

WITHAM FOURTH DISTRICT INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of the **Board** at a Meeting held at the Board's Offices, 47 Norfolk Street, Boston on **Wednesday, 13th December 2017**

Present: - J.E. Grant (Chairman)

| | | |
|---------|--------------|-------------------------------|
| Messrs: | T. Ashton | A. Harrison |
| | R. Austin | R. Hall-Jones |
| | P. Bedford | R. Leggott |
| | B. Bowles | P. Richardson (Vice-Chairman) |
| | M. Cooper | Mrs C. Rylott |
| | C. Crunkhorn | A. Saul |
| | C. Hardy | P. Skinner |
| | H. Drake | J. Ward |
| | | J. Woods |

1 **CHAIRMAN'S ANNOUNCEMENTS**

1.2 **Invasive Species Letter**

The Chairman confirmed that he was very disappointed to have received a standard response from the DEFRA Minister to his letter. The Chairman passed the letter round the Board Members and asked for the Board's approval to pen a suitable response.

RESOLVED the Chairman to send a response to the letter received from Lord Gardiner of Kimble.

1.3 **Noel Bradley**

The Chairman confirmed that Noel will be retiring from the Board on 22nd December and has been one of the Board's most reliable employees. The Chairman asked the Board to join him in thanking Noel for his excellent service and confirmed the Vice-Chairman would make a presentation to him at the Christmas Lunch.

1.4 **Wrangle**

Work has started on this project and there has been some PR in the Boston Standard today and on BBC Radio Lincolnshire last week. The major works will commence on 4th April 2018 for a period of 14 weeks.

2 **APOLOGIES**

Apologies for non-attendance were received from:-

| | |
|---------|---------------|
| Messrs: | C. Brotherton |
| | M. Dennis |
| | N. Jones |
| | R. Williams |

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

Declared an interest in discussions about Sea Banks– A. Saul and B. Bowles.

Declared an interest in discussions about Triton Knoll/Viking – J. Grant, P. Richardson

4 **MINUTES**

4.1 **Board Meeting – Wednesday 15 June 2017**

The Minutes of the Meeting of the Board held on 13 September 2017 were submitted and agreed as accurate and signed by the Chairman.

Matters arising:

4.1.2 Compensation

The Chairman confirmed that if we are unable to use Reglone, and in future it may prove more economical to access fields to carry out necessary weed cutting works and to pay compensation for any damage caused to crops. Obviously, every effort would be made to avoid high value crops but there will be occasions when it will be necessary to compensate farmers for damage caused.

C. Crunkhorn - asked if there would be set scales of compensation to avoid haggling?

The Chief Executive confirmed that Nix's output figures would be used.

B. Bowles - asked if compensation would only be paid to those that apply?

The Chairman confirmed that it would be and that obviously some farmers would be more affected than others – for example those with land alongside a drain.

4.1.3 Mareham Le Fen

A. Harrison - asked if we would be looking to enforcement with regard to Mareham-Le-Fen?

The Chief Executive confirmed that a letter had just been received from Mr King's solicitors addressed to the Board but because it was received so late it would be dealt with at the February Board Meeting when Members have had the chance to consider it.

4.1.4 Amendment to Paragraph 7.5.2 Fences, Hedges & Other Structures

The figures mentioned in the final paragraph were incorrect and have been amended to read "*The Chairman felt that fences and solid structures could be set at 6m but vegetation should be no more than 9m to allow for growth and possible over-hang.*"

5. MINUTES OF GOVERNANCE & RISK COMMITTEE – 22nd November 2017

The Minutes of the Meeting of the Committee held on 22nd November 2017 were submitted and agreed as accurate and signed by the Chairman.

The Committee Chairman ran through the Minutes and confirmed that the main item requiring the Board's approval was the amendment to the Anti-Bribery Policy. The IDB Policy Statement would be accepted by the Board once ADA had finalised it.

R. Leggott proposed that the amended Anti-Bribery Policy be adopted. T. Ashton seconded the proposal. It was therefore:

RESOLVED

To adopt the amended Anti-Bribery Policy

6. MINUTES OF WORKS COMMITTEE – 22nd NOVEMBER 2017

The Minutes of the Meeting of the Committee held on 22nd November 2017 were submitted and agreed as accurate and signed by the Chairman.

