

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, 19th September 2018**

Present: - J.E. Grant (Chairman)

Messrs:	T. Ashton	C. Hardy
	R. Austin	N. Jones
	P. Bedford	R. Leggott
	B. Bowles	A. Spencer
	M. Cooper	P. Richardson (Vice-Chairman)
	C. Crunkhorn	R. Williams
	H. Drake	J. Woods

1 **CHAIRMAN'S ANNOUNCEMENTS**

1.2 **Andy Carrott**

The Chairman advised the Board that this was Andy's last day as he was retiring at the end of September after 36 years of employment, the last 12 served as Engineering Manager. Although this would be recognised at the Inspection dinner later, the Chairman took the opportunity to thank Andy for his contribution to the Board and wished him a long and happy retirement.

1.3 **Lade Bank Pumping Station Open Day 15th September 2018**

Over 180 visitors had attended the open day and approximately 70 people were present to see the diesel pumps start up. A raffle and tea/coffee stall raised over £300 for two local charities, Butterfly Hospice and MacMillan, who had recently cared for an employee's spouse. The increase in numbers was very encouraging and good PR for the Board. The Chairman thanked the Engineering Manager and his team for their efforts on the day.

1.4 **Election Reminder**

The Chairman reminded Board Members that the election date was 31st October 2018 and nominations for elected members could only be accepted if the Nominee and the Proposer had both paid their drainage rates for the current year. The Chairman wished all the candidates good luck and confirmed this would be covered in greater detail by the Chief Executive during his report.

1.5 **Board's Triennial Inspection – 19th September 2018 at 3.30pm**

The Chairman was looking forward to the Inspection this year as guests would be able to see the almost completed sea bank project between Leverton and Wrangle Pumping Stations. The work was led by the Board with funding secured from the EA and EU and was a very impressive project, the success of which was reliant upon Partnership Working. This comprised, the landowners who gave up valuable farmland, Lincolnshire County Council who had underwritten the £500k EU element of the funding, the EA for allowing another RMA to carry out the work, Natural England for their assistance regarding the environmental factors and finally our own Board. Particular thanks were given to Peter Bateson and Ed Johnson for managing the project on top of their usual workload, which had not been an easy task.

1.6 **Hugh Drake**

The Chairman was sad to announce that Hugh Drake had decided to retire from the Board after 16 years' service. Hugh had been Chairman of the Governance and Risk Committee since 2010. Hugh would be attending the meeting later.

2 **APOLOGIES**

Apologies for non-attendance were received from: -

Messrs: C. Brotherton
P. Cooper
R. Hall-Jones
A. Harrison
A. Saul
P. Skinner
J. Ward

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

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

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

4 **MINUTES**

4.1 **Board Meeting – Wednesday, 13th June 2018**

The Minutes of the Meeting of the Board held on 13 June 2018 were submitted and signed by the Chairman.

Matters arising:

4.1.2 **Governance Guide for IDB Members**

The Chief Executive confirmed that this would be launched at the ADA Conference on 14th November although a virtual copy would be launched at the end of October, which he would share with the Board. Chris Harris, the Internal Auditor, would be attending the Governance & Risk Committee meeting in November.

A. Spencer - asked if we had seen the Council's Risk Register. The Chief Executive said that he had seen it and it would be shared at the Finance Committee Meeting in November.

R. Leggott - advised Black Sluice IDB have a comprehensive Risk guide

A. Spencer - would like more information about the Board's reserves. He would like to meet with the Chief Executive to discuss possible investments. The Chief Executive said that he would be open to meeting with him for this purpose.

C. Crunkhorn - assumed that any proposed investments would be referred to the Board in the first instance.

The Chairman asked what the Borough's Reserve was and A. Spencer confirmed £12.5 million.

4.1.3 **Triton Knoll**

The Chairman confirmed that with regard to Triton Knoll the clearance on small ditches had been agreed at 1.9m. The Engineering Manager confirmed that this was by agreement with the Landowners and the Board.

5. **MEETINGS WITH OUTSIDE ORGANISATIONS**

5.1 The Chief Executive read through the Outside Meetings Report and confirmed that one important point for the Board was shown on page 2 of the report whereby local EA project sign-off had been increased to £500k. This had not been the case when dealing with the Wrangle Sea Banks project.

5.2 The Chief Executive confirmed that Deborah Campbell was standing down from the FRM role to concentrate on coastal matters.

5.3 The Engineering Manager pointed out an error on page 3 of the report Northampton Flooding the figure should have read 62mm not 62m.

T. Ashton - advised that Lincolnshire County Council has a balanced budget for the next three years. The Government is keen on unitary councils which can unfortunately result in well run and financed districts being done away with

- 5.4 The Chief Executive confirmed that the July 2018 ADA Joint Lincolnshire and Welland & Nene branch meeting had been poorly attended and as a result, it had been decided to cancel the summer meetings in future.

