

BLACK SLUICE INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of a Meeting of the Board

held at the Offices of the Board on
13th September 2017 at 10am

Members

Chairman - * Mr K C Casswell

Mr W Ash	* Cllr R Austin
Mr J Atkinson	* Cllr P Bedford
* Mr V Barker	* Cllr C Brotherton (arrived at Item 4)
* Mr J Fowler	* Cllr M Brookes
* Mr P Holmes	Cllr R Clark
Mr R Leggott	Cllr M Cooper
* Mr P Robinson	Cllr C Rylott
* Mr M Rollinson	* Cllr B Russell
* Mr N J Scott	* Cllr P Skinner
* Mr J R Wray	* Cllr Mrs S Waring

* Member Present

In attendance: Mr I Warsap (Chief Executive)
Mr D Withnall (Finance Manager)
Mr P Nicholson (Operations Manager)

The Chairman thanked Members for attending this extra Board meeting. He welcomed Cllr Mrs Susan Waring, who has been appointed by North Kesteven District Council, to her first Board meeting. He confirmed that the Board meeting on the 29th November 2017 will remain in the diary.

1169 APOLOGIES FOR ABSENCE - Agenda Item 1

Apologies for absence were received from Mr W Ash, Mr J Atkinson, Mr R Leggott, Cllr R Clark, Cllr M Cooper and Cllr C Rylott.

1170 DECLARATIONS OF INTEREST - Agenda Item 2

(a) Catchwater drain, Ewerby

A declaration of interest was received from Mr N Scott with regard to Minute 1173.

1171 MINUTES OF LAST BOARD MEETING - Agenda Item 3

The Minutes of the last meeting of the Board held on the 14th June 2017, copies of which had been circulated, were considered.

- (a) Gearbox Failure at Sluice Gate, Black Sluice (Boston) Pumping Station - Minute 1137(c)

The second paragraph, last sentence remove "will" and replace with "could".

- (b) Cutter Suction Silt Dredger Open Event 12th & 13th July 2017 - Minute 1153(d)

The last paragraph on page 12, add "stop" and "and below" to this sentence "stop work reading of 40 and below,".

It was AGREED that they should be signed as a true record with the above amendments.

1172 MATTERS ARISING - Agenda Item 4

- (a) Operational Restructure - Minute 1153(b)

The Chief Executive stated the new Works/Engineering Manager commenced on 11th September 2017 and the other restructured element were implemented for the summer cutting on the 17th July 2017. The Operations Manager added that the new supervisor and ganger have both 'hit the ground running'. The Chief Executive clarified that after an initial settling in period the Operations Manager will review with the new Works/Engineering Manager his additional job requirements regarding the GIS technician vacancy which could include an element of environmental work.

The Chairman acknowledged the amount of additional work that Mr P Nicholson has had to put in whilst awaiting for the new manager to be put in place.

- (b) Cutter Suction Silt Dredger Open Event - Minute 1153(d)

The Chairman remarked on the Cutter Event which went very well stating there was very good feedback. The Chief Executive stated that Royal Smals have obtained another contract which was a direct result of the Cutter Event. The Chief Executive concluded that the dredger will return to the depot after this contract. He concluded plans for a scheme are in progress with all probability the dredger machine will begin the section on the South Forty Foot from Neslam Bridge to A52 in January 2018.

- (c) Internal Auditor - Minute 1153(g)

Cllr Mrs S Waring expressed her surprise that the Internal Auditor had a lack of knowledge regarding the Public Sector Pay Cap and was disappointed that the Board had to go to HM Treasury to obtain clarification. She asked if the Board had obtained new auditors and when they would be in place, the Finance Manager responded that the previous Internal Auditor has retired and we are currently in the procurement process for new Internal Auditors.