The Committee Chairman ran through the Minutes and confirmed that the estimate was virtually the same as those last year with the exception of drain spraying. The sum of £35,000 in respect of drain spraying had been added to drain/sewer cutting as no spraying work would be carried out. The Engineering Manager confirmed that there were no major issues here the costs of clearing the Fodderdyke Drain had been included in the 18/19 costs representing an approximate increase of £50,000. The Engineering Manager confirmed that there was the opportunity to carry out additional work in the main rivers for the EA which the Works Committee were keen to undertake.

C. Crunkhorn - raised concern that if we committed to do this work for, say, a year that the EA would then try and reduce the costs.

The Engineering Manager agreed that this was a risk. The Chief Executive added that we could always refuse a reduction in our charges and if necessary sell the equipment that we have purchased. The Chairman added that caution was sensible but so was the opportunity to improve things for everyone. The Assistant Engineer added that whilst we would be investing in new machinery to enable us to fulfil this obligation in 2 or 3 years' time our other machinery will need replacing and if the Contract is not successful then we will simply not replace that machinery. The Chief Executive appreciates the concern and suggested that accelerated depreciation be considered.

C. Hardy - asked if EA staff were concentrating on emergency work how would they cope?

The Chief Executive confirmed that their staff were being tasked with preparing to support a national event and other major incidents. The Chairman added that if we do a good job this will lessen the chance of a major incident. The Engineering Manager added that just before the recent ADA Conference, the EA had issued a demanding document which he believed to be a pre-cursor to more demanding work.

R. Leggott - added that he shared some of C. Crunkhorn's concerns but accepts the CEO's comment that there is risk on both sides. DEFRA is run by the Treasury and how long would it be before the rates would need increasing to cover the cost of the work?

The Chairman responded that as a public body we were naturally cautious but this was a tremendous opportunity and would provide more advantages to people outside our area who could, potentially, become rate-payers and help off-set some of the costs.

T. Ashton - confirmed that R. Leggott raised a good point and that the payment framework is not a legal guarantee. However, our position would be greatly improved if we were to carry out these works for a number of years.

The Chief Executive added that 12% of the Board's budget goes to EA precept which they then pay us to do the work. The Chairman asked if the Board were prepared to accept the 2018/2019 Estimates recommended by the Works Committee.

A. Saul proposed that the 2018/2019 estimates be accepted. *P. Bedford* seconded the proposal. It was therefore:

RESOLVED

that the following Estimates be approved

- | | | |
|-----|-------------------|----------|
| i) | Weed Control | £786,000 |
| ii) | Cleansing/Mudding | £311,500 |

The Engineering Manager asked if the Board would be willing to participate in the trials for an alternative to Diquat as recommended by the Works Committee.

J. Ward proposed that the Board participate in the trials for an alternative to Diquat. *M. Cooper* seconded the proposal. It was therefore:

RESOLVED

That the Board would participate in the trials for an alternative to Diquat

7. **MINUTES OF PLANT & PUMPING COMMITTEE – 22nd NOVEMBER 2017**

The Minutes of the Meeting of the Committee held on 22nd November 2017 were submitted and agreed as accurate and signed by the Chairman.

The Engineering Manager ran through the estimates for the new equipment. The Engineering Manager advised the Board that estimates of plant requirements submitted in a report in support of use of diquat a few years ago shows the Board requires three additional excavators. Trials with two old machines and the use of larger weed baskets and machines with more output have shown that it is essential the two old machines are replaced.

R. Leggott - asked if there was any update with regard to the RB22?

The Chairman referred to B. Bowles who confirmed that he had made enquiries with an enthusiast who is very interested in preserving old machinery, and he is very interested in the RB22. He has viewed the machine and believes that it would be easy to move. He would be willing to take it on and bring it out for various shows. The Chairman asked if any monetary value had been made and B. Bowles confirmed that the enthusiast would be very agreeable to £2,000. The Engineering Manager added that an offer of £4,000 had already been received but that we had heard nothing further in this regard.

T. Ashton - said that this was very promising solution to the problem but asked if we could consider this on a loan basis so that the Board retained ownership of the machine but the enthusiast had control of the maintenance. If the Board then wished to show the machine, say at the Lincolnshire Show, we would be able to do so

The Engineering Manager confirmed that the Lincolnshire Show would not be interested in having the machine exhibited there because of Health and Safety issues; the machine is suspended on wire ropes so there was a risk that the wires could snap.