B. Bowles - advised it was not always possible to attend the Environment Committee meetings because of other commitments. The Assistant Engineer said that he would be attending the meetings moving forward.

C. Crunkhorn - asked if the 2019 pay award meeting had taken place? The Vice-Chairman confirmed it would be held on 1st October. He was the Chairman of the Pay and Conditions Committee and they had made some improvements in relation to the White Book and the aim was to make this accessible to everyone. The Pay Award this year had been 1.98% but the forecast for next year was in excess of 2.5%, which had not been agreed.

6. **2018 ELECTIONS**

The Chief Executive confirmed that the deadline for receipt of nomination papers was noon on 28th September 2018. The poll would take place on 31st October and the results would be declared on 1st November, with the successful candidates joining the Board in December 2018.

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

7.1 **Cash Book Balances**

The Chief Executive went through his report and highlighted the recent depleted figure in the bank which was as a result of the Wrangle project and the pumping station repairs. He explained the expenditure figures contained in item 2 and confirmed that no payments had been made in relation to compensation. The Chief Executive advised that £600k had been received in relation to the Wrangle project within the last few days.

7.2 **External/Internal Audit**

The Chief Executive confirmed that he had received a completely clean report from the External Auditors and there were no points raised nor any suggested action points. The Internal Auditor had submitted an Audit programme for 2018/19 which had been included on the last page of his report. The Internal Auditor wants to ensure that the Board has a realistic view of risk, both business and related risk, to ensure a more robust Risk Register. The Internal Auditor will also look at any concerns that the Board Members may have.

7.3 **Expenditure**

The Chief Executive confirmed that outstanding balance in respect of rates are approximately £180k and an interim payment in respect of the special levies had been received. The Chairman thanked the Ratings Officer for her efforts.

The Chief Executive updated the Board with regard to the issue with the radiators at Hobhole. £15k had been claimed from our insurers but the Board would need to bear the remainder of the costs. The Chief Executive had spoken to the Chairman regarding payment of insurance premiums for items not currently covered but the Board had previously taken the decision not to incur costs insuring items against wear and tear. The cost of covering all the Board's assets would be astronomical and the recent incidents were not everyday occurrences.

R. Leggott - felt this formed part of the Risk Strategy and suggested it be added to the Agenda. The Chairman agreed this was worth reviewing.

J. Woods - asked if the engines, pumps and motors were covered? The Chief Executive confirmed they were not. The electric panels were covered as was the risk of fire

T. Ashton - asked if the internals were covered in the event of water inundation? The Chief Executive confirmed that the panels would be. The Engineering Manager added that the panels had been physically protected to prevent water inside the pumping station.

P. Richardson - added the biggest worry was vandalism. The Engineering Manager confirmed the Board had taken the decision not to install CCTV cameras

at the station. The Chairman added that this should be included in the risk discussions.

A. Spencer - felt it would be worthwhile carrying out a review to compare the costs of repairs against the cost of insurance. He added that the Council do have an in-house facility regarding CCTV which would allow this to be installed at the pumping station. The Chairman confirmed although there were not many failures of the pumps and gears, this should be reviewed in November. The Chief Executive added that perhaps the Governance and Risk Committee meeting should be extended to 60 minutes instead of the usual 30 minutes and possibly take place in the morning.

7.4 **Flood Defence Grant in Aid Applications**

The Chief Executive read through the report and confirmed that in relation to the culvert re-linings that the Assistant Engineer needed to identify the sites. The EA were keen for both sites to proceed and had pulled forward the modelling work. The EA had given £30k this year.

C. Hardy - asked if this would be done on all the main drain network? The Assistant Engineer confirmed that 143 would be surveyed and hydraulically modelled. The Engineering Manager confirmed that most of these drains had not been touched since the late 1980s and the modelling work was key to securing funding. The Chief Executive confirmed that the Board was very good at securing 100% funding and that we had future planned for 9 years.

The Chief Executive also confirmed that the Board had recently been rebranded and the new signs could be seen outside the office. The website was also in the process of being updated. Each Board Member had been given a lapel badge to wear at the inspection today to enable guests to identify them as such and ask any questions they might have. The Chief Executive said the rebranding would help to keep the Board's image fresh and up to date.

8. **ENGINEERING MANAGER'S REPORT NO. 2/18**

The Engineering Manager and The Assistant Engineer went through the report, highlighting those areas of importance for Board Members.

8.1 **Maintenance Works**

The Assistant Engineer read through the report and confirmed that the operational hours of each task had been included in the report. The new weed boats purchased had completed 387 operational hours because there was no chemical weed control being used.

With regard to mudding 6000m had been carried forward but this was over and above the 9000m already completed.

