

BLACK SLUICE INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of a Meeting of the Board

held at the Offices of the Board on

7th November 2018 at 2pm

Members

Chairman - * Mr K C Casswell

* Mr W Ash	* Cllr T Ashton
Mr J Atkinson	* Cllr P Bedford
* Mr V Barker	Cllr C Brotherton
* Mr J Fowler	* Cllr M Brookes
* Mr P Holmes	* Cllr M Cooper
* Mr R Leggott	* Cllr Mrs C Rylott
* Mr P Robinson	* Cllr B Russell
* Mr M Rollinson	Cllr P Skinner
* Mr N J Scott	Cllr Mrs S Wray
* 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)

1344 APPOINTMENT OF THE CHAIRMAN OF THE BOARD - Agenda Item 1

On the proposition of Cllr M Brookes, seconded by Mr P Holmes and a show of hands it was unanimously RESOLVED that Mr K C Casswell be appointed Chairman of the Board for the next three years.

1345 APPOINTMENT OF THE VICE CHAIRMAN OF THE BOARD - Agenda Item 2

On the proposition of Mr M Rollinson, seconded by Mr R Leggott and a show of hands it was unanimously RESOLVED that Mr P Holmes be appointed Vice Chairman of the Board for the next three years.

1346 APOLOGIES FOR ABSENCE - Agenda Item 3

Apologies for absence were received from Mr J Atkinson, Cllr S Wray and Cllr C Brotherton.

The Chairman noted that a previous longstanding member of the Board, Antony Proctor, sadly passed away a few weeks ago.

1347 DECLARATIONS OF INTEREST - Agenda Item 4

Declarations of interest were received from Mr N Scott and Mr V Barker both with regards to Agenda Item 14(b) - Schedule of Consents.

1348 APPOINTMENT OF BOARD MEMBERS & CO-OPTED MEMBERS TO CONSTITUTE THE FOLLOWING COMMITTEES: - Agenda Item 5

(a) Executive

The Chairman presented this Agenda Item, explaining that the Nominations Committee propose no change, inviting any issues or questions with the proposition.

It was RESOLVED that the Executive Committee be appointed as follows:

Executive Committee	
Chairman	Mr Keith Casswell
Vice-Chairman	Mr Paul Holmes
Chairman NW Committee	Duplicate
Chairman SW Committee	Mr Mark Rollinson
Chairman Environment Committee	Duplicate
Chairman Audit & Risk Committee	Cllr Michael Brookes
Chairman Structures Committee	Mr Jonathan Fowler
Boston Borough Council Representative	Cllr Peter Bedford

(b) Northern Works

The Chairman presented this Agenda Item, explaining that the Nominations Committee propose no change, inviting any issues or questions with the proposition.

It was RESOLVED that the Northern Works Committee be appointed as follows:

Northern Works Committee	
Board Members	Co-opted Members
Mr Paul Holmes (Chairman)	Mr James Pocklington
Mr Peter Robinson	Mr David Casswell
Mr Richard Leggott	Mr Roger Welberry
Mr Jonathan Fowler	Mr Robert Needham
Mr Nick Scott	
Cllr Tom Ashton	
Cllr Peter Bedford	
Cllr Colin Brotherton	
Cllr Michael Brookes	
Cllr Mrs Claire Rylott	
Cllr Paul Skinner	
Cllr Michael Cooper	
Cllr Mrs Susan Waring	

(c) Southern Works

The Chairman presented this Agenda Item, explaining that the Nominations Committee propose no change, inviting any issues or questions with the proposition.

Mr M Rollinson noted the sad loss of Mark Richardson and therefore a vacancy. He felt a young member would be beneficial and invited any ideas.

The Board RESOLVED that the Southern Works Committee be appointed as follows:

Southern Works Committee	
Board Members	Co-opted Members
Mr Mark Rollinson (Chairman)	Mr Ross Dorrington
Mr John Atkinson	Mr Mark Mowbray
Mr Keith Casswell	Mr James Casswell
Mr Richard Wray	Mr Chris Dring
Mr Will Ash	Mr Andrew Mair
Mr Vic Barker	Mr Chris Wray
Cllr Susan Wray	
Cllr Bob Russell	

(d) Environment

Mr P Holmes presented this Agenda Item, explaining that he has spoken with both Cllr C Brotherton and Cllr C Rylott. Cllr C Brotherton is happy to stand down from the Environment Committee and Cllr C Rylott happy to fill that vacancy.

