. Any unpaid amounts at year end 31.03.24 have been rolled forward and will be collected in 2024/25. All historical outstanding rating queries are now resolved and only land issues raised from in-year are now being actioned.

### Bank & Investment Balances

The balances as at 31st March 2024 were provided for information. A £250k 1-year fixed term cash deposit was made on 20th October 2023 with Chorley & District Building Society at 6%. This was in combination with the other 3 Boards (although 4 separate investments of £250k each Board were made) to achieve this rate, with a combined investment of £1m. This will generate (£15k) interest for each of the Boards split over 2 financial years.

### 2704 Annual Governance Statement 2023/24.

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

The Annual Governance Statement is incorporated within 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, which is listed elsewhere 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 of how it will address any weaknesses identified.

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

The Chairman took Members through the relevant 8 statements at the Board meeting and the response to each was agreed.

Members were therefore content to:

- complete the Annual Governance Statement (AGS) 2023/24
- incorporate the completed AGS into the overall Annual Governance and Accountability Return 2023/24.

### **2705 Annual Governance & Accountability Return (AGAR) 2023/24.**

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

The Annual Governance and Accountability Return (AGAR) for 2023/24 was presented for approval. The Board has a statutory requirement to complete and approve the AGAR.

The AGAR has 4 separate sections and normally needs to be approved at a full Board meeting before 01st July annually. 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 review. Alongside this, the rights of public inspection will also commence on Monday 10th June 2024 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 meeting]
- Section 1 – Annual Governance Statement 2023/24 [approved by members earlier]
- Section 2 – Accounting Statements 2023/24 [this section]
- Section 3 – External Auditor Report and Certificate 2023/24 [to be issued before 30.09.24]

The Annual Internal Audit Report has been completed by the Internal Auditor, TIAA. The Annual Governance Statement [AGS] must be approved before the AGAR is approved in full.

The Accounting Statements section utilises the information used in the preparation of the Statement of Accounts and were presented and approved.

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 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.

Members were content to:

- approve the Annual Governance and Accountability Return (AGAR) 2023/24.
- publish the AGAR on the Board's website on 07.06.24, along with the notice to commence the period of public rights from 10th June 2024.

### **2706 IDB revaluation and Potential reconstitution of the 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. They are seeking views on Defra's 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 and is thankful to those Defra and IDB officers that have assisted with the process to date.

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.

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 plus and minus, 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 an IDB has served notice that the Board wishes to update its values this cannot be retracted.

If it was agreed that some or all of 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' memberships are too large and that they should be reconstituted to be smaller Boards, closer to the DEFRA previously 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 above, it was recommended 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.

Members NOTED the update on the SI consultation, its potential impact should it be issued and were content the Board revisits the issue in 2027.

### **2707 Operations Report, including Health & Safety.**

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

#### **Incidents (as date of preparation of report 22, April 2024)**

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

- (UW) – LDO banged his own face when replacing a vehicle 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) – fire outside 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, they then decided to empty the workshop bins onto the fire, 10 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 tried 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. We had 2 Fire appliances attend the fire from Woodhall & Horncastle and the fire was swiftly dealt with. The value of the items lost in the fire total £5,157.65 and this loss was 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.

#### Safety Representatives' Meeting

- Meetings are completed with representatives from each Board, quarterly. Last meeting was 19th March 2024.
- Representatives bring points or queries, and information can be cascaded via the meetings also.

Most queries are raised at the time and do not wait for the meeting, which is positive.

The meeting is a positive, safe environment in which to discuss H&S issues, and staff are encouraged to raise discussion points.

Points raised 19th March 2024:

- Importance of vehicle checks, raised by Employee Safety Reps (ESRs) and Chair/Vice Chair.
- ESRs asked to lead by example where they have ‘requested improvements’ e.g. cable covers were provided as requested for slip, trip hazard, but not used.
- ESRs asked to work with the Foremen to support and lead on good housekeeping.
- Query if a fire door can have a ‘hold open’ device for ‘ease of access’ – to be reviewed and assessed to see if it is possible as part of FRA (Flood Risk Activity).
- Some pumping stations identified where minor repairs are required.
- Poor lighting in some of the compounds/ yards highlighted and to be addressed.
- ESRs had asked if they could have H&S training IOSH (Institution of Occupational Safety and Health) Working and or Managing Safely – this has been arranged and courses are booked. It was deemed good practice to provide an external qualification, rather than internal training, to provide a certificate to Representatives.
- Closed out – hammer/ belt cutters for vehicles.
- Closed out – cables over walkways.

- Closed out – adding hold open device to large bulletin boards.
- Closed out – suitable parking options when meetings are held for visitors and team.

