

WITHAM FOURTH DISTRICT INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of the **Board** at a Meeting at 47 Norfolk Street, Boston on **Wednesday, 12th June 2024.**

Present: - P. Richardson (Chairman)

Messrs: T. Ashton N. Jones
P. Bedford M. Leggott
B. Bowles D. Scoot
C. Butler A, Saul
S. Evans K. Smith
A. Harrison J. Ward
S. Welberry

Also, in attendance was Ms Fiona Roe, the Internal Auditor.

1 **CHAIRMAN'S ANNOUNCEMENTS**

1.1 **New Members of Staff**

The Chairman advised there were three new office-based staff. Richard Wright - Assistant Engineer, Jess Thomas - Technical Officer and Joana Angelo will join the Board on 2nd July 2024 as Finance Officer.

1.2 **Roger Hooton**

The Chairman confirmed that today was the 52nd anniversary of Roger joining the Board back in 1972. Roger will be retiring on 31st July and will be doing a handover to Joana. The Chairman confirmed that there would be a presentation for Roger at the September Board Meeting.

1.3 **Members' Interests Forms**

The Chairman confirmed the Ratings Officer had copies of the Member's Interests Form for anyone that has not yet completed theirs. The Chairman confirmed that this was good governance and formed part of our annual audit.

1.4 **Lincolnshire Show 19-20 June 2024**

The Chairman reminded Members attending the show that the ADA Lincs branch had a stand in the Countryside Area, near the clock tower.

1.5 **Internal Auditor**

The Chairman welcomed Fiona Roe, the Internal Auditor to the meeting and confirmed that Fiona would be addressing the Board shortly.

1.6 **December Board Meeting**

Councillor Ashton confirmed there was a clash with the date of the December Board meeting and an ELDC Council meeting. The Chairman therefore suggested that the meeting be bought forward to 4th December if there were no objections.

1.7 **New Board Member**

The Chairman confirmed that Dr Kumar had been appointed by Boston Borough Council as a lay member in place of Councillor Helen Staples. The Chairman thanked Councillor Staples for her efforts to the Board.

2 **APOLOGIES**

Apologies had been received from C. Crunkhorn, A. Hall, D. Middleton, R. Hall-Jones, J. Woods and C. Hardy.

3 **DECLARATION OF INTEREST ON ANY GENERAL ITEM**

None.

4 **MINUTES**

4.1 **Board Meeting – Wednesday 7th February 2024**

The Minutes of the Meeting of the Board held on 7 February 2024 were submitted and their accuracy confirmed. The Chief Engineer confirmed there was a change to the water levels shown on the Engineering Report, page 42 paragraph 10.7. There were no other matters arising and the Board gave their approval for the Minutes to be signed.

5. **Fiona Roe – Internal Auditor**

The Internal Auditor began by thanking the Chief Executive and his staff for their assistance given during this remote audit. She confirmed to the Board that the Chief Executive had set a very high bar pointing out that the Board had been given the highest level of assurance, which was “Substantial Assurance” with no recommendations which was excellent and a perfect outcome. The Internal Auditor asked if there were any questions. There were none and the Internal Auditor left the meeting as she was required to attend another meeting.

6. **MEETINGS WITH OUTSIDE ORGANISATIONS**

The Chief Executive confirmed this was a snapshot of meetings which were attended by himself, the Chairman and other Board members.

The Chief Executive confirmed that with regard to the ADA Policy & Finance Meeting there were now two sub-committees which dealt separately with policy and advisory issues. The Chief Engineer sits on the Advisory Committee as Vice-Chairman and their first meeting had been held at the Black Sluice IDB offices on 11th June 2024.

The Chief Executive confirmed that at the ADA Lincolnshire Branch meeting Keith Caswell had announced he was standing down as Chairman and Peter Richardson had been proposed to take over later in 2024.

The Chairman added that at the RFCC Meeting the issue of Special Levies had been discussed at length.

7. **CHIEF EXECUTIVE AND FINANCE MANAGERS REPORT**

7.1 **Cash Book Balances**

The Chief Executive confirmed that a large deposit of £4.5k per month was being received in respect of interest accrued on the monies deposited with CCLA.

There was a large sum of money being held on behalf of the EA which had been claimed but not yet spent. The large payment made to DRAX was in respect of energy charges. The majority of payments made, had been in relation to the Wrangle Pumping Station project.

7.2 **Rate Arrears as at 31 March 2023**

The Chief Executive confirmed there was a detailed list of rate arrears in the report. The arrears for the year had been higher than usual mainly because of one debt which totalled £40k. The outstanding debts were all being pursued via the Court.