The Board RESOLVED that the Environment Committee be appointed as follows:

Environment Committee	
Northern Works	Southern Works
Mr Paul Holmes (Chairman)	Mr Keith Casswell
Mr Roger Welberry	Mr Vic Barker
Mr Richard Leggott	Mr John Atkinson
Mr Peter Robinson	Mr Richard Wray
Cllr Claire Rylott	Mr Will Ash

(e) Audit & Risk

Cllr M Brookes presented this Agenda Item, explaining that he has spoken to Cllr S Warring regarding joining the Committee who has expressed she is happy to become a member of the Audit & Risk Committee.

The Board RESOLVED that the Audit & Risk Committee be appointed as follows:

Audit & Risk Committee	
Northern Works	Mr Richard Leggott
Northern Works	Mr Nick Scott
Southern Works	Mr Vic Barker
Southern Works	Mr Will Ash
Appointed Member	Cllr Michael Brookes (Chairman)
Appointed Member	Cllr Bob Russell
Additional Member	Cllr Susan Warring

(f) Structures

Mr J Fowler presented this Agenda Item, explaining that there is currently one vacancy on the Structures Committee which Cllr M Cooper has offered to fill.

The Board RESOLVED that the Structures Committee be appointed as follows:

Structures Committee	
Mr Jonathan Fowler (Chairman)	Mr Peter Robinson
Mr Will Ash	Mr Vic Barker
Mr Paul Holmes	Mr Richard Leggott
Cllr Paul Skinner	Cllr Michael Cooper

(g) Nominations

The Chairman presented this Agenda Item, inviting any issues or questions with the proposition.

The Board RESOLVED that the Nominations Committee be appointed as follows:

Nominations Committee	
Chairman	Mr Keith Casswell
Vice-Chairman	Mr Paul Holmes
Chairman Audit & Risk Committee	Cllr Michael Brookes

1349 APPOINTMENT OF THE CHAIRMAN FOR THE FOLLOWING COMMITTEES:
- Agenda Item 6

(a) Northern Works

On the proposition of Cllr P Bedford, seconded by Mr J Fowler, it was unanimously RESOLVED that Mr P Holmes be appointed Chairman of the Northern Works Committee for the next three years.

(b) Southern Works

On the proposition of Mr W Ash, seconded by Cllr B Russell, it was unanimously RESOLVED that Mr M Rollinson be appointed Chairman of the Southern Works Committee for the next three years.

(c) Environment

On the proposition of Mr W Ash, seconded by Mr R Wray, it was unanimously RESOLVED that Mr P Holmes be appointed Chairman of the Environment Committee for the next three years.

(d) Audit & Risk

On the proposition of Cllr S Warring, seconded by Mr V Barker, it was unanimously RESOLVED that Cllr M Brookes be appointed Chairman of the Audit & Risk Committee for the next three years.

(e) Structures

On the proposition of Mr P Robinson, seconded by Mr W Ash, it was unanimously RESOLVED that Mr J Fowler be appointed Chairman of the Structures Committee for the next three years.

(f) Ex Officio Members

It was noted that the Chairman and Vice Chairman are Ex-officio members of all the Committees of the Board by virtue of their Office held, except the Audit & Risk Committee.

1350 MINUTES OF THE LAST BOARD MEETING - Agenda Item 7

The Minutes of the last meeting of the Board held on the 30th May 2018, copies of which had been circulated, were considered and it was AGREED that they should be signed as a true record with the following amendment:

- Minute 1298(a)(i), paragraph seven there is a misinterpretation of a word; 'elevates' should be 'alleviates'. '...the ratepayers in that area it *alleviates* their rates'.

1351 CONFIDENTIAL MINUTES OF THE LAST BOARD MEETING - Agenda Item 8

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.

1352 MATTERS ARISING - Agenda Item 9

(a) ADA MODEL OF LAND DRAINAGE BYELAWS - Minute 1285 (a)

Mr R Leggott questioned whether there had been any development regarding this? The Finance Manager explained that there has been no movement, explaining that the DEFRA Minister is holding any Board's Byelaws that have already been submitted, before signing them off. They will be changed by virtue of his position, so that they are all the same when signed off. Once the Board's Byelaws are finalised at DEFRA they will be presented to the Board for approval. It was further clarified that even though these are 'model' byelaws and not 'statutory' the Board can't simply go ahead as they can't be acted upon until signed off.

