

WITHAM FOURTH DISTRICT INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of the **Board** at a Meeting held at 47 Norfolk Street
on **Wednesday, 9 February 2022**

Present: -

Messrs: T. Ashton A. Harrison
 Mrs. P Ashleigh-Morris M. Leggott
 R. Austin F. Pickett
 P. Bedford P. Richardson (Chairman)
 B. Bowles A. Saul
 C. Crunkhorn K. Smith
 (Vice-Chairman) P. Skinner
 C. Hardy J. Ward
 A. Hall J. Woods
 R. Hall-Jones

1 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed members to the meeting and confirmed that because of Covid, the last Board meeting held in the Boardroom was 2 years ago in February 2020. The room had been sanitised and was well ventilated and if everybody was happy with the arrangements this would continue for future meetings.

The Chairman advised the Lincolnshire Show was due to take place on 22nd-23rd June 2022 and ADA Lincs Branch would be attending.

The ADA Annual Conference was being split into two separate events this year. The AGM would take place on 28th September by Zoom and the annual Water Management Conference would be held on 9th November at a venue to be confirmed outside of London.

2 **APOLOGIES**

Apologies for non-attendance were received from: -

Messrs: J. Grant
 N. Hastie
 N. Jones
 N. Welton

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

None

4 **MINUTES**

4.1 **Board Meeting – Wednesday, 8th December 2021**

The Minutes of the Meeting of the Board held on 18 December 2021 were submitted and were agreed as accurate and signed by the Chairman.

*A. Harrison - confirmed they were both in attendance at the December
J. Ward meeting*

There were no matters arising and the Minutes were then signed by the Chairman.

5. **MINUTES OF FINANCE AND GENERAL PURPOSES COMMITTEE – 19 January 2022**

5.1 **Matters arising:**

To approve the Adoption of Officer's Estimate

The Chief Executive confirmed that a copy of his Full Memorandum had been sent to all Board Members which covered the out-turn of the current year. Subject to any adverse weather conditions to the end of the current year, there would be around a £60k surplus.

Page 4 of the Chief Executive's Memorandum detailed the impact on the General Reserve, which had been discussed previously at numerous Board meetings, and the desire to get the General Reserve nearer to the 20% target set out in the Board's policy. Once the expected £60k surplus is added to the General Reserve the total amount held would be £500k. To achieve the 20% target the amount required was £570k so presently we are at 90% of the desired target. The aim would be to contribute an additional £40k, which would bring this up to 96%.

Page 6 of the Memorandum showed the actual estimate for 2022/23 at £2.8 million, which is much higher than the current year mainly influenced by the loss of red diesel. However, this was beyond the Board's control and the rate needed to increase to include this. A 2% increase would be sufficient in respect of the usual overheads such as fuel costs and the 2.5% salary increase however, the anticipated costs of the diesel issue is £90k.

The Finance and General Purposes Committee had had an in-depth debate about this and the General Reserve and it was widely agreed that two further weather events would wipe out the funds in the General Reserve. The effect on Boston Borough Council is an additional £55k and an additional £19.5k to ELDC.

- M. Leggott* - concurred there had been a long debate and the decision to recommend a 5% increase had not been taken lightly. However, anything more than 5% at this time would be inappropriate.
- T. Ashton* - totally supported the position and took some reassurance from the lobbying efforts of ADA, this Board and the Council partnerships. Other Boards had increased their rates higher than this but looking at the 10year average this was still a moderate increase. The red diesel issue was a one-off issue and once it had been built in, would not be repeated.
- P. Bedford* - added he was not a member of the Committee and did not oppose the 5% increase but believed that the Government were stepping down on this issue. Welling & Deeping Board were preparing to use all white diesel from 1st April whilst South Holland Board were continuing with the use of red diesel. What was this Board's stance? The Chief Engineer confirmed that as things stood, the Board was preparing to consider the use of a mix of white and red diesel until further definite clarification was received.

The Chief Executive added there had been two national meetings with DEFRA from which it appeared likely the continued use of red diesel would not be allowed in urban areas. An approach had been made to Treasury but a decision was still awaited. The Chief Executive believed that there were sufficient grounds to continue to push this issue but not until the Treasury response had been received. The rules were unclear and this was obvious from the way that different Boards were interpreting them.