7.3 **Rate Income 2024/25**

The Chief Executive confirmed that Rate Demands for the current year had been sent out and payments totalling £373k had been received as of today.

8. Internal Audit and Financial Statements for the year ended 31 March 2024

8.1 **Management Accounts – Approval for the year ended 31st March 2024**

The Chief Executive then referred Board Members to the Financial Statements which were included in the folder showing the picture of Wrangle Pumping Station on the front cover. Page 1 provided an overview of the financial commentary for the year. The Chief Executive ran through his report raising some points for the new Board Members.

The Chief Executive said he appreciated that there was a lot of information contained within the accounts, especially for the newly appointed Board Members. However, he confirmed that if anyone required clarification on anything within the accounts that he has more than happy to answer questions now or at any time following the meeting.

The Chief Executive confirmed that the accounts for the year did not make happy reading.

Page 1, the financial commentary showed that the pumping station maintenance and running costs were 204% of the estimated figure. The income was always in line. Page 12 showed the General Reserve was £380k lower than the ideal at £262k. However, the Government had announced a £75 million recovery fund for IDBs. The Board had submitted a claim which, if successful, would enable the Board to replenish the General Reserve.

The Board had submitted a claim to the EA which included the exceptional recovery costs and the balance would be used towards slip recovery work. The funds, if received, need to be spent by March 2025. It would take a lot of organisation to get the funds spent by that time. The Chairman added that the District had been severely damaged by the recent weather events and that required £7.8m to be spent on it aside from the £4.5m required for dredging works. The situation was far from perfect.

T. Ashton - reinforced the need to replenish and grow the reserves which were literally the ultimate rainy-day fund for when it rains really hard.

The Chief Executive confirmed when the current Hobhole Pumping Station was working at full capacity it involved 7 people working 24hr shifts. The new Hobhole Pumping Station will be more resilient as 1 person can cope with the pumps although the electricity costs will be 50% more.

S. Evans - confirmed time was the biggest healer but with the constant wet weather the damage had not had time to heal. The Chairman confirmed the weather had been disastrous for the works budget.

The Chief Executive confirmed that long term the situation would improve. Had the system not had to deal with the additional EA water last year then it would have been able to cope and the situation would have been averted.

T. Ashton - confirmed the Board's standard had already been proved following 2 significant weather events in the last 12 months. Sufficient resilience was needed to cope with 2 wet years and to be able to continue within the 3rd. He asked at what point in heavy rainfall do operating costs kick in. The Chairman confirmed that high soil moisture deficit played a major part. The Chief Engineer added that when there was continuous rainfall it produced a top up effect and it was more effective to keep the pumps going than stop and start them. The Chairman added that the new pumping station would be much more efficient.

Page 6 of the Chief Executive's report showed a snapshot of the position at the year end. Page 12 showed the Capital Investment fund which showed that Wrangle had cost £5.2m to which the Board had contributed £20k. The Pumping Station renewals fund had previously benefitted from £50k per year for repair/replacement of pumps.

A. Saul - queried the figure for lubricants shown on page 14 of the report. The Chief Executive confirmed he would need to run reports to clarify the figures. The Chief Engineer confirmed the figure was outstanding.

Other than the General Reserve there were no other alarm bells. The Chief Executive confirmed that page 13 showed £1.16m had been spent on Capital Projects in 2023. £3.75m had been spent in 2024 on Wrangle Pumping Station, all of which had been paid from funding received from DEFRA so had not had any detrimental effect on the rate.

The Chief Executive asked the Board for approval of the accounts. There was overall approval from the Board.

8.2 **Approval of the Accounts and Annual Governance and Accountability Return (AGAR) – year ended 31 March 2024.**

The Chief Executive referred Board Members to the Annual Governance and Accountability Return 2023/4 Part 3 (“AGAR”). Pages 1 and 2 set out details of what is required, and Page 3 details the Internal Audit Report and F. Roe, the Internal Auditor, had already signed this off.

8.2 (1) The Chief Executive asked Board Members to review, confirm and approve the Annual Governance Statement. There was overall approval from the Board. It was therefore:

RESOLVED that the Annual Governance Statement for the Year Ended 31 March 2024 be approved and signed by the Chairman and Chief Executive.

8.2 (2) The Chief Executive confirmed that Section 2 of the Annual Return dealt with Accounting Statements which summarised the figures from the Management Accounts and the Board could see that the figures agreed. The Chief Executive asked for the approval of the Board for the Chairman to sign the Accounting Statements. There was overall approval from the Board. It was therefore:

RESOLVED that the Accounting Statements for the Year Ended 31 March 2024 be approved and signed by the Chairman.