(b) DAMAGE TO CONCRETE FARM YARD – CLAYDYKE FARM, HOLLAND FEN - Minute 1290(a)(i)

The Chief Executive referred to this matter, explaining that he has subsequently met with a NFU Representative with regards to the concerns the Landowner has. The landowner has asked the following three questions through the NFU:

1. 'Can we have a site meeting to get a shared vision on the situation?'

The Chief Executive has responded to this, explaining that the Northern Works Committee visited the site in April 2018 and that a full Board decision was made in relation to a suitable contribution towards the damage. The Board's Excavator travels over the concrete, on average, once a year. The Chief Executive has tried to arrange a meeting at the Board's Offices with the landowner and Northern Works Chairman, giving him three possible dates in late August 2018 / early September 2018. To date, the landowner has not responded. The NFU have therefore noted that Black Sluice IDB have tried to arrange a meeting.

2. 'The IDB offer a compensation towards the repair of the concrete, can we agree the formula for a settlement?'

The Chief Executive noted that the formula has been noted in previous minutes; the area in question x depth in question = the estimate of the concrete required. At £100 per cube it equates to the offer of £3000. This detail has been sent to the NFU, who are happy with the method used.

3. 'The future use of the concrete strip by IDB equipment, so it does not result in annual damage to the concrete.'

The Chief Executive explained that he has sent back the following extract from the Relaxation of the 9m Byelaw Consenting Approval which will continue to apply to this and all future byelaw relaxations within the catchment:

'The Board does not accept any responsibility for the design and construction of the works referred hereto and any liability for any loss or damage which may arise out of their design, construction, maintenance or use, or for any claim in respect of injury, damage or loss arising out of the execution of undertakings by the Board (or any person working for the Board) in connection with the watercourse.'

The applicant or their successors will be held responsible for the full cost of any subsequent repair or maintenance of the works and/or watercourse and/or associated structure(s), attributable to the installation, operation, use, maintenance and/or removal of said works.

For works consented within 9m of the edge of watercourses under the Board's control, the applicant or their successors will be held responsible for the removal of the works, if so required by the Board.'

The Chief Executive stated that, to date, he has not had a response from the NFU or landowner. He questioned whether the Board would like to add any further response?

The Chief Executive noted that the landowner is most concerned about the possibility of future damage to the concrete once it has been repaired.

Mr P Holmes felt that if the concrete is rectified properly then it negates the problem of future damage. He also questioned whether a time limit should be imposed on the current offer which he has yet to take; possibly before the Joint Works Committee meeting.

The Chief Executive summarised that, essentially, the landowner is arguing that it is the IDB's machine travelling over the concrete that has caused the damage, whilst we are arguing that the machine travels over it only once a year. The landowner also has HGVs etc. travelling over it so therefore the landowner is also consequential to the damage.

The Chief Executive reiterated about the conditions of the Byelaw Consenting, as previously stated, and that they have to be enforced.

Cllr T Ashton clarified that the IDB has been travelling over the concrete since it was laid in the 60's/70's? The Chief Executive stated, yes, and this is the first time any damage has been brought to our attention. Cllr T Ashton felt that the Board were already being generous with the offer of £3000.

Mr W Ash confirmed that this bit of concrete was part of a larger area which was also damaged. It is the drain side that is in the worst condition.

The Chairman suggested using Mr P Holmes proposal of putting a time constraint on the offer. It was felt that a deadline of the Joint Works Committee, to be held on 28th November 2018, was long enough for the landowner to make a decision, especially considering the length of time he has already had.

Mr J Fowler questioned whether this would clarify the Board's situation in similar future scenarios? The Chief Executive clarified that the reason for discussing this is because the concrete was unconsented. In any other situation, the consent conditions clearly state that the Board are not responsible for any damage caused. Mr J Fowler reiterated that it needs to be made clear that this is the final compensation from the Board that will be given for this concrete area.

The Chief Executive further noted that he takes the view that the landowner will have to apply for consent to lay the concrete, which it will then be within the conditions of consent that it is the landowners responsibility.

Mr M Rollinson questioned whether, rather than sending a letter, a representative of the Board should meet the Landowner out of courtesy and politeness? It was felt that the landowner had previously been given enough opportunity to have a meeting of which he didn't take.

It was AGREED that the offer of a £3000 contribution will remain standing until the meeting of the Joint Works Committee on the 28th November 2018, after which point the Board will contribute nothing.

(c) GREAT HALE PUMPING STATION - Minute 1290(a)(iii)

The Chief Executive presented on screen the Notices that have been erected at the Pumping Stations that are used as crossing points. The wording on the Notices has been selected by the Board's Solicitor.