#### Staffing:

Shaun (Billy) Reddish has retired, this was at relatively short notice of 4 weeks. Billy started with the Boards, initially at Upper Witham in April 2016 and more recently operated a tractor flail combination for Witham First. He was presented with his choice of gift vouchers on retirement. An advert is currently out for a replacement Operative. Another Operative is on long term illness leave, having been called in for a long-awaited transplant.

#### Pumping Stations:

##### Blankney Pumping Station:

As reported before, one of the motors failed and was sent for repair. Once returned it is still the intention to send the second one away for overhaul. This work is part of the recovery scheme.

##### Sandhill Pumping Station:

The pump and motor have been returned and are working well. The pump has undergone some resilience work, having a seal fitted to the top and bottom of the top bearing this will allow the pump to run longer under water. This work has been completed under the recovery scheme.

##### Farroway Pumping Station:

Ruskington fen door panel has been replaced following the electrical fire last October and is working fine. Two weeks after this was installed there was an electrical fire in the door panel on the Anwick fen panel. A new panel has been ordered from Paktronic at a cost of £9,105.00. This is part of the recovery scheme.

##### Timberland Pumping Station:

No2 (one of the larger pumps) has failed and has been removed for repair, this along with the motor has gone to Perry's pumps in Lincoln. This work is part of the recovery scheme.

##### Nocton Pumping Station:

No2 pump has had the coupler between the pump and motor fail, once the new coupler has been delivered this will finish the repair.

#### Plant & Machinery:

The new Spearhead Aspen self-propelled flail is due for delivery from Italy in early June, ahead of the maintenance season starting. This is part of the approved 2024/25 plant replacement programme.

#### Winter maintenance 2023/24:

The Board's workforce has undertaken a mixture of bushing, reforming, de-silting and slip repairs to, Cathole drain, Walcott Soke dyke, Billingham Soke dyke, Roberts drain, and Linwood drain, and this work will continue until we start vegetation maintenance.

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

Boards have quoted and been awarded the work for the coming maintenance season with values of: NELDB £165,857.49, UW £198,381.64, **Witham First £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 we will be able to get on to all the banks previously worked, due to their condition after the winter storms. The EA has also removed the requirement for PSCA maintenance from watercourses they have now classified as low consequence systems. These systems are: NELDB, Brockelsby Beck and Butforth Drain. Upper Witham, Shire Dyke. **Witham First, Old Slea 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, but this is their decision.

#### 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. 17 vehicles are financed by PEAC and 2 by Virgin Money. PEAC have made contact and are keen to continue with us direct, but only as a finance lease with no ongoing maintenance (we currently 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. Through discussion with Dawson Group, they have assured us they will keep leasing the vehicles to us at current rates until the leases finish, they 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.

An update was provided that pleasingly this issue is now resolved, Dawsons have agreed to purchase all vehicles and re-lease to the Board under all original terms, including maintenance.

#### Plant Programmes:

Members discussed plant programmes for Upper Witham, Witham First and Witham Third. Each of the Boards have a 7-year replacement policy and officers review the hours, condition and costs of each piece of plant, and 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, had recently been reviewed by relevant subcommittees and were recommended to each Board for approval.

Members received, discussed at length and NOTED the Operations Report and update. The 2025/26 plant programme was APPROVED.

#### **2708 Engineering Report.**

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

Whilst it has been several months now since the last of the winter's high rainfall events, the fallout from these storms continues to place a heavy workload upon the resources of the Boards. Officers had attended numerous meetings with Town and 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 have 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, we have attended 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. This will be an ongoing piece of work to consider options, led by the EA.

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 Witham First's district and Coningsby Ings and Tumby Drain in Third's 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 in to 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 because of this winter's storms and flood events. The investigations relate to the internal 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.

#### Timberland & Billingham PS Refurbishment:

|                        |                                       |
|------------------------|---------------------------------------|
| IDB No                 | FD 533-2020-PRO                       |
| EA National Project No | ANC403I/002A/051A & ANC403I/002A/041A |
| GIA Claim No           | IDB 0408                              |
| GIA Approval Amount    | £83,000                               |
| Project Stage          | OBC Development                       |

#### Progress

The preferred option is to replace both pumping stations with new fish friendly variable speed pumps, new MCC and refurbish the existing AWC and to provide resilience to overtopping of the River Witham by raising the vulnerable equipment above the maximum flood level.