- T. Ashton* - added clarification was required. Pumping Stations were unable to use red diesel as they are deemed as flood defence infrastructure - so prohibited use. But if used to clear up after a flood event then red diesel could be used. The Chief Engineer confirmed that 4% of our District was urbanised but it would be difficult to prove the pumping of the agricultural area
- P. Skinner* - added if it would help, he would be willing to write a letter clarifying the situation to Rishi Sunak and Michael Gove and added that things appeared to have been changed without full consideration given to the impact.
- J. Ward* - questioned whether some tractors would use red diesel and some would use white. The Chief Engineer confirmed that tractors using white diesel were classed as general haulage and subjected to higher tax. Tractors using red diesel were exempt from tax.
- J. Ward* - asked if the tractors using white diesel had a sticker on? The Chief Engineer confirmed they did which was useful to any potential thief.

The Chairman added that there had been a change to the accounting procedures and asked the Chief Executive to take the Board through the change. The Chief Executive explained that the on-cost percentage used to cover other payroll costs, e.g. pensions, had been reduced as we were over-recovering last year. This removes the credit balance at the year end and now allocates the

true cost to maintenance operations. As a result, the General Reserve would no longer see this over-recovery.

The Chairman added that the level of the General Reserve needed to be looked at by the Governance and Risk Committee. The Chief Engineer had confirmed that there had been 2.5 weather “events” over the last ten years. The pumping costs for a weather event were in the region of £400k so 2 bad weather events could effectively wipe out the levels in the General Reserve. Other Boards are looking to increase the level of their General Reserves, Black Sluice are looking at 30% over the next 5 years. If the answer to the red diesel issue is favourable and the Board can continue to use it then this would influence the rate next year.

- T. Ashton* - believed a decision needed to be made regarding the level of the General Reserve, as it was a frightening thought that 2 weather events could clear the Reserve out. The Chairman agreed and said the general feeling should not be scared of going over the 20% figure.
- M. Leggott* - asked when a final answer might be received? The Chief Executive confirmed that progress was being made and it was hoped by the end of March.

The Chairman asked if there were any further questions and there were none.

5.2.1 **To approve the proposed rate increase**

T. Ashton proposed that the rate increase of 5% be accepted. This was seconded by M. Leggott. A vote was taken, and all were in favour with no objections. So it was:

- RESOLVED**
- i) The Chief Executive’s Estimates for 2022/2023 be adopted.
 - ii) that the rate be levied in the Sub District 1 (*the former Borough Area of Boston*) to be one half of the full rate:
8.81 pence
 - iii) that the rate be levied in Sub District 2 (*the remainder of the Internal District*) be the full rate:
17.62 pence
 - iv) that the Special Levies on Local Charging Authorities be set as follows:

Boston Borough Council	£1,163,420
East Lindsey District Council	£ 410,190

The Rate was duly sealed at the meeting and would be published on the Board’s website.

Finally, the Minutes of the Meeting of the Committee held on 19 January 2022 were submitted and agreed as accurate and signed by the Committee’s Chairman.

6. **MEETINGS WITH OUTSIDE ORGANISATIONS**

The Chief Executive apologised that the full Minutes of the ADA Lincolnshire Branch Annual General Meeting were attached but he had not had the chance to edit them. The Chairman confirmed that he had had a chance to speak with the representative from the Humber Boards and whilst during his speech he had confirmed that sea level was rising at 3mm per year he believed that it was nearer to 4mm, which the Chairman felt was a more accurate reflection.

- B. Bowles* - believed that was dependent upon where along the coast you were situated. In his experience, the frontage area has increased from 15 acres in 1914 to 50 acres now. He believed that the Lincolnshire coast was in a very good position compared to Norfolk and Yorkshire.
- C. Hardy* - added the area most at risk is the Haven Banks as they had only been raised to 6.5m.

P. Skinner - confirmed it was in a much better position than it had been. The maximum level for global warming was 5mm per year and NASA are still looking at 2.5mm per year. The Chief Engineer confirmed whatever the number it was still increasing.

With regard to the EA Lower Witham Strategy Meeting the Chief Executive confirmed that the Documentation had now been drawn up with ARUP and this scheme was potentially worth £170 million. It was a massive undertaking by the Environment Agency ("EA") and although only Cell 17 affects this Board, if they are able to sort out the other cells it will benefit this Board. The Chief Engineer confirmed that he had been in a meeting yesterday when it was confirmed that Cell 17 contained 4000 properties so it was considered a high priority.

7. **STRATEGIC PLAN**

The Chairman confirmed that this item would be dealt with later in the meeting.

8 **CHIEF EXECUTIVE AND FINANCE MANAGERS REPORT**

8.1 **Bank Balance**

The Chief Executive confirmed that the bank balances were looking healthy but these included funds from the EA which had not yet been spent.