The Chief Executive referred to letters of response received; reading out the letter of thanks received from the Boston Ramblers Association in response to Black Hole Drove as an example.

The Chief Executive stated that Swineshead, Ewerby and Great Hale are the only Pumping Stations left with any outstanding issues. At current, negotiations are taking place with the tenant of the Environment Agency (EA) banks at Swineshead and Ewerby.

The Chief Executive focused the Board's attention to Great Hale Pumping Station. This is, arguably, the biggest concern due to heavy agricultural machinery crossing the outfall bay of the pumping station; leaving dirt and debris. He further highlighted the concern over how heavy agricultural equipment could potentially result in structural damage.

The tenants have employed a Land Agent's services who have written to the Operations Manager, stating that the tenant's solicitor has confirmed that they have unrestricted right of access to this land and Black Sluice IDB do not have the right to impose restriction on this access retrospectively. They also added that the tenant can't see the purpose in meeting with the IDB when their legal advice is clear and that any attempts made to restrict access will be responded to with legal action.

The Chief Executive explained that the IDBs Deeds are now being analysed, in which we can't find anything that offers legal right of access to the tenant. We will therefore be challenging their statement through the Board's Solicitor.

Mr P Holmes questioned whether they can enforce a historical right of access? The Chief Executive has already questioned this with the Solicitor who has explained that that concept can, and will, be challenged.

Mr P Robinson questioned whether they could be stopped on the basis of Health and Safety? The Chief Executive explained that, as the tenant has also been told, we don't want to stop them all together but instead want to control the way in which they cross.

Cllr M Cooper questioned whether a weight limit could be imposed? The Chief Executive explained that, if required, a structural survey will be carried out.

Mr M Rollinson confirmed that the land is technically not land locked, it can be accessed, but it is a long way round and so is really being used as a 'short cut'.

Mr V Barker questioned whether there was any access prior to the Pumping Station being built? The Pumping Station being built has created the access. Mr P Robinson referred to if the Pumping Station had to be removed for any reason, where would that leave the tenant?

Mr K Casswell also noted that if the structure was damaged because of the weight crossing it, then potentially the tenant may not be willing to pay for the repair. It was further questioned whether the potential cost has been pointed out to the tenant? The Operations Manager stated that, as such this has not been pointed out to the tenant due to the difficulties there have been over locating the landowner / tenant.

Mr P Holmes made reference to the potentially large legal costs, suggesting that if the Board are deemed correct then some of the cost should be recovered from the tenant.

(d) RISK MANAGEMENT TRAINING - Minute 1292

Cllr M Brookes noted that the Risk Management Training from the Internal Auditor, originally to be held prior to the Board Meeting, will now be held prior to the Joint Works Committee Meeting on the 28th November 2018. Cllr M Brookes noted that he would like a good attendance at it.

(e) BREWIN DOLPHIN INVESTMENT - Minute 1298(a)(i)

The Finance Manager presented on screen an update of the Brewin Dolphin investment.

(f) BLACK SLUICE PUMPING STATION - Minute1298(a)(ii)

The Chief Executive gave an update on the Black Sluice Pumping Station from the Environment Agency's perspective; as the owners of the asset.

The Chief Executive read the following email, dated 18 October 2018, from the Environment Agency as follows:

'The decommission was announced at RFCC on 12 October with no objections, and some questions around the detail.

- *No flood risk benefit to people and property, and limited benefit for agricultural land (less than 200ha in 1 in 10 events).*
- *Pumps not operated 99% of the time since its construction in 1940s.*
- *Pumps discharge 60 cumecs per second (for all 5 working) – navigation lock and sluice discharge up to 120 cumecs and more efficient and effective, quicker recovery time for the catchment as shown at Easter.*
- *Asset transfer not possible – no business case for BS IDB.*
- *Working with Heritage Lincolnshire for other uses for the building.*
- *Can't say what decommission will look like yet.*
- *A press release went out at 11am on Monday 15 October to BBC Lincolnshire, Boston Standard, Sleaford Target and Lincolnshire Free Press. There have been no enquiries, and no articles so far.*
- *The Boston Hub is being used as a public drop-in venue every Wednesday from 12 till 7pm. Any enquiries should be directed there.*
- *The EA will attend the next Lincs ADA meeting in February to provide a more detailed overview of the project. We will hopefully know a lot more about future uses for the building, and what decommission looks like.'*

The Chief Executive noted that there have been no enquires or articles since that date.