8.2 (3) **External Audit**

The Chief Executive confirmed that he would send the approved AGAR, to the External Auditors. Their Audit Report together with the signed External Audit Opinion would hopefully be received in time to be discussed at the September Board Meeting. The Chief Executive confirmed that a notice would be placed on the website and would also be displayed on the notice board in the Office Reception, offering ratepayers the opportunity for public inspection.

J. Ward - asked about the audit fee increase? The Chief Executive confirmed that once income exceeds £6.5m for 3 consecutive years, this increase will be triggered however steps were currently being taken to remove IDBs from this large authority regime by MHCLG.

9. **CHIEF ENGINEER’S REPORT NO. 1/24**

The Chief Engineer confirmed that he would take his report as read and would update Members as he went through the report. He confirmed he was happy to take questions at any time.

9.1 **Pump Hours**

The Chief Engineer updated the Board that May pumping hours at Wrangle totalled 369 hours.

9.2 **Rainfall and Water Level Management**

The Chief Engineer confirmed a total of 51.7mm of rain fell in May.

J. Ward - asked with regard to page 3, if the head had now been removed from the engine? The Chief Engineer confirmed it was being done now. Work

on the electric and diesel pumps which were out of commission were being completed as a priority and would hopefully be done by September.

9.3 **Water Levels**

The Chief Engineer confirmed the levels in the East Fen were being held at the maximum water level of 1.142m.

9.4 **Proposed East Fen Water Level Management**

The Chief Engineer referred Board Members to the chart shown in 2.2.6 and suggested that the levels be trialled. This was in response to recent complaints that the levels had been kept too high. The Chief Engineer confirmed that he would e-mail the chart to Board Members.

B. Bowles - said perhaps some of the other farmers in the area should be asked what they think. The Chief Engineer said this was a reaction to calls and e-mails but if anyone had any issues to please let the Board know. However, if the recovery monies were received, the levels would need to be lowered to enable maintenance work to be carried out.

9.5 **Soil Moisture Deficit**

The Chief Engineer confirmed that the graph on page 7 of his report showed the dryness of the soil throughout the year. The higher the reading the drier the soil. The figures shown here justified the lower levels.

9.6 **Channel Maintenance Operations**

The Chief Engineer confirmed that 90% of maintenance in critical watercourses had now been completed.

9.7 **Sewer Mudding Programme**

The Chief Engineer confirmed that 32,179 metres of mudding had been completed.

9.8 **Planning**

The Engineering Manager confirmed that 100 planning applications had been reviewed and processed in the period February to April 2024.

The Engineering Manager confirmed that an application had been submitted for a number of dwellings at Spilsby, which is outside of the Board's extended area. However, the water will be discharged into the Board's catchment area and will pass through areas with severe flooding issues. The developer had been informed of the issues and will meet with Flood Risk Agencies to review.

9.9 **Consenting and Enforcements**

The Engineering Manager confirmed that a developer in Butterwick had commenced work without obtaining the Board's consent. The Board's solicitors were instructed to confirm that consent was refused and all liability remains with the developer. A Unilateral Notice to this effect had been filed with the Land Registry. There is a property adjacent to the culvert and any issues incurred will be the developer's responsibility. All fees and costs have been recovered.

The Chief Engineer confirmed that, moving forwards, Unilateral Notices will be registered at the Land Registry as this notifies people of the third-party interest where works have been completed without consent. The fee for this is £20 and will only apply to Board maintained watercourses.

9.10 **Outer Dowsing Offshore Wind ("ODOW")**

The Engineering Manager confirmed that the Board were still working with ODOW.

9.11 **Eastern Green Link 3 & 4**

The Engineering Manager confirmed that the Board were representing themselves to limit costs.

- A. Saul - asked if Eastern Green was another cable? The Engineering Manager confirmed that it was.
- B. Bowles - asked if it was possible to recover costs? The Chief Engineer confirmed that ODOV had offered payment of £4470 in respect of his time dealing on behalf of 4/5 boards.

9.12 Enforcement

The Engineering Manager confirmed there were 3 issues:-

1. Advice had been sought from the Board's solicitors. This related to a riparian watercourse and it was decided not to become involved. This was a common law battle between the two parties. Both parties had been advised to seek independent legal advice.
2. This matter relates to a Board's watercourse. Correspondence has been sent and signed for and is awaiting resolution.
3. This matter is almost concluded.

The Chief Engineer thanked the Engineering Manager for his updates.

- M. Leggott - asked if there was anything that could be Done to educate owners about the Board's byelaws? The Chief Engineer confirmed it could be included in the Board's newsletter but whether it would be understood or read was unknown. The Chief Executive confirmed that people moving into the area may not be aware. The Engineering Manager added that Lincolnshire County Council were drafting a document to distribute to solicitors advising them of the bylaws. A leaflet explaining riparian ownership was available at the Lincs show.