8.2 **Payments Made**

The Chief Executive confirmed £127k had been spent on the roadway at Hobhole Pumping Station but 90% of the total cost was recoverable from the EA and indeed the funds had been received in January 2022.

8.3 **Rating Income**

The Chief Executive confirmed the rate arrears shown in his report had since reduced to £82k, inclusive of several instalment payers, which was a 93% recovery rate. It had not been possible to secure a Court date as a result of the Covid situation. There was an analysis of instalment payments at 5.1.2 and a breakdown of credit card payments received. Reminders had just recently been sent out which had led to an increase in credit card activity.

8.4 **Solar Panel Performance**

The Chief Executive referred Board Members to the last page of his report which shows the position for the year. It had been a bad year but they were ahead of actual electricity production, which was better than anticipated. By the end of 2022, the panels will have paid for themselves and with a lifespan of 20 years there should be several years where the Board are "in funds". Therefore, the decision taken several years ago to purchase them had been a good one.

8.5 **Flood Defence Grant in Aid Applications ("FDGiA")**

The Chief Executive confirmed that there had been significant movement in relation to FDGiA. The main drain dredging survey reports had been received and the flood scenario was better than first thought. This, together with the lack of properties protected, had resulted in a £1.8m reduction in the scheme.

With regard to Wrangle Pumping Station, this £2.8m project should be on the ground in 2023 with the Board having input just £22k.

Both, Hobhole Pumping Station and Lade Bank Pumping Station will benefit in 2022 from new weed screens at no cost to the Board. The Chief Engineer confirmed this work should start in April along with the culvert re-lining which is a rolling programme.

B. Bowles - asked if Natural England were satisfied with this as they had a habit of letting things go and then throwing a spanner in the works at a later date. The Chief Executive confirmed the Board had been fully engaged with them on the Wrangle Sea Banks project and the Chief Engineer confirmed they had engaged with the Board on a number of other projects.

The Chief Executive confirmed that one of the biggest achievements to mention is the Hobhole Pumping Station refurbishment (2013/14) – The Board we have negotiated a reduction in the

benefit period from 20 to 10 years. This means that almost 1400 properties are available as a benefit from 2023/24.

The pull-out section of the report shows the 15-year Capital Programme which is now at version 5. This basically details the capital programmes and improvements and how the Board will be able to fund the projects using the Capital Investment Fund. £50k is routinely invested in this fund and at the end of the 15-year period it is envisaged that there will be £1m in the investment fund. This is reviewed monthly and was detailed in the Strategic Plan last year. The Chief Executive felt this report gave Board Members reassurance that the Board's assets are in good condition.

The Chairman asked the Chief Executive to run through the information contained within the Strategic Plan. The Chief Executive confirmed this was an annual snapshot and new items would be added each year. Changes can be seen at L4, which relates to Health & Safety. New Health & Safety software has been rolled out enabling the Board to reduce the Health & Safety Risk Register.

M. Leggott - commented that registering the Board's land could be a costly process and asked if legal advice was being sought? The Chief Executive confirmed that a retired Solicitor had been dealing with them in-house. Currently, he was halfway through dealing with encroachment issues – some minor which would be referred to the Board in due course. The Chief Engineer confirmed that where work is now being carried out, and we are certain of the boundary, posts marked W4IDB land are being placed in the land.

J. Ward - asked if the Telemetry upgrade was being carried out because the last provider went bust? The Chief Engineer confirmed that it was and that we are now dealing with Lee Dickens, a national sized company and using standard equipment. They are providers to Anglian Water, the military and other drainage boards. Both systems have been funded via Grant in Aid.

T. Ashton - asked how much 1400 properties equated to in monetary value? The Chief Executive confirmed that 117 properties in Wrangle equated to £2.8m.

Hobhole Pumping Station, Lade Bank Pumping Station and Cowbridge Sluice were all major Projects which would all be subject to assessment. The Chief Engineer confirmed that carbon will be a very high priority moving forwards.

The Chairman added it was vital all assets were checked and an idea obtained of their estimated lifespan and this information would then be added to the Strategic Plan, even if it were not due to happen for a number of years – the Board still needed to be aware of likely costs.

9. **STRATEGIC PLAN 2022-2023**

Members were asked to look at the separate document containing the revised plan. Attention was drawn to some of the achievements made in respect to key objectives.

The Chief Executive said that future Board Meetings would reference the objectives contained within the plan so that Members could see a clear line of sight between the plan and the Board's activities.