1173 TO RECEIVE A REPORT ON THE DE-MAINING OF EA WATERCOURSES - Agenda Item 5

The Chairman introduced the attachments from the Executive Meeting on the 31st August 2017 for information and he directed Members to the Chief Executive's brief review report on pages 18 & 19. The Chairman stated that these are low consequence main rivers of which the EA have stated there will no longer be any further funding for maintenance carried out after 2019. This is a pilot project involving five IDBs taking on de-mained main rivers. He explained that the Officers believe it will cost £11,000 per year (this figure does not include a Health & Safety cut) to maintain this 27.4km tranche for the next few years.

Mr Barker referred back to the Pointon Lode, he stated in 1968 there was a lot of bushing problems above this section going up to Aslackby village. He asked if EA are going to still maintain this because there is a property between the ford & church in Aslackby village that floods and would like to understand who is looking after it. He added that Billingborough Plant Hire in 1969 did a lot of work for the EA, the Chairman asked who maintains it now, no one was able to answer – Mr Holmes then queried if it was riparian ownership. The Chief Executive clarified that it has been de-mained from the South Forty foot up to the main road above Dowsby and it's now a main river beyond there. Mr Barker responded that he is enquiring because of the flooding in Aslackby village which is further upstream and who is responsible, he had assumed it was the EA. Mr Barker concluded that he will bring it up at the drop in sessions.

The Chairman stated that the commuted sum to be transferred is £83,320 which is a one off payment for the structures which can be ring fenced for future maintenance. These assets can be left if there are no problems to the water flow, obviously, if they cause an obstruction they will be removed. These funds can be used to maintain this tranche for 7 years. The Chairman pointed out to the Board Members that there will be a decision to be made on the future ownership of these assets, these bridges can be gifted, sold or left to the point of collapse and then removed. If these bridges are used for maintenance, they should be kept within the Boards ownership.

The Chief Executive expanded on the information contained in his report. He explained other IDBs are involved in the first part of this project, these are; Isle of Axholme, the Broads, River Stour, River Lugg IDBs. He stated this is tranche No 1 and arguably this is the lowest priority main rivers in Black Sluice catchment. Current maintenance is undertaken through the Public Sector Cooperation Agreement. Black Sluice is undertaking maintenance of these main rivers at a cost of £11,000, this figure does not include a Health & Safety cut designated by the EA. This flail cut is on the bank tops and nothing to do with the water flows, the Chief Executive has informed the EA that the Black Sluice will not undertake these Health & Safety cuts in the future and the EA have confirmed that it is not within the transfer arrangements that these Health & Safety cuts have to be continued. The Chief Executive stated a further review will be carried out to ascertain the cost of maintaining this 27.4kms of main river over the next couple of years which may mean a reduced cost to the Board. Until these figures have been collated the officers will not be able to offer definite figures of actual costs going forward.

The Chief Executive indicated the main questions will be the next tranches and is there any money coming with them. The Chief Executive explained that a group has been formed called the Technical De-maining Working Group consisting of five IDBs, Defra members, EA Members and a couple of District & County Council staff.

The second meeting next week is at the Defra/EA offices. The Chief Executive has put it to the other IDBs Board Members that he is looking to negotiate a precept reduction with the EA/RFCC which equates to a minimum of 50% of the current maintenance costs – the cost evaluated by completing the current maintenance works through the Boards Public Sector Cooperation Agreement, the other 50% being found by a revision of the Black Sluices maintenance regime/frequency.

The Chief Executive would like to report on these negotiations and introduce the precept reduction concept within a Defra/EA document being prepared to go out with the drop in sessions. This document is Rationalising the Main River Network (RMRN) project which is formulated by Defra and the EA and if the RFCC Committee can collectively negotiate a statement inside this document that there will be a reduction in precept or part funded maintenance costs. The Chief Executive believes there will be a lot of local information brought to these local drop in sessions that will be useful. He confirmed that each landowner/tenant alongside the No 1 tranche will receive a personal invitation to attend one of these drop in sessions to understand from them if this is the right thing to do.