A discussion on the future of the RB22 then took place and finally *R. Leggott proposed that the Board allow B. Bowles to continue negotiations with the enthusiast to reach an amicable settlement. P. Skinner seconded the proposal.* It was therefore:

RESOLVED

That the Board would allow B. Bowles to continue negotiations with the enthusiast to reach an amicable settlement.

The Chairman asked the Board approve the 2018/19 Estimates recommended by the Plant & Pumping Committee. The Engineering Manager advised the Board that the specification required for the weed boats had been reduced so the prices would be lower than those listed and only one trailer would be required.

P. Skinner proposed that the Board approve the Estimates recommended by the Plant & Pumping Committee. J. Ward seconded the proposal. It was therefore:

RESOLVED

That the Board agree the Estimates recommended by the Plant & Pumping Committee

- (i) JCB JS220 Estimate £140,000
- (ii) JCB JS145 Estimate £100,000
- (iii) Foreman's 4x4 Estimate £23,000
- (iv) No 2.5m weed basket Estimate £4,850

The Chairman asked the Board to approve the 2018/19 Estimates recommended by the Plant & Pumping Committee.

R. Hall-Jones proposed that the Board approve the Estimate for Small Powered Hand Tools recommended by the Plant & Pumping Committee. R. Austin seconded the proposal.

A.Saul proposed that the Board approve the Estimate for Additional Replacement Plant as recommended by the Plant & Pumping Committee. P. Bedford seconded the proposal. It was therefore:

RESOLVED

That the Board approves the Estimates recommended by the Plant & Pumping Committee

- (i) Small Powered Hand Tools Estimate £2,000
- (ii) 1 No 5m Weed basket Estimate £8,000.00
- (iii) 1 No 4m Weed basket Estimate £6,500.00
- (iv) 1 x No 2m Weed basket Estimate £4,000
- (v) 1 x No boat – cutting Estimate £77,00.00 (to inc trailer)
- (vi) 1 No. boat – raking Estimate £66,000
- (vii) Tree Snipper /Cutter Estimate £20,000

The Chief Executive added that all Resilience Works referred to during 2017/18 would come out of the reserves and will therefore have no effect on the setting of the rate.

C. Rylott proposed that the Board approve the Estimate for Workshops and Depot as recommended by the Plant & Pumping Committee. C. Hardy seconded the proposal. It was therefore:

RESOLVED

That the Board approves the Estimates recommended by the Plant & Pumping Committee.

| | 2018/19 Estimate | 2017/18 Estimate |
|---------------------------------|------------------|------------------|
| Pumping Stations | £446,000 | £436,000 |
| Depreciation of existing assets | £13,233 | £13,233 |
| Total | £459,233 | £449,233 |

8. **MINUTES OF ENVIRONMENT COMMITTEE – 22ND NOVEMBER 2017**

The Minutes of the Meeting of the Committee held on 22nd November 2017 were submitted and agreed as accurate and signed by the Chairman.

The Committee Chairman briefly ran through the report and asked the Assistant Engineer to provide the Board with more information. The Assistant Engineer showed some slides and confirmed that he had reviewed the current bio-diversity plan last month and had tailored it to be more specific to “quick win” topics. The National Review will be carried out in 2020. The plan was to focus on key species which would be measurable over the next 3 years. This included bat boxes; kingfishers - nesting sites at the pumping stations; grass snakes - compost piles for them to live in; bank management (bi-annual mowing); nature, woodland and hedges – establishing new hedges on land owned by the Board. A summary will be produced annually. All these are cost effective and produce good results.

A. Saul - asked if we could control mink and protect the otters?

The Assistant Engineer said that a survey would need to be carried out to ensure no otters were in the area and then the mink traps could be set.

J. Ward - said that South Holland had made vertical cuts in the sandy banks and the sand martins loved them.

The Assistant Engineer said that this was a “quick win” and was a possibility for next year. Dr Bolland had secured some additional funding for more equipment to continue monitoring the eels but this has now been postponed till Spring.

R. Leggott - asked if we were the only Board involved in monitoring the eels?

The Assistant Engineer confirmed that we were the main Board involved.

The Chairman asked the Board approve the 2018/19 Estimates recommended by the Environment Committee.