10. **CHIEF ENGINEER'S REPORT**

The Chief Engineer read through his report, which he would take as read and highlighted areas of importance for Board Members. The Chief Engineer was happy to answer any questions as he ran through the report.

10.1 **Pumping Station Operations**

The Chief Engineer confirmed the updated January figures for pumping hours. 1616 hours had been recorded for the electric pumps. The heavy rainfall at the end of December had ramped the pumping hours up. 13k hours having been completed for the year. January and February hours have been over average.

10.1.2 **Pump Volumes**

The Chief Engineer confirmed the volume of water pumped over the year. The year-end round-up on page 4 showed the total volume pumped through all sites.

10.1.3 **Hobhole Pumping Station**

The Chief Engineer confirmed that the roadway at Hobhole Pumping Station had already been discussed. This was now completed and funds had been received.

10.2 **Rainfall**

Page 6 of the Chief Engineer's report showed the total rainfall for 2021 as 25.1 inches. January 2022 had an average of 16mm (0.6 inches) so it had been a quiet month.

Page 8 of his report shows the annual average of rainfall at Lade Bank over the last 100 years as 22.7 inches. In 2021 the average rainfall was 25.1 inches, so above average. Page 9 shows the averages over the last 3-year period.

10.2.1 **Water Levels**

At the December meeting it was reported that the higher summer levels were being held, then, as a result of the subsequent wet spell the levels were lowered. They are now being held at the higher winter level which means that it has been possible to use the sluice, which is the equivalent to running 2-3 electric pumps.

10.3 **Soil Moisture Deficit**

Page 11 of the Chief Engineer's report showed the profile for soil moisture deficit for the year and it looks like all is in good order. That reading has now decreased from 20mm to 0mm

10.4 **Channel Maintenance Operations Plant Operations 2020/21**

The Chief Engineer confirmed the chart on page 12 of his report shows the Channel Maintenance round up position as of 31st January 2021. The bushing and cleansing work was now well underway. The Chief Executive suggested it might be worth including some information about tree cutting/bush removal in the Board's annual newsletter which accompanies the drainage rates when they are sent out in May each year.

B. Bowles - added Parish Councillors were encouraging the planting of trees for the Queen's Platinum Jubilee. The Chief Engineer confirmed that the Board had a good woodland policy that had been completed eight years ago by Martin Redding. The Board was keen to encourage compensatory tree planting where possible to offset the trees being removed. The Chief Engineer was very conscious of the new legislation.

B. Bowles - reiterated the need to be sensible.

10.4.1 **Sewer Mudding Programme**

The mudding programme was up to date and work had recently commenced.

10.5 **Planning**

The Chief Engineer advised that there had been a number of reasonable sized developments with outline planning permission. 2022 would be a good year income wise and this was not unique to this Board, other Boards are following this same trend.

P. Skinner - added the cumulative effect of banked developments, should these all proceed, is that the drainage would not be able to cope. The Chief Engineer confirmed that he tries to ensure the developments keep to under 5 litres per second. Anything over that, requires modelling to show we can cope. Most developers are happy to work with us in this regard. One thing that does cause him concern is land raising and related possible future issues. There is no real need for land to be raised. It is not necessary for gardens and the developments sit on an island of land raised by 1m which causes privacy and drainage issues for properties on the lower level.

- P. Bedford* - confirmed that this was done as a result of the EA's insistence in 2011.
T. Ashton - added this came down to how much run off could be captured on site. He was happy to have a meeting to see what could be done. There are no design guides but there must be opportunities to review and find a more acceptable resolution. The Chief Engineer confirmed the surface water for these sites was reliant on the filtration going to the land around it.
P. Skinner - did not believe that the EA would be receptive to review.

10.6 Consenting and Enforcement

10.6.1 The Chief Engineer referred members to page 22 of his report, Item 1 Hilldyke Bar Farm. This had taken much time trying to resolve, without success. The matter was referred to the Board's Solicitors and following legal intervention the matter was resolved.

Board Members would recall the issues at the Alcorn Green development which required a negotiated legal agreement, started approximately 18 months ago. A very robust legal agreement had now been drafted, at substantial cost to the developer, meaning the Board's permission for properties to be sold or purchased would be required. The Board were asked if they were happy for this Agreement to be signed and sealed by the Chief Executive Officer and this was approved.