Mr Barker asked regarding the £83,320 with a precept reduction when this has gone in the future 10/15 years hence have we any ability to put a drainage rate or levy on this highland land that is having the benefit of water coming down through this catchment. The Chairman responded that Defra are looking at this and this could be key to further tranches of main river de-maining but they have not come up with an answer yet and yes it is very important moving forward.

Mr N Scott expressed that within this first tranche a watercourse runs along his boundary at Ewerby and his farm is paying rates to the EA for water that will now be going into what will be an IDB watercourse. He asked why am I paying rates to the EA, the Chairman suggested that he write to the EA. The Chairman referred to the Chief Executive there is a broader problem with changing the boundaries and this point will need to be raised.

The Finance Manager interjected stating that currently the Board charge the EA for highland water contributions therefore the water that currently goes into the Boards systems has a percentage charge which is calculated to look after this water and then get it back into the South Forty Foot drain. The Finance Manager stated that the highland water contribution is something that has not been offered up with these negotiations, as the general drainage charge is paid. At the moment the EA precept and the highland water contributions off set each other, due to this complicated system the Board still pays the full amount of precept then claims back the highland water contribution rather than netting them off but it's a possibility that they will amend this in the future as part of this lead project.

Mr Robinson enquired about the initial thoughts of not taking on these main rivers it would cause the EA a problem – what would happen? The Chief Executive responded it would not cause the EA a problem there would be no further maintenance on these main rivers therefore it may cause the adjacent landowners a problem and revert back to riparian ownership. The Chief Executive stated with regards to the EA remit they are very low consequence main rivers but from the Black Sluice point of view and the Boards remit they are very high consequence watercourses. It is logical that the Board are being offered the option to take on these main rivers. Mr Robinson believes in principle that the EA can just walk away from it begs belief. The Chairman added that ADA has rallied the IDBs to take on these first five pilot tranches.

The Chief Executive explained that this is what he had introduced at the previous Works Committee meetings by introducing the concept of the Boards low consequence watercourses which the Board are looking to give up and this is the process the EA are going through. The Chairman added that there has been historical flooding at Rookfield Farm, he explained if the Board control this system then the Board can do something about the problem for very little cost and probably it will not over top there again. If the Board are to be in control they can put a pipe at Horbling to connect the systems and possibly sort out the cause and stop the farm getting flooded, this was discussed a long time ago.

The Chief Executive stated that once transferred, these systems can be connected where historically they have been independent systems. He responded to Mr Barkers query about extending areas; yes it is part of the negotiations for future tranches but believes it will need an Act of Parliament, which may be a number of years away, to extend the geographical boundaries but the process of this is being looked at for IDB control. He concluded that the Board already control through the Lead Lincolnshire Flood Authority the consenting aspect of works application in the extended catchment area so it is logical to take control of other elements.

Mr Barker responded that we will be looking for this to happen, the Finance Manager noted that given Brexit followed by 10 years of reviewing EU Laws he does not foresee getting parliamentary time at all.

The Chairman asked the Board Members for a decision on the No 1 tranche - asset transfer of main river, proposed by Cllr P Bedford and seconded Mr M Rollinson all Members AGREED.

1174 TO RECEIVE A REPORT ON THE BLACK SLUICE (BOSTON) PUMPING STATION - Agenda Item 6

The Chairman presented on page 20 a report on the asset transfer of the Black Sluice (Boston) Pumping Station. He stated that the EA intend to mothball this pumping station on 31st March 2018, if they cannot come to an arrangement with the Black Sluice IDB. The funding asset transfer amount is £699,138 based on the running costs of £168,020 per year; the Chairman would question these costs. The sluice and navigation lock will remain under the EA control and operated by Black Sluice IDB under the PSCA agreement. The Chairman stated that this Board have always said that Boston needs the pumps at this pumping station and if this Board does not take it on then the EA will decommission it. He also explained that if it does cost £168,020 to run it then we have 4 years running costs and then we have a problem. The pumps have only been used 2/3 days in the last 3 years not to say that they will not be used in the next 6 months. The EA are going to look at the low spots and armour these meaning that the South Forty Foot Drain can overtop in the areas they expect it to overtop but they cannot say if there is too much water in the South Forty Foot that it will not breach and/or where it might breach.