8.2 **Employment Issues**

Mark Revell had recently joined the Board and was settling in well. He has been operating the Conver weed boat and helping out with maintenance. The new Technical Engineer, Huw Sharman, was also settling in well. The Chairman asked if machine operators can swim and the Assistant Engineer confirmed they could.

8.3 **Planning Matters**

The Engineering Manager confirmed that there was no update in relation to Mareham Le Fen and the Wainfleet Road application had not yet been determined.

8.4 **Mooring of Boats**

The Engineering Manager referred the Board to Section 2.4 in his report and asked for the Board's decision on the suggested policy in relation to this matter. The Engineering Manager confirmed that in the past people had used their boats on the Board's watercourses without issue. The Board's permission had never been sought but in this particular instance, the Board has received a request to provide written permission for the mooring of a boat which puts a different perspective on the issue and could increase the risk to the Board. The Engineering

Manager confirmed that when he was considering the policy, he had produced the 16 point list shown in his report. A debate followed and the main points raised were as follows:-

- T. Ashton* - *what the Board's Byelaws state as referred to in 2.4.2.* The Engineering Manager confirmed it gave the Board power to take necessary action.
- T. Ashton* - *asked if the Byelaws prohibit mooring?* The Engineering Manager confirmed they related to use of the boat not prevention.
- R. Austin* - *expressed concerns of a practical nature – maintenance, mooring ropes etc.* The Engineering Manager confirmed there were not many boats so this had never been an issue. The Chairman added his concern was that if the vessel was taken out in the wintertime it could hinder pumping and maintenance.
- R. Leggott* - *voiced concern that in the event of any damage to the boat the Board should have absolutely no liability or responsibility for the boat or it's users.* The Engineering Manager believed that this was covered in Clause 8. The Vice Chairman questioned whether the Board had liability anyway.
- B. Bowles* - *stated that once the Board has given permission then it automatically takes on the liability.* The Chief Executive confirmed that the Navigation Authority was not on the Maude Foster Drain nor on any of the Board's watercourses.
- P. Richardson* - *asked about liability to fishermen?* The Engineering Manager confirmed that the Board receives 2 requests per year for fishing matches from the general public. The Chief Executive added the Board does have the benefit of £20m public liability insurance in place.
- R. Leggott* - *confirmed that the wording of the policy must leave no doubt that the Board bears no responsibility.*
- T. Ashton* - *confirmed that the policy was very well written, but the Board needs to consider how involved it wanted to get. If there were not that many boats then, in his opinion, the policy should be left as it is.* The Engineering Manager confirmed that there had been a problem a few years ago when a platform had been installed on the bank without the Board's permission. Enforcement action was subsequently taken to remove the structure. This was the same person making this request.
- T. Ashton* - *reiterated that the current policy was a good one. If someone wanted to moor up and it was inconvenient, the Board could simply ask them to leave. A suggestion was made to adopt the policy with amendment to the wording so that the Board had no liability.* The Engineering Manager confirmed that this needed to cover semi-permanent and permanent moorings and not just occupier/users.
- M. Cooper* - *asked if the users carried sufficient insurance to cover damage in the event of damage to the Board's property?* The Engineering Manager confirmed that this would be difficult to police.
- R. Austin* - *asked what would happen if the boat sunk in the watercourse?* The Engineering Manager confirmed this would be covered under the bye-laws. The Chairman said that a decision now needed to be made or refer the decision to the Governance and Risk Committee.

The Chairman asked the Board for approval to adopt the policy with the amended wording that the Board has no liability at all.

T. Ashton proposed this and the same was seconded by C. Hardy.

B. Bowles - *was unhappy with this and would like more information before making a decision. His concern was if the Board gave permission that the Board then accepted liability.*

T. Ashton - *confirmed the policy should be kept under review.*

The Chairman asked for a vote on the proposal. The vote was carried with a majority approval. The Chairman added that the proposal would be amended and discussed at the December Board meeting.

The Chief Executive confirmed that the season ends on 1st October 2018.

8.5 **Sandy Bank Drain**

The Engineering Manager referred to Section 2.5.1 in his report and asked for the Board's permission to allow the construction of a viewing platform on the Board's land adjacent to Sandy Bank Drain. The Engineering Manager confirmed that there was no issue in relation to public access here as the platform would be strictly for private use. The owner could pay a bond to the Board to cover the cost of removal so there would be no cost impact to the Board. The owner was willing to pay a £250 bond.

The Chief Executive confirmed that the owner had applied for consent the day before the Board meeting and as there was no risk involved he was inclined, subject to payment of the bond, to allow the matter to proceed.