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 consulting engineers, Stantec, under the Scape framework. This will be progressed in conjunction with the detail design for Woodhall PS [W3DIDB] to allow for efficiencies in procurement.



|                    |             |
|--------------------|-------------|
| Cost               | £4,621,547  |
| Benefits           | £23,427,984 |
| Benefit Cost Ratio | 5           |
| PF Score           | 40%         |

There is a significant funding gap of £2,803,037 and we are looking at ways to fill the gap with potential contributions from partners and the EA.

An outline business case has been developed, and the scheme will be progressed as soon as the funding is agreed. The indicative programme will be updated.

Income and spend as at 31st March 2024:

| <b><i>Billingham &amp; Timberland Catchment Review</i></b> | <b>Approved</b> | <b>Actual</b>   | <b>Variance</b> |
|--|-----------------|-----------------|-----------------|
| Grant Received   | (£83,000)       | (£83,000)       | £0              |
| Consultants Fees   | £83,000         | £78,439         | (£4,561)        |
|  | <b>£0</b>       | <b>(£4,561)</b> | <b>(£4,561)</b> |

#### Lowland Agricultural Peat Small Infrastructure Pilots [LAPSIP]Projects:

Applications were made to ADA for two projects within the Witham First catchment, as part of the pilot scheme to manage peat within lowland catchments. The pilot project is part of Defra's response to the Lowland Agricultural Peat Task Force Chair's report. ADA and others have worked with Defra over the last year to develop the concept of this pilot project that will provide funding specifically for IDBs to install water level management infrastructure related to lowland agricultural peat. The programme for these projects is tight as there is a requirement to deliver these projects by 31<sup>st</sup> March 2025. We were successful in both applications, details of which follow.

- Tyndall's Witham Bankside Drain, Branston Fen

The site has been surveyed by the Engineering team and the detail design for the tilting weir undertaken. Tenders have been issued and are due to be returned on 13 May 2024.

This project will be delivered in conjunction with Nocton Fen project to achieve efficiencies in delivery.

Project Value           £108,900

- Engine Drain No.1, Nocton Fen

The site has been surveyed by the Engineering team and the detail design for the tilting weirs undertaken. Tenders have been issued and are due to be returned on 13 May 2024.

This project will be delivered in conjunction with Tyndall's Witham Bankside project to achieve efficiencies in delivery.

Project Value           £102,080

#### Metheringham PS Refurbishment:

|                        |                                    |
|------------------------|------------------------------------|
| IDB No                 | FD-1143-2014-PRO                   |
| EA National Project No | ANC403I/002A/046A                  |
| GIA Claim No           | IDB 0461                           |
| GIA Approval Amount    | £163,000 (+ Board contribution 5k) |

## Project Stage

## Delivery

This project is nearing completion. The flap valve has now been installed but there is leaking from it, which is under investigation with the contractor. All other works have been completed.

Income and spend as at 31st March 2024:

| <b><i>Metheringham PS FDGIA Scheme</i></b> | <b>Approved</b> | <b>Actual</b>    | <b>Variance</b>  |
|--|-----------------|------------------|------------------|
| Grant Received                             | (£163,000)      | (£163,000)       | £0               |
| W1 Contribution to Reserve                 | (£5,000)        | (£5,000)         | £0               |
| Expenditure                                | £168,000        | £150,889         | (£17,111)        |
|  | <b>£0</b>       | <b>(£17,111)</b> | <b>(£17,111)</b> |

Telemetry (W1):

|                        |                   |
|------------------------|-------------------|
| IDB No                 | JA-1583-2014-ASS  |
| EA National Project No | ANC501E/000A/188A |
| GIA Claim No           | IDB 0555          |
| GIA Approval Amount    | £150,750          |
| Project Stage          | Delivery          |

This project is progressing although has recently been delayed due to Storm Babet. Out of the 12 sites to be completed 4 (Branston, North Kyme, Billingham and Ringmoor) have been fully completed and invoiced so far.

Income and spend as at 31st March 2024:

| <b><i>Telemetry</i></b>  | <b>Approved</b> | <b>Actual</b>     | <b>Variance</b>   |
|--------------------------|-----------------|-------------------|-------------------|
| FDGIA Grant              | (£150,750)      | (£125,625)        | £25,125           |
| Equipment & Installation | £150,750        | £16,800           | (£133,950)        |
| <b>Total Expenditure</b> | <b>£0</b>       | <b>(£108,825)</b> | <b>(£108,825)</b> |

Lower River Witham Resilience Review & Billingham Catchment System Review (FD-5336-2020-PRO):

Work to complete the hydraulic modelling of the lower Witham system continues and was due for completion in March/April 2023. The Board has not been updated as to the progress of this element of the work. In the meantime, the Board's officers are meeting with the EA and its consultants, to discuss maximising benefits that may be available to claim as part of any future FDGiA bids.