The Chairman added that when the pumps have run they take the top pressure off the system near Boston but they do not affect the bottom of the catchment very quickly, there is currently only two pumps running.

(a) Asset Transfer Financial Projections

It was agreed and thereby RESOLVED to exclude the public from the next part of the meeting due to the confidential nature of the business to be transacted, in accordance with section 2 of the Public Bodies (Admission to Meetings) Act 1960.

1175 MINUTES OF THE EXECUTIVE COMMITTEE MEETING - Agenda Item 7

The Executive Committee Chairman presented the unconfirmed minutes of the meeting held on the 31st August 2017, copies of which had been circulated. The Board RESOLVED that the minutes should be received.

1176 MATTERS ARISING

(a) Inspection Tour Netherlands - Minute 1163b

The Chief Executive informed Members, he has put together a brief itinerary for a Tour of the Netherlands leaving on the 4th June 2018 with a flight from Humberside Airport (1 hour flight) with a time differential landing at 12 noon. He explained that twenty minutes from Schiphol Airport is the Museum de Cruquius which houses the only steam pumping engine, in a pumping station, left in Europe. There is a café/restaurant next to it after this by leaving at approximately 5pm with a couple of hours drive to Cuijk (Head office of Royal Smals) and the hotel accommodation. He outlined the following day with Royal Smals, the 6th June can be with a Dutch drainage board, and possibly Vanheck pumps and/or possibly Ace. He asked Members if they then wished to flying back to Humberside on a 1640 flight or roll into a 4th day ie 7th June – he asked if Members felt they wanted a 2 or 3 night stop over. The Members preferred a 3 night stop over.

(b) Rationalising the Main River Network project - Minute 1164(b)

The Chief Executive stated that the third venue for the public drop in sessions will be on the 18th October 2017 at Helpringham Village Hall 1pm-6pm.

(c) Pointon Lode

Mr Barker stated that the Pointon Lode does come over into Mill Thorpe through an old ford in a farmyard not on a council road and then comes down the fen. In high water it does come through – measurements for Pointon Lode are at 5km - 3km. The Chief Executive stated that the full length of this tranche has been walked with the Operations Manager and EA staff members looking at possible requirements for repair work which has been identified also particularly for reduced mechanical access ie trees, gates etc. Mr Barker agreed to wait for the drop in sessions to discuss his point.

1177 TO RECEIVE PERIOD 4 MANAGEMENT ACCOUNTS - Agenda Item 8

The Finance Manager presented these reports on pages 68 to 71 which were reported to the Executive Committee on 31st August 2017.

- Rating levies are slightly behind on the collection rate due to the rates being sent out late in April 2017.

- Pumping station maintenance is positive against budget with no excessive rainfall.
- Drain maintenance is showing favourable against budget which will be caught up later in the year, due to the works carried out on the South forty Foot Drain the resources have not been available to do the additional maintenance work.
- South Forty Foot scheme summary is presented on page 69 of which the Audit & Risk Committee requested this additional report due to the value of this scheme.
- Income & Expenditure account on page 70 highlighting to Members the recoverable income last year was £22,572 and this year it is £482,075 of which the majority of this is from the South Forty Foot Scheme.
- Solar Panel income is performing as to budget within £21 variance.
- Balance Sheet on page 71, £300,000 is with Monmouthshire Building Society on a rate of 0.15% there has been no other opportunities to better this rate, it remains in there so that not all monies are left in the one bank ie Natwest.

The Chairman invited any questions from Members.