- T. Ashton* - agreed with the Chief Executive and was happy to review the policy.
C. Crunkhorn - questioned whether this was a conflict of interest. The Engineering Manager said yes but only where there was public access.
R. Leggott - suggested £250 might cover the cost now but not in, say, 10 years time.
J. Woods - asked if consent were given and the structure fell into disrepair could the Board remove it. The Engineering Manager confirmed it could.

T. Ashton proposed to allow the matter to proceed on the basis of a bond being paid and the policy wording to be amended. This was seconded by J. Woods. The Chief Executive asked if this could be streamlined by the next Board meeting so that the Board could simply approve the change to the policy.

8.6 **Rainfall**

The Engineering Manager confirmed that there had been a period of 40 days with no rain which had had an impact on the water levels. The benefit was however in the water quality as the desalination pumps had not been used. The oxygen levels were good.

8.7 **Cooling Systems Alterations**

The Assistant Engineer confirmed that with regard to 5.2.3 the proposed new building with insulated roller shutter doors should hopefully be in place before winter.

9. **Triton Knoll**

The Engineering Manager confirmed there were hundreds of consents/approvals to be dealt with in relation to this project. The Land Registry are processing the applications but this takes time. The Board are working with Triton Knoll to deal with the issues by way of Statutory Declarations. Triton Knoll had confirmed that the Viking Link project has been put back by a year.

- T. Ashton* - confirmed Viking Link intend to press ahead with the project and they have some heavyweight backing. The Council has reviewed the case at length and their defence is very thin. The Engineering Manager confirmed that Triton Knoll had obtained consents whereas Viking Link were just following the usual planning procedures.

At 2.40pm Peter Bedford joined the meeting.

10. **Work for Outside Bodies**

The Assistant Engineer confirmed that the work being undertaken on behalf of the EA was going very well and updated the Board as to the actual hours worked.

11. **Boston Mayflower**

The works are proceeding.

12. **Wrangle Sea Banks**

The Assistant Engineer confirmed that the works would be seen on the Inspection Tour after the Board meeting. Completion of the project within the timescale had been hindered by one or two issues – how the site had been left/quality of some of the work but these were all being

worked through. The weather had helped and the bank had now been built and seeding was in progress and was due for completion by the end of the week.

13. **Engineering Manager's Summary**

The Engineering Manager gave a brief resume of the high and low points of his career and thanked the Board for the support and help over the last 36 years. He wished the Board well for the future.

14. **ENVIRONMENT REPORT**

The Assistant Engineer read through the Environment Report and confirmed that

14.1 **Eel Regulations**

There had been a 42% success rate for eels passing through the pumps at Hobhole. Dr John Bolland had secured funding for some additional testing which was in the process of being set up. This would enable the results to be compared and would provide important information.

14.2 **Otter sighting**

An otter chasing fish had been sighted at Hobhole Pumping Station.

14.3 **Barn Owl Box Inspections**

The results of the recent annual inspections showed 9 Jackdaws, 5 Barn Owls and 10 chicks, 1 nest with 6 eggs, 4 kestrels with 8 chicks, 1 x empty nest and one with 2 Stock Doves. It had not been a good year for Barn Owls.

14.4 **Biodiversity Plan**

The Assistant Engineer confirmed that work was still in progress to meet the specific targets and he would report more fully at the Environment Committee meeting.

B. Bowles - said that the Cowbridge Drain area needed to be looked at. The Assistant Engineer confirmed that it has already been discussed but that he has not yet had the chance to visit the site to review.

B. Bowles - asked whether any environmental aspect had been attached to the lagoons created at the Wrangle Sea Banks. The Chairman said that a full update would be given on the Inspection following the Board meeting.

15. **Addition of the Assistant Engineer to the Bank Mandate**

General Board approval was given for the addition of the Assistant Engineer to the Bank Mandate.

16. **ANY OTHER BUSINESS**

The Chairman raised Committee Membership. He asked Board Members to make the Chief Executive aware if they had any preference for certain committees. This would enable the Chief Executive to ensure there was a fair percentage of farmers -v- appointed members on each committee.

The Chairman confirmed the prospective dates for next year's meetings as follows:-

Wednesday, 16th January 2019 – Finance Committee Meeting

Wednesday, 6th February 2019 – Board Meeting

Wednesday, 12th June 2019 – Board Meeting

Thursday, 19th September 2019 – Board Meeting

Wednesday, 20th November – Committee Meetings - *subject to Black Sluice

Thursday, 12th December 2019 – Board Meeting - *subject to Black Sluice

There were a couple of clashes with Black Sluice IDB's meeting dates but the Chief Executive would be contacting them to see if they can agree the above.

H. Drake confirmed his decision to retire from the Board but he had had enjoyed his time and expressed his gratitude to the Board. The Chairman thanked him for all his efforts over that time.

There was no other business and the meeting concluded at 3.00pm.

Chairman