The Board's officers continue to raise issues of concern relating to the system's condition and ability to convey water with the EA and its consultants.

The EA has a web page for the Lower Witham Flood Resilience Project:

<https://consult.environment-agency.gov.uk/lincolnshire-and-northamptonshire/lower-witham-flood-resilience-project/>

The Boards have received extracts of the topographical survey, undertaken in 2022, as part of the Lower Witham Resilience Project. This gives information relating to the bed levels and bank levels provided within the main river system in relation to the control structures at locations such as Grand Sluice, Bardney Lock and Stamp End.

This survey demonstrates that, with the very isolated exception in the vicinity of Bardney gauging station and road bridge, there are no accumulations of silts within the wetted perimeter of the Witham channel that will obstruct flows at either normal retention levels or flood levels.

| Location                            | Chainage<br>m | Bed / cill Level<br>m AOD | Silt Level<br>M AOD | Silt Depth |
|-------------------------------------|---------------|---------------------------|---------------------|------------|
| Grand Sluice Cill                   | LW_00026      | -0.97                     |                     |            |
| Grand Sluice Tidal Door top         | LW_00026      | +4.83                     |                     |            |
| Grand Sluice Fluvial Door top       | LW_00017      | +1.44                     |                     |            |
| Chapel Hill [Kyne Eau outfall]      | LW_15828      | -2.28                     | 0                   | 0          |
| Dogdyke [R Bain outfall]            | LW_17432      | -1.52                     | 0                   | 0          |
| Tattershall Bridge [Skirth outfall] | LW_19305      | -1.86                     | 0                   | 0          |
| Timberland Delph                    | LW_24641      | -1.77                     | 0                   | 0          |
| Duckpool Catchwater Drain           | LW_29117      | -1.97                     | 0                   | 0          |
| Nocton Delph                        | LW_32675      | -1.75                     | 0                   | 0          |
| Bardney Gauging Station             | LW_36956      | -1.50                     | -0.78               | 720mm      |
| Bardney Lock d/s Cill               | LW_37358      | -1.52                     |                     |            |
| Bardney Lock u/s Cill               | LW_37384      | +1.00                     |                     |            |
| Bardeny by-pass weir crest          | BLO_00079     | +3.00                     |                     |            |

These levels indicate a rise in general bed levels upstream of Dogdyke [at the outfall of the River Bain/Horncastle Canal] and in the vicinity of the Timberland Delph outfall, but neither of these reaches have bed levels that rise above the outfall of the cill at Grand Sluice and so whilst there is some undulation within the level, this would not obstruct flows to any marked degree.

However, the survey has not recorded any of the obstructions to flows provided by the presence of mooring structures or the vessels attached to them, nor the presence of any vegetation within the channel section. This will be raised with the managers of this project. We will continue to seek reassurance that the hydraulic model will take account of these and provide realistic results and predictions for future events.

Members received and NOTED the Engineering report and update.

### **2709 Planning and Consultations Report.**

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

There were no issues to highlight to Members on this occasion.

Members received and NOTED the Planning and Consultations report.

### **2710 Consents and Enforcements.**

A report had been circulated with the agenda. There was nothing to highlight to members on this occasion.

Members received and noted the report on Consents and Enforcements.

## **2711 Environmental Update.**

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

### **Buffer Strips:**

With new 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 where these provisions will be discussed.

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

### **Environmental Surveys (Feb-May):**

The Environmental Officer conducted surveys across the Board's catchment during the spring period prior to any remaining winter works. The watercourses that have been surveyed during this period are:

- 2110 – Walcott Soke Dyke
- 2042 – Cathole Drain
- 2018 – Sharps Drain
- 2101 – Roberts Drain
- 2039 – Tyndall's Witham Bankside Drain
- 2002 – North Engine Drain

Part of this quarter's surveying included an eel eDNA survey of the Timberland & Billingham catchments. The findings of this survey concluded that eels are not in abundance in the system.

Members received and noted the report.

## **2712 Adoption of Watercourse, Ruskington Fen.**

A report and map had been circulated with the agenda. The Director of Engineering Services advised members that a request had been received from Board Member Mr Simon Maplethorpe (not present at the meeting).

The Board's records indicate the RRS drain to flow from East to West where it discharges into the West Cross Drain. From there the water flows down the Board's system where it eventually is pumped into the Billingham Skirth via the Board's Farroway Pumping Station.

After a site meeting with Mr Mablethorpe, it was established that there was no culvert situated under the two semi-detached houses along the roadside therefore, the Ruskington Roadside South Drain is split into two and most of its water is conveyed through the riparian drain where it then discharges back into the Board's Ruskington Middle Drain.