Mr V Barker commented that he feels there could be potential situations where the pumps are required. He felt that the possibility of maintaining the functioning pumps should be considered, at least until the Boston Tidal Surge Barrier has proven itself in a fluvial event.

Mr K Caswell noted that the decision has been made and that he has previously noted to the EA that if it does ever flood the public will believe it was due to the pumps not being there, regardless of whether it would have flooded anyway. Also noting that there needs to be a contingency plan in place if the sluice or navigation lock failed.

The Chief Executive further stated that the Environment Agency have been informed that Black Sluice IDB and Van Heck will be meeting on the 1st March 2019 should they wish to come and discuss this contingency plan. If they do not attend then Black Sluice IDB will create their own contingency plan and offer it to the EA via Van Heck. It was also noted that there is no cost for creating these contingency plans.

The Chief Executive additionally noted that Van Heck are demonstrating at the Floodex event on the 27th & 28th February 2019 at Peterborough Showground, inviting the Board to attend.

The Chairman also noted that the 1910 picture of people digging out the South Forty Foot Drain by hand was presented to the Chairman of the EA who has since written a letter of thanks.

Cllr S Waring raised her concern over the wording used in the press release. She felt it was worded as though the EA had based their decision on the advice of Black Sluice IDB which she felt put too much responsibility onto the IDB. It gives the wrong impression that Black Sluice IDB made the decision. The Chief Executive noted that he has approached the EA regarding this and is awaiting a response.

(g) OFFICE ALTERATIONS - Minute 1298(a)(iv)

The Operations Manager explained that a quotation within the approved budget has been obtained, it is now a case of confirming when the contractor can commit to the work. The Chief Executive followed on by adding that they have tried to obtain three quotes, but even with all the local contractors available, can't get three quotations. Therefore, we intend to go back to the contractor who has submitted a quotation, confirm specifications, firm up working dates/times and quotation etc. and place an order.

(h) TOUR OF THE NETHERLANDS - Minute 1298(a)(v)

The Chairman noted that the trip was a success; other attendees agreed.

(i) STAFF UPDATE

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.

1353 TO RECEIVE THE UNCONFIRMED MINUTES & MATTERS ARISING OF THE FOLLWING MEETINGS: - Agenda Item 10

(a) ENVIRONMENT COMMITTEE - 27 JUNE 2018

The Environment Chairman presented the unconfirmed Minutes of the Environment Committee Meeting held on the 27th June 2018, copies of which had been circulated. The Board RESOLVED that the Minutes should be received, noting one mistake, Minute 1311(j), - *'Mr R Leggott confirmed that when he used to grow sweet seed...' should be 'swede seed'*.

(i) EXPERIMENTAL BRIEF PLAN FOR THE CONTROL OF YELLOW FLOWER

The Operations Manager referred to the problem of 'yellow flower' that can be seen growing on Board maintained banks throughout the Board's catchment and that can be associated with the type of crop growing in adjacent fields, it being explained that the yellow flower comes from the same family as oil seed rape. It is an invasive species and blocks out natural bank level vegetation.

The Operations Manager continued that one way of controlling the flower could be by flail mowing; referring to Mr J Atkinson's findings from his own land. He flail mowed the banks over a three-year period and found that in the third year the yellow flower was virtually non-existent.

He presented the report; which outlined the cost to the Board to carry out maintenance on three sections throughout the catchment. It is based around just over 5km of cutting.

He presented on screen photographs of Dunsby Fen in May 2018, explaining that the field side of the drain is maintained by the Board annually. Just from normal maintenance, the difference in the growth of yellow flower can be seen.

The Operations Manager questioned how the Board want to approach the trial and if they want to spend the additional expenditure to do so?

Mr P Holmes questioned whether there were any other affected areas where the landowner could take some responsibility and maintain the arable side of the watercourse and the Board maintain the road side? It would benefit the farmer and would also reduce the cost of each trial area, therefore meaning a bigger trial area could be used.

The Operations Manager agreed that this method could be used, explaining that it depends what the Board want to use as a trial area? He has only selected three trial areas – it may be that the Board want to focus on only one trial area?

Mr P Holmes suggested that history has proven itself and shown that flailing does work.

The Operations Manager highlighted the difficulty around the time of year the cut needs to be undertaken.

The Chairman questioned whether two cuts, as opposed to three, would be sufficient?

Mr V Barker pointed out that although there is an initial additional cost, in the long run there could be a saving because if the yellow flower is growing on silt land then the bank will degrade due to the lack of grass holding it together. If the yellow flower is not growing then the bank won't degrade, therefore saving money from that aspect.