1178 TO RECEIVE MINUTES OF THE ADA LINCOLNSHIRE BRANCH AGM AND BRANCH MEETINGS - Agenda Item 9

The Chairman presented the ADA Lincolnshire Branch and AGM minutes which were circulated with the Agenda for information.

(a) Water Resource East (WRE)

Mr Barker asked if there was anything to report. The Chief Executive responded his report is minuted within the Executive Committee minutes.

1179 TO RECEIVE THE ANNUAL REPORT ON HEALTH AND SAFETY - Agenda Item 10

The Operations Manager presented to the Board the annual report on Health & Safety pages 89 & 90.

The Operations Manager reported that there had been one accident with the new Twiga SPV2 machine, a claim was submitted to the Insurance Company and the machine has now been repaired and is working fully. He added that an accident happened to one of the staff, he got his foot trapped whilst unloading a bucket from the low loader, he is now back at work fully fit.

He directed Board Members to page 90 which outlines the Health & Safety training completed during this period.

The Chairman invited questions, it was RESOLVED that the Health & Safety Report be approved and adopted.

1180 TO REVIEW THE RISK REGISTER - Agenda Item 11

The Chairman presented the risk register on page 91. The Board RESOLVED that the Risk Register be accepted.

The Finance Manager reported that a full report was presented to the Board on 14th June 2017 and the recommendations from that meeting have now been implemented.

1181 REPORTS - Agenda Item 12

(a) Monthly Accounts - Agenda Item 12(a)

The Board RESOLVED that the Board's monthly accounts, which included June to August 2017, copies of which had been circulated, were noted.

(i) Twiga Machines

Mr Barker made reference to the payment for the newest Twiga machine, and commented that all machines have been parked up for various reasons. The Operations Manager responded yes that is the nature of getting parts. Mr Barker queried are we right in having three Twigas should we have a tractor and flail. The Operations Manager responded that the only guarantee is if you could guarantee that equipment. He continued by saying that the decision for the Twigas was based on the problems we had with the tractors herder equipment.

The Finance Manager clarified that the three Twigas have been replaced in the last three years and a review will not be forthcoming until 2021.

(b) Schedule of Consents - Agenda Item 12(b)

The Chief Executive presented the Schedule of Consents on pages 103 - 105.

(c) Rainfall - Agenda Item 12(c)

The rainfall figures at Swineshead and Black Hole Drove were presented, copies of which had been circulated.

Mr Rollinson asked if there are records of rainfall that can prove a more erratic rain distribution, the Finance Manager presented on the screen a spreadsheet detailing monthly rainfall over the last 25 years. Mr Scott added that this could be evidenced, perhaps details up to 50 years.

The Board RESOLVED that these reports be noted.

1182 TO CONFIRM DATES OF MEETINGS FOR 2017/18 - Agenda Item 13

The following dates of meetings where AGREED.

Date	Committee
4 October 2017	Audit & Risk
8 November 2017	Joint Works Committees
29 November 2017	Board
13 December 2017	Executive at 9:30am
14 February 2018	Board
28 February 2018	Southern Works Inspection

21 March 2018	Structures
11 April 2018	Northern Works Inspection
25 April 2018	Audit & Risk
9 May 2018	Executive
30 May 2018	Board
27 June 2018	Environment
12 September 2018	Executive
17 October 2018	Audit & Risk
7 November 2018	Joint Works Committee
28 November 2018	Board
19 December 2018	Executive

1183 ANY OTHER BUSINESS - Agenda Item 14

(a) Dowsby Lode

Mr Barker enquired about the works planned to start on the Dowsby Lode and if this is funded by the EA, if in future this funding is unavailable then should this be brought forward. The Operations Manager responded that it was not funded through the EA it is within the Board's scheme budget, yes we are waiting for a new survey to be completed. The Chief Executive clarified that it is a Board maintained drain not a main river.

There being no further business the meeting closed at 11:50.