T. Ashton proposed that the Board approve the 2018/19 Estimates recommended by the Environment Committee. A. Harrison seconded the proposal. It was therefore:

RESOLVED That the Board adopt the 2018/2019 Estimate recommended by the Plant & Pumping Committee in the sum of £93,801.

5. MEETINGS WITH OUTSIDE ORGANISATIONS

The Chief Executive read through the Outside Meetings Report and confirmed that this was a busy time with many national meetings taking place. The main update to the Board was in relation to the Pay & Conditions Meeting, where the Board was represented by Peter Richardson and the Engineering Manager. The Engineering Manager confirmed that there was a much improved atmosphere at these meetings now and the pay award was discussed. It was agreed that if the 1% cap remains in place the increase will be 1% but if the cap is lifted then we will revert to the historical formula of 90% of the average pay increase. This formula worked well. In the past few days, 2% has been recommended by local authorities and it would therefore appear that the pay cap will be lifted.

6. CHIEF EXECUTIVE AND FINANCE MANAGERS REPORT

6.1 The Chief Executive went through his report and confirmed that £500,000 was still on deposit and was attracting a rate of 1% interest. A large payment of £155,000 had been paid in respect of EA precept and another was due to be paid in December.

6.2 The Chief Executive confirmed that rating arrears of £177,000 shown in the report have now been reduced to £105,000 and that efforts were still continuing to collect the outstanding balance. The Chief Executive asked the Board for approval to write off the irrecoverable debts of £1,600.

T. Ashton proposed that the Board write off the irrecoverable debt of £1,600. H. Drake seconded the proposal. It was therefore

RESOLVED that the debt of £1,600 be written off.

6.3 Flood Defence Grant in Aid Applications

The Chief Executive confirmed that the previous day he had received the final two signed Landowner Agreements. This would now enable the Board to sign the Contract with the Contractors. The Contract had been reviewed by the Board’s solicitors and by the Governance & Risk Committee and the Chief Executive was due to attend a meeting at the

EA on 14th December to finalise the funding. The Chief Executive asked the Board's permission for the documents to be sealed and signed by the Chairman and the Vice-Chairman.

A. Saul proposed that the documents be sealed and signed by the Chairman and the Vice-Chairman. H. Drake seconded the proposal. It was therefore

RESOLVED that the Contractor Agreement be approved and the Agreement was then duly signed by the Chairman and the Vice-Chairman on behalf of the Board together with the affixing of the Board's seal.

At Lade Bank, underwater line repairs and fencing work had been carried out, which was fully funded. A new project in relation to Sewer Lining at Fishtoft in the sum of £90,000 had been applied for and the Assistant Engineer was currently dealing with this. The Assistant Engineer confirmed that the business case had been reviewed and he was currently dealing with the comments raised.

M. Cooper - asked if fibreglass liners were being used?

The Assistant Engineer confirmed they were.

The Chairman confirmed that if the Board did not apply for FDGiA funding then these additional costs would be added to the rates. These improvements are carried out to a high standard and the results will be long lasting.

6.4 **Strategic Plan**

The Chief Executive went through the Strategic Plan and confirmed that the Policy Statement is changing as reported at the Governance & Risk Meeting. Once DEFRA's approval has been given, the changes will be adopted by the Board. The Board indicated their support for the 2018 plan.

7. **ENGINEERING MANAGER'S REPORT NO. 3/17**

The Engineering Manager went through his report, highlighting those areas of importance for Board Members

7.1 **Weed Cutting**

The Engineering Manager confirmed weed control was going very well.

7.2 **Mudding**

The Engineering Manager referred the Board to the picture of the Boat working on the Fodderdyke and confirmed that works were going well and the advantage of using the boat was that it minimised the risk to the public when working on the road. Tree control works were due to start in earnest in the New Year.

7.3 **Planning Applications**

The Engineering Manager advised that he was still receiving high numbers of planning applications.

7.4 **Rainfall**

October had been the fifth driest on record with only 9.7mm of rainfall.

7.5 **Water Management**

This had been fairly straightforward and the routine pumping and sluicing procedures have been amended as a result of the eel migration monitoring.