The course of the riparian drain lies entirely within the district as do the main sources of surface water. The watercourse is in good condition and would appear to be of sufficient dimension and gradient to provide the required flows and capacities within the existing maintained system. A survey has been conducted to prove its hydraulic capabilities which

is currently being drawn up. Consent is also being sought from the land owner to the South West of the drain for the Board to be able to schedule this watercourse.

At the discharge point of the watercourse there is an access culvert which would remain with the riparian owner/occupier or other third party.

**Policy:**

The Board has approved a Policy for the Adoption & Scheduling of Watercourses, available on the website. The watercourse referred to in this request complies with the Board's adoption Policy.

**Options:**

There are two of options that the Board may consider applicable:

1. To not schedule the watercourse; in this case the responsibility for maintenance would remain with the adjacent riparian land owners.
2. Schedule the watercourse and the Board undertake maintenance over the length requested by Simon Maplethorpe.

The scheduling of this watercourse means the Board has control over its maintenance and can ensure the water from the Ruskington Roadside South drain is conveyed effectively through the Board's system.

It would also be logical for the Board to schedule a watercourse that connects two of the Board's current maintained watercourses.

To add context, confirmation of the lack of connectivity under the semi-detached houses means the stretch of the Ruskington Roadside South drain will only benefit a single land occupier. De-scheduling criteria in the Board's 'Policy of Scheduling of Watercourses' states that 'The watercourse has one riparian owner/occupier, or no longer caters for more than one owner/occupier within its catchment'. It is therefore suggested that the Board considers the de-scheduling of this reach of the drain along with the initial reach; de-scheduling a total of 688m of drain.

The Board would have to be fully consulted regarding any future development upstream of the reach to be scheduled and its Byelaws would apply, to ensure access and control of any activity adjacent to the length of watercourse in question.

Subject to its hydraulic capabilities being confirmed and consent from the adjacent land occupier being granted, it was recommended that the Board agrees to adopt and schedule the 325m riparian drain for maintenance in exchange of 688m of RRS to keep in line with the Board's policy. The Executive Committee had AGREED to recommend this to the Board.

Following discussion, Members **AGREED** to the adoption of the watercourse.

**2713 Any Other Business.**

Ed Applewhite sought the Chairman's permission to include an additional item of business, relating to flooding at Washingborough and Heighington fens in 2023/24.

Ed Applewhite read out a prepared letter, reproduced verbatim, as follows:

*"RC Applewhite & Son registered a complaint with Dr Caroline Johnson been given reference CJ33419.*

*This complaint was in relation to the handling of water between Washingborough and Heighington Fens during and after Storm Henck by the IDB.*

*Evidence has been submitted on our behalf by Robert Applewhite.*

*Further investigations by Rob and other local parties in this area appears to have shown that mistakes were also made during the previous Storm Babet and in the years preceding these storms. Too much water has been allowed and/or diverted to enter this small area in Washingborough Fen. Examples of this are the Sandhill Beck spillway, Keeble Drive/Malvern Avenue alleviation scheme and the Lincoln bypass. This area contains recreational grounds, allotments, farmland, potentially Sainsburys and residential properties.*

*Other parties are currently adding information to this complaint.*

*The local parish councillor Lindsey Cawrey would like all evidence to be submitted and passed to a special committee at the Lines CC to review issues from the storms.*

*RC Applewhite & Son would like the EA to carry out a thorough survey of the land between Lincoln and Sand hill Beck to find out what would happen if banks were breached. This survey would help create a strategy that can be followed that benefits all parties in this area of land.*

*RC Applewhite & Son are eligible for the Farming Recovery Fund. This does not come any way close to covering our losses and we will be seeking compensation from the IDB.*

*We have had problems in this Fen in 2007, 2012, 2019, 2023 and 2024. Despite repeated requests to sort out this spillway nothing has been done. Will this problem ever be sorted?? Pre 2007 nothing flooded".*

It was agreed that this matter would be considered by a small independent panel of Board members.

Post meeting note: A meeting was convened for Monday 08<sup>th</sup> July 2024 at Woodhall Spa Depot, for the relevant members to present their case, this be listened to, discussion and to draw a line under matters.

There were no further items of business, and the meeting closed at 16:24.

**2714 Date, Time and Place of the Board's Next Meeting.**

The Board's next meeting, incorporating the Annual Public Meeting, was confirmed for **Tuesday, 21<sup>st</sup> November 2024** at 2pm in Branston Booths Village Hall.

.......... Chairman ..... 26.11.24 ..... Date  
W1st BM 21.05.24.