9.13 Policy Reviews

The Chief Engineer advised the Board which policies had been reviewed and confirmed there were no significant changes. He asked for the Board's approval to adopt the policies. There was overall approval from the Board.

9.14 Recovery Fund

The Chief Engineer confirmed the Government had made £75m available to IDBs nationally. This has been split into 2 tranches. Tranche 1 is a Storm Recovery Fund of £25m, for assisting with operational expenses for pumping stations and watercourses following the storms of 2023/24. £50m has been allocated to Tranche 2 which is for the Asset Improvement fund. A claim has been submitted by the Board and if successful, £403k will be paid into Asset Repair to cover stone revetements and piling works. There is an urgency to spend the money but it will not be known until July whether the claim had been successful. The Chief Engineer is meeting with the Operations Team tomorrow to get a plan of works in place. The Board will be relying on the co-operation of landowners as they may need to enter their land in a hurry.

- B. Bowles - asked if contractors could be used to ensure the deadlines were met? The Chief Engineer was confident that the Operations Team would all pull together to ensure they were but looking towards September daylight can be an issue.

- J. Ward - asked if farmers received compensation if land was entered without notice? The Chief Engineer confirmed that the Board does pay loss of cropping which basically equates to 10% if cropped or 8% otherwise.

9.15 Wrangle Pumping Station

The Chief Engineer referred Board Members to the project costs set out in his report. He confirmed that the project was proceeding well and that electrics were now being installed and everything was really coming together.

One issue that had arisen was in relation to nesting swallows in the old station. The team had secured the old pumping station to prevent them entering and they are trying to move into the

new station. The team have been trying to prevent this as this would cause major delays to the project. The Chief Engineer confirmed that there were some changes to the MMO Consent as MMO and Natural England would not consent to the construction of the channel due to the loss of salt marsh habitat.

- A. Saul* - asked why the old pumping station could not be left for them to nest in? The Chief Engineer confirmed that this was not feasible.
- T. Ashton* - added there was an old pillbox nearby in which they could nest. The Chief Engineer was sure they would soon be nesting in the new pumping station.
- T. Ashton* - felt very strongly that Natural England ("NE") were making decisions for which there was very little scrutiny and they should be held accountable. He had proposed a meeting with NE and the IDBs and invitations should be sent out in the next few days. The Environment Agency gets a lot of public scrutiny but NE seems to remain under the radar.
- C. Butler* - asked why NE were not prepared to agree consent? The Chief Engineer confirmed it was because of the knock-on effect on the salt marsh and if permission was given to one then it would have to be given to all

9.16 **Hobhole Pumping Station**

The Chief Engineer showed the Board an image of the proposed new Pumping Station and gave a summary of the work completed to date. He also confirmed that the modelling work was underway.

An application had been submitted to the EA on 26th April 2024 for funding which is currently with the large project approval team. There had been 4 amber and no red markers so we were almost there. Hopefully, the go ahead should be received within the next week or so. Design work started early summer-mid autumn. The project was now becoming very real and the Chief Executive and the Chief Engineer were reviewing Contracts which proffered minimal risk to the Board. The Chief Engineer confirmed this was a very demanding project which was consuming 70% of his time at present.

- T. Ashton* - confirmed this was an excellent project and would afford great protection to the District. Most pumping stations in Lincolnshire had been commissioned in the 1950-60s and a huge amount of investment was required to ensure resilience for the future.

10. **Health & Safety**

The Chief Engineer confirmed there was nothing further to report.

11. **ENVIRONMENT REPORT**

The Engineer Manager confirmed he would take the report as read but confirmed the recently appointed Technical Officer had been assisting the Board's part-time Ecologist with various projects.

There had been a change in the approach in which mink were captured. At present 5 members of staff are involved in the process and whilst other Boards contributed financially, they did not provide any staff.

- M. Leggott* - added Black Sluice IDB relied on volunteers to help control mink
- B. Bowles* - added favouring one species to the detriment of another

12. **ANY OTHER BUSINESS**

The Chief Executive confirmed that J. Woods had raised an issue regarding the Board's approach to manhole covers. The Chief Executive was due to be meeting with the insurance team and this would be discussed. The Chief Engineer added that most of the manholes had concrete covers which were removed by machine so unlikely that they could be moved by children.

S. Evans - asked what weather service the Board uses? The Chief Engineer confirmed that the Met Office weather app was used.

There was no other business and the meeting concluded at 4.10pm.

Chairman