7.5.1 **Abstraction Licensing**

The Engineering Manager was aware of an intention to introduce licensing for IDB abstractions but had recently been advised that these will take effect in January 2018. He was particularly concerned of the increase in fees in relation to the abstractions carried out by the Board at Anton's Gowt and Dogdyke. At present the Board incurs charges in excess of £5,000 but believes that these changes may result in an increase in fees and a decrease in the water quality in the district if the Board chose not to transfer due to costs.

B. Bowles - asked if Natural England could not raise these points?

The Engineering Manager confirmed that that argument had already been put to the EA by ADA. If the costs were too onerous no water transfer will take place. The Chairman added that Natural England's support might help the cause but the Engineering Manager confirmed that if ADA (at national level) were to speak to the EA (at national level) then this could have a knock on effect on the rate-payer.

7.6 **Triton Knoll**

The Engineering Manager had attended a meeting with other IDB representatives and the main Contractors for the project. The Contractors will be attending a presentation on land drainage which shows the important work done by Drainage Boards. The Engineering Manager felt it was very positive that the Contractors were being made aware of the work we do.

7.7 **Viking Link**

The Engineering Manager confirmed that the Board has insisted that Viking provide clarity with regard to clearance levels under the watercourses affected. Triton Knoll refers to the safe margin for clearance as 900mm and Viking refer to it as 500mm.

7.8 **Health and Safety Matters**

There had been two minor accidents during the reporting period, both covered by the Safe Working Procedures. There has been a review of every Health and Safety document, with consultation, and the manuals have all been re-issued. There is mandatory training scheduled for the New Year.

7.9 **Pressure Systems Safety Regulations**

These have now been reviewed and a system put in place to ensure that these are not overlooked moving forwards.

7.10 **Organised Fishing Matches**

As usual the Board has been requested to permit local angling clubs to arrange fishing matches on the Board's drains.

T. Ashton proposed that the Board permit local angling clubs to arrange fishing matches
J. Woods seconded the proposal. It was therefore:

RESOLVED

To approved the request to allow local angling clubs to arrange fishing matches.

Formatted: Indent: Left: 0 cm

Formatted: Tab stops: 0.28 cm, Left + 0.54 cm, Left

7.11 **Additional Issue**

The Engineering Manager referred the Board to some additional documents regarding an issue, which in short had 3 possible solutions. The Board Members read through the documentation and the overall feeling was that consent should be refused.

M. Cooper - said the container should be taken down

R. Austin - agreed.

The Boston Borough Councillors attending had to leave the meeting to attend another meeting and the Chairman asked them to join with him in thanking the staff for their efforts throughout the year and wished everyone a Merry Christmas.

T. Ashton - agreed the area should be cleared and the container taken down

R. Leggott - added this was not permissible within the bye-laws and should be removed

C. Hardy proposed that the container be removed and re-sited not within 6m of the bank. *T. Ashton seconded the proposal.* It was therefore:

RESOLVED

To refuse the application for consent and for the container to be removed and re-sited not within 6m of the bank.

Formatted: Indent: Left: 0 cm

Formatted: Tab stops: 0.28 cm, Left + 0.54 cm, Left

8. **ENVIRONMENT REPORT**

The Assistant Engineer confirmed there was nothing really to add to the subjects that had been covered earlier in the meeting.

B. Bowles - asked what happened to debris collected at the pumping station?

The Assistant Engineer said that disposal of debris had recently been discussed at a management meeting and we were looking at ways to improve the disposal. The Engineering Manager confirmed that historically any weed removed from the weed-screen had gone into the tidal flow although large items of debris (tyres/gas bottles etc) had previously been removed. The Assistant Engineer confirmed that once it had been handled it became controlled waste and we were then liable for the disposal.

R. Leggot - asked the nature of the debris?

The Assistant Engineer confirmed mainly it was weed containing discarded plastics and that this needed to be reviewed and he would report further in the New Year.

9. **Study Tour of North Holland**

This item was deferred to the February Board Meeting.

10. **2018 Meeting Dates**

The Chairman asked all members to check the 2018 meeting dates listed in the Agenda and confirm whether they were acceptable.

11. **ANY OTHER BUSINESS**

The Chairman said that, on behalf of the Board, he would like to thank all the staff for their hard work this year and asked the Chief Executive to relay this at the Christmas lunch on 22nd December. The Chairman said that it just remained for him to give his best wishes for Christmas and the New Year. There was no other business and the meeting concluded at 4.05pm

Chairman