10.6.2 Request to Plant Hedging Adjacent to Sewer 4/10

The Board then discussed an appeal by a ratepayer who wished to plant a hedgerow within the Board's 9 metre Byelaw distance, as his original request had been refused by the Chief Engineer. Board Members discussed the appeal:

- M. Leggott* - said that whilst the length of the intended hedge is short and we don't normally need access along that bank, allowing the appeal would create a precedent which other applicants will use to justify similar requests.

Several other Board Members echoed this conclusion and felt that as a removeable wooden fence less than 1.2m was allowable as an alternative, that the appeal should be refused.

There was a show of hands and it was unanimously agreed that the appeal should be refused.

10.7 Plant and Equipment

Plant Replacement 2022/23

The Board had previously approved the replacement of some plant and equipment. As detailed in page 24 of his report some has been ordered with expected delivery dates in November 2022 and the offset flail was delivered in December 2021. There was however an issue with the supply of Excavators and currently there was an 18-month lead time. No price could be guaranteed until such time as the order has been placed and delivery was underway. Luckily, only one excavator is due to be replaced this year however the Plant and Pumping Committee meeting will be bought forward so that an order can be placed for machines to be delivered next year.

Some Board Members carried out an inspection of the Tirsan Low Loader and following the inspection unanimously agreed that this needed to be replaced. The cracks and fails of the trailer were pointed out and concern was raised the weight of the trailer loads and the state of the roads it was agreed that the trailer needed to be replaced.

- T. Ashton* - was grateful for the opportunity to inspect the trailer and concurred that significant sums would need to be spent on the trailer so it was prudent to purchase a replacement.

- R. Hall-Jones* - asked if the replacement would be like for like? The Chief Engineer confirmed that it would be slightly longer to carry the long reach machine

The Vice-Chairman confirmed that the costs would be in the region of £60k but, given the current situation, could be more. The Board was asked for approval to purchase a replacement trailer.

T. Ashton proposed the purchase of the replacement trailer. This was seconded by A. Saul. There was a show of hands which was unanimous. The Board therefore grants approval to purchase a replacement trailer at a net estimated cost of **£60,000.00 plus VAT *subject to change.**

The Chief Engineer confirmed that Irelands were struggling to source parts for the Flail.

10.8. **Technical Matters**

The Chief Engineer confirmed this had been dealt with in the Chief Executive's report.

10.9 **Other Engineering Matters**

Rechargeable Works

The Chief Engineer confirmed that the Team were very busy at present working on the East and West Fen Catchwater drains. This work was valued at £200k over the next 6-8 weeks.

11. **HEALTH AND SAFETY OFFICER'S REPORT**

The Chief Engineer confirmed this included a Risk Assessment for the period and he was pleased to confirm no incidents had been reported. There was a Health & Safety Committee meeting due to take place in 2 weeks' time. At the present time there was nothing further to report.

12. **ENVIRONMENT REPORT**

The Chief Engineer confirmed that there was not much to update since the last report prepared in December. The BAP was shared on screen and the Chief Engineer confirmed this was an audit of what the Board has in the district. The plan also detailed previous years' data and actions. The Chief Engineer confirmed there was a noticeable increase in the number of badgers which require a licence to work round them. A report has to be sent to Natural England at the end of January each year which the Chief Engineer has completed. This year 29 owl boxes have been set on poles along with bat boxes on each pole lower down. This is classed a "low cost – quick win."

C. Hardy - asked if the badgers cost the Board a lot of money? The Chief Engineer confirmed that they did not cost the Board anything unless they were actually blocking the watercourse.

The Chief Executive suggested that once the BAP has been reviewed and approved that it should be advertised on social media.

B. Bowles - confirmed that the Board's approach of drainage first and environment second was a sensible approach.

M. Leggott - asked how the Board controlled Mink? The Chief Engineer confirmed we had joined the Wildlife Recovery East Partnership and there was duty to control the number of mink. We employ rafts to catch them, they are then humanely euthanised and then frozen to enable them to have the DNA sampled. It can be as many as 100 per week via 5 traps.

P. Skinner - confirmed the DNA samples were to determine their origin.

13. **ANY OTHER BUSINESS**

The Chairman thanked Members for returning their updated Letters of Interest. The June Board Meeting would also include a mini-inspection so Board Members could see the planned works and have a better understanding of what was involved.

A. Saul - advised a zoom meeting for The Wash and North Norfolk Coast would be taking place on 10th February, which should be very interesting. The Chief Executive confirmed he would be looking in on the meeting.

The Chairman confirmed there was no other business and the meeting concluded at 3.55pm.

Chairman