Mr M Rollinson questioned whether the farmers have been consulted about what crop they are having on their land in the near future? Those growing Oil Seed Rape may be willing to contribute to avoid cross contamination.

Mr R Wray expressed that he was under the impression that there was a policy of alternating the side of the watercourse that is cut - therefore meaning that the watercourse showed in the photo should be equally cut both sides rather than the same side cut again.

Mr N Scott felt that the extra funding should be spent on the trial, looking at different numbers of cuts at different times of the year and researching methods used to control it.

Mr P Holmes felt that the Operations Manager would be able to create an effective trial and that the additional money should be allocated.

All AGREED to allocate some of the budget to a trial for the control of yellow flower, which the Operations Manager will plan and conduct.

(ii) GIS OVERLAY OF MACHINE DRIVERS

The Operations Manager presented on screen the fifteen factors that can be tracked using the TomTom tracking devices fitted to the machines. He continued by explaining that the machine operators can identify a problem which can be logged and then identified on the database which is then put into layers on the mapping system. He further presented on screen two maps, illustrating an Environmental Layer on the mapping system, one showing data collected over a number of years, the other showing the data collected in 2018. He further noted that the TomTom equipment has recently been replaced.

(b) EXECUTIVE COMMITTEE - 12 SEPTEMBER 2018

The Chairman presented the unconfirmed Minutes of the Executive Meeting held on the 12th September 2018, copies of which had been circulated. The Board RESOLVED that the Minutes should be received.

(i) PERIOD 05 MANAGEMENT ACCOUNTS

The Finance Manager explained that the Period 06 accounts are included further in the Agenda and so this will be covered later in the meeting.

(ii) 2018/19 CAPITAL SCHEMES BUDGETS

The Finance Manager presented the Capital Schemes Budgets, inviting any concerns or questions of which there were none.

(iii) 8 YEAR PLANT BUDGET (REVISED SINCE EXECUTIVE MEETING) & REVIEW OF QUOTES FOR THE JCB 130 EXCAVATOR

The Chief Executive explained that due to current circumstances, it is being requested that the replacement of the JCB 130 Telescopic Long Reach 2009/10, with a like to like purchase, is brought forward to this financial year, a cost of £105,000 against an £18,500 trade-in, giving £86,500 expenditure. This will therefore put the carried forward balance into a negative figure for a few years which will recover based on the current plan.

All AGREED that the replacement of the JCB 130 Telescopic Long Reach 2009/10 be brought forward into this financial year.

The Chief Executive further noted that the Unimog's replacement date has been extended following work done on it over the last year, adding that it is still intended not to replace it with a like for like vehicle but instead a Fastrac or something similar.

Cllr T Ashton asked whether a record of the hours the machines are working could be included so that it gives an idea of how well they are wearing.

(c) AUDIT & RISK COMMITTEE - 17 OCTOBER 2018

The Audit & Risk Chairman presented the unconfirmed Minutes of the Audit & Risk Meeting held on the 17th October 2018, copies of which had been circulated. The Board RESOLVED that the Minutes should be received.

- (i) ANNUAL RETURN INCLUDING EXTERNAL AUDITOR'S OPINION
The Finance Manager apologised for the mistake, shown in Figure Box One on page 89, which was transposed.
- (ii) AUDIT PROGRAMME FOR 2018/19
The Finance Manager explained that the Audit Programme is provided by the Internal Auditor regarding what work will be undertaken this financial year.
- (iii) REPORT REMOVED
Cllr M Brookes noted that this was the Annual Accounts which had already been presented to the Board at the previous meeting and so was not required again.

TO ADOPT THE FOLLOWING POLICIES:

- (iv) CONTROL OF RAGWORT
The Chief Executive presented Policy No. 27, Control of Ragwort, which was reviewed by the Audit & Risk Committee on the 17th October 2018. The Board RESOLVED that the Control of Ragwort Policy be adopted.
- (v) LAND DRAINS DISCHARGING INTO BOARD MAINTAINED WATERCOURSES
The Chief Executive presented Policy No. 28, Land Drains Discharging into Board Maintained Watercourses, which was reviewed by the Audit & Risk Committee on the 17th October 2018. The Board RESOLVED that the policy for Land Drains Discharging into Board Maintained Watercourses be adopted.
- (vi) CONTROL OF RABBITS, RATS & OTHER RODENTS
The Chief Executive presented Policy No. 29, Control of Rabbits, Rats and Other Rodents, which was reviewed by the Audit & Risk Committee on the 17th October 2018. The Board RESOLVED that the policy for the Control of Rabbits, Rats and Other Rodents be adopted.
- (vii) PUBLICATION SCHEME
The Chief Executive presented Policy No. 31, the Publication Scheme, which was reviewed by the Audit & Risk Committee on the 17th October 2018. The Board RESOLVED that the Control of Publication Scheme be adopted.
- (viii) GIFTS & HOSPITALITY
The Chief Executive presented Policy No. 34, Gifts & Hospitality, which was reviewed by the Audit & Risk Committee on the 17th October 2018. The Board RESOLVED that the Gifts and Hospitality Policy be adopted.
- (ix) EMERGENCY RESPONSE PLAN
The Chief Executive presented Policy No. 13, the Emergency Response Plan, which was reviewed by the Audit & Risk Committee on the 17th October 2018. He further noted that the personal information was removed for Data Protection purposes. The Board RESOLVED that the Emergency Response Plan be adopted.

The Chief Executive further noted that a cascading contact list is currently being developed.

(x) DEVELOPMENT CONTROL CHARGES & FEES

The Chief Executive presented Policy No. 44, Development Control Charges & Fees, which was reviewed by the Audit & Risk Committee on the 17th October 2018.

The Chief Executive explained that this new policy contains information that is currently within the Board's Byelaws but has been produced in order to present for easier explanation to applicants.

He further explained that, currently, the Board follow the Water Management Alliance's (WMA) guidelines. They have recently conducted a review (October 2018) and now have a new figure of £117,131 for the rate per impermeable hectare - a 51% increase from £77,800. The Audit & Risk Committee felt the figure used should be reviewed by the whole Board.

The Chief Executive has been in contact with the WMA and found the figure is based on the cost involved in constructing a one-hectare impermeable area site to include an attenuation pond of a relevant size and facility. This is the same procedure that was carried out in 2009 when the first figure was calculated. Between then and now, land values, health and safety costs, design works etc. have all increased. There has also been a thirty-year maintenance plan included for the attenuation facility. The WMA have sought legal advice on the revised figure of £117,131 of which they have said, in their opinion, that the calculations have been very generous towards the applicant.

Mr V Barker questioned whether it is in line with the neighbouring IDBs? The Chief Executive summarised that there are twelve IDBs in Lincolnshire; some don't impose any development fee whilst some are £117,000 per ha, there is no consistency.

The Chief Executive further explained that he has arranged to go and meet with those who put the policy together at the WMA who are also willing for him to take away all the calculations etc. used to arrive at the final policy and figures. Therefore, the Chief Executive stated that Black Sluice IDB could use the same formula as the WMA, but implement figures appropriate to Black Sluice IDB i.e. cost of land, health and safety costs etc. to calculate our own figure.

The Chief Executive further clarified that, no matter how big the development is, if the applicant is implementing their own SuDS then there would be no fees.

Cllr M Brookes noted that the IDB don't want high run off rates and so maybe it would be a good idea to put the fee up as a deterrent. He also noted the risk of legal challenge that could arise as a result of a high development fee.

Cllr T Ashton questioned how much money is received in a year through this? The Chief Executive explained that it is an insignificant amount and ever increasing and that the money is kept in a development control fund. It is then used for development of watercourses within and around the development sites in question.

The general feeling amongst the Board was to use the higher figure and that a formula and calculations would be able to be used to show how the figure was calculated, should it be challenged. The Chairman asked the Board if they were willing for this to be reviewed at the next Executive Meeting, 19th December 2018, once a few more details have been found, this will then be reported back to the next Board Meeting. All AGREED.

The Chief Executive clarified which figure is to be used per impermeable hectare from today? With the current figure being £77,800. All AGREED that, at current, it should stay at £77,800 until further knowledge is gained, when can then be reviewed at the Executive Meeting.

1354 REVIEW OF THE RISK REGISTER - Agenda Item 11

The Chairman presented the Risk Register.

The Board RESOLVED that the Risk Register be accepted.

1355 REPORT ON FINANCE, ADMINISTRATION & RATING - Agenda Item 12

(a) PERIOD 06 MANAGEMENT ACCOUNTS

The Finance Manager presented the Period 06 accounts, pointing out the following:

Income

- 98% of the drainage rates had been collected at that time.
- Solar Panel income has increased by £2,535 mainly due to the Depot installation.

Expenditure

- Only £18,514 of the £88,200 budget for Drain Schemes has been spent so far.
- Donington Weedscreen is to be paid for in Period 07 and so it will show in the next set of Management Accounts.
- Pumping Station Maintenance overspend has decreased to £23,298 as opposed to being at £52,000 overspend at one point. This decrease is a result of the dry summer.
- Drain Maintenance has reduced slightly, although there has been an additional increase in Period 07.
- There is a slight overspend on the Depot expenditure.

Rechargeable

- There is quite a lot of rechargeable invoicing yet to be completed for the Environment Agency PSCA and private works.

Reserves

- The Plant Reserve is running at £65,000 more in comparison to last year due to the review of the charge out rates earlier this year.

Balance Sheet

- Black Sluice IDB are holding funds in the NatWest Reserve Account on which the interest rate has risen from 0.01% to 0.2%.

(b) QUARTER 2 FORECAST

The Finance Manager presented the Quarter 2 Forecast; noting the following:

- Some of the Grants that were hoped to be completed this year probably won't be realised. It is still hopeful that some of them will be realised next year.
- Pumping Station, Drain Maintenance etc. costs are all as expected.
- There are extra costs for the office alterations within Administration & Establishment.

1356 TO RECEIVE THE ANNUAL HEALTH & SAFETY REPORT INLCUDING NEAR MISSES - Agenda Item 13

The Operations Manager presented the annual Health and Safety Report.

He reported that there have been four minor accidents within the period, all not requiring much time off work. He further noted the report of Near Misses and training carried out during the last year.

It was clarified that there were no injuries to personnel in the Near Miss dated 19.07.18 involving a Twiga. It was also clarified that the Workshop Engineer was wearing his goggles when getting a metal shard in his eye (Accident dated 24.10.18), however, new goggles are to be purchased that fit tightly to the face so that nothing can get underneath.

The Board is continuing into the last year of Health and Safety services with Cope Safety Management.

1357 REPORTS ON THE FOLLOWING: - Agenda Item 14

(a) MONTHLY ACCOUNTS (MAY 2018 – OCTOBER 2018)

The Board's monthly accounts, inclusive of May 2018 - October 2018, were circulated. The Board RESOLVED that this report be noted.

(b) SCHEDULE OF CONSENTS (MAY 2018 – OCTOBER 2018)

The Chief Executive presented the Schedule of Consents, consisting of May 2018 - October 2018, copies of which had been circulated. The Board RESOLVED that this report be noted.

It was questioned if the contribution to each development consent could be included? It was felt it is confidential information.

(c) RAINFALL

The rainfall figures at Swineshead and Black Hole Drove were presented, copies of which had been circulated. The Board RESOLVED that this report be noted.

1358 TO CONFIRM DATES OF MEETING FOR THE NEXT 12 MONTHS - Agenda Item 15

The following dates for the meetings of the next twelve months were AGREED as follows:

Friday	08 February 2019	Board (10:00am Start)
Tuesday	26 February 2019	Northern Works Inspection
Wednesday	13 March 2019	Structures
Wednesday	3 April 2019	Southern Works Inspection
Wednesday	24 April 2019	Audit & Risk
Wednesday	15 May 2019	Environment
Wednesday	29 May 2019	Executive
Wednesday	26 June 2019	Board
Wednesday	18 September 2019	Executive
Wednesday	9 October 2019	Audit & Risk
Wednesday	30 October 2019	Board
Thursday	21 November 2019	Joint Works
Wednesday	11 December 2019	Executive

1359 ANY OTHER BUSINESS - Agenda Item 16

(a) PAST FLOODS MATTER PROJECT

The Chief Executive explained that Black Sluice IDB and all other IDBs associated with water going into the River Witham have been contacted by ADA National in order to progress a 'Past Floods Matter' project.

The Chief Executive read out the following from Dr Jane Rowling in relation to this project:

'I am part of a team working on the Past Floods Matter project to research the history of flood risk management and community flood resilience in England, 1750-2018, at the local level as a potential model for future practice.

We are basing our research on interviews with people who have experience in land drainage and flood resilience, both on the ground and at a governance level, especially those with knowledge both of present practice, and that stretching back over several decades. These will be studied alongside historical documents to improve our comprehension of the two-way interactive processes by which humans and natural forces such as flooding have shaped each other over time, and how this has impacted present day land drainage practice.

I can give a short presentation to any interested staff members.'

There was a general interest from Board Members, the Chief Executive will arrange a suitable time with Dr J Rowling for Board Members and staff to attend.

There being no further business the meeting closed at 16:08.