

BLACK SLUICE INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of a meeting of the Executive Committee

held at the Offices of the Board on
29th May 2019 at 2pm

Members

Chairman - * Mr K C Casswell

* Cllr P Bedford

* Mr J Fowler

* Mr M Rollinson

* Mr M Brookes

* Mr P Holmes

* Member Present

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

1449 APOLOGIES FOR ABSENCE - Agenda Item 1

There were no apologies for absence.

1450 DECLARATIONS OF INTEREST - Agenda Item 2

Declarations of interest were received from Mr P Holmes regarding agenda item 13, the eight-year plant replacement budget, due to his purchase of a vehicle from the Board.

1451 MINUTES OF THE LAST MEETING - Agenda Item 3

Minutes of the last meeting held on 19th December 2018, copies of which had been circulated, were considered and it was AGREED that they should be signed as a true record.

1452 CONFIDENTIAL MINUTES OF THE LAST MEETING - Agenda Item 4

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.

1453 MATTERS ARISING - Agenda Item 5

(a) EXPENDITURE - ADMINISTRATION & ESTABLISHMENT - Minute 1375

The Finance Manager referred to the possible replacement of the current server in July 2019. The quotation has been received for £13,245.50, with no value in the current server. The budget for all of the IT and office equipment for this financial year is £15,000. The server is working at the moment, however, it is five years old and integral to all of the Board's work and is used 24 hours a day, 365 days a week. The Finance Manager tries to change all of the IT equipment between four and five years of age.

Opinions were invited as to whether to keep the current server for another year or replace in July 2019?

All AGREED to purchase the new server in July 2019, due to the importance of the server and the large implications if it were to stop working.

(b) WAGES ON-COST RESERVE - Minute 1375

The Finance Manager explained that 220% was the level that was previously agreed by the committee for the recharges in the budget, however at Period 11 it was agreed to increase this to 240% this year because all costs were not covered last year.

(c) CONTRIBUTION TO DAMAGE TO A CONCRETE FARM YARD AT CLAYDYKE, HOLLAND FEN - Minute 1377

The Chief Executive explained that the NFU have been 'mediators' in this situation and that he has contacted them to inform the landowner that at the next meeting of the Board they are prepared to offer £3000 as money rather than £3000 of concrete as previously offered subject to the receipt of confirmation in writing from the landowner to confirm he is happy with this, for it to then be included in the Board agenda. The Chief Executive is still awaiting a response, if there has been no response before the Board agenda is prepared then the offer will be withdrawn.

(d) DAMAGE CAUSED TO AN UNCONSENTED OBSTRUCTION AT ASGARBY BECK - Minute 1378

The Chairman thanked all those involved with this case.

Mr M Rollinson noted that the Farm Manager of the Thorpe & Asgarby Estate attended the irrigation and abstraction meeting, at which it was mentioned that the farm would have to replace all the posts put in last year with the newly agreed specification of post and that a compromise should be made.

The Chief Executive explained that he has spoken with the Farm Manager, and it has been agreed that the Board will supply the new specification of post free of charge to replace the posts currently in place.

It was further noted that the irrigation and abstraction meeting was a success with a positive approach. It being further added that it would be good to get some of the farmers who attended involved with the Works Committees. Mr M Rollinson noted that a few attendees may have been missed due to not being ratepayers, but still irrigating within the area.

Another irrigation and abstraction meeting will take place after the season to reflect and review. The Chief Executive will also be contacting all attendees in the future.

(e) UPGRADE ON DRAINAGE RATING SYSTEM (DRS) - Minute 1379(a)

The Finance Manager noted that this is still a work-in progress, with a few technical challenges being encountered. The GIS Technician is working on it and so will be operational as soon as possible.

(f) DAMAGE TO ROAD CAUSED BY BLACK SLUICE IDB MACHINES - Minute 1379(b)

Mr P Holmes noted that he attended the training meeting and it was a success.

(g) CONFIDENTIAL - WORKS & ENGINEERING MANAGER - Minute 1374(d)

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.

(h) CONFIDENTIAL - REVIEW SENIOR SALARIES - FINANCE MANAGER - Minute 1380

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.

1454 TO REVIEW THE EXECUTIVE COMMITTEE'S TERMS OF REFERENCE - Agenda Item 6

The Finance Manager explained that the Executive Committee have not got any agreed Terms of Reference and so those presented in the agenda are based on a draft copy found on file, with the red being changes and additions to that. Further noting that the first line of paragraph two will be taken out as it is a duplication.

Mr M Rollinson noted that he feels the committee currently works well, whilst Mr Brookes is the Chairman of the Audit & Risk Committee. However, if the Audit & Risk Chairman was an elected member, there would only be one member of the Executive Committee representing the special levy. It was felt that the Terms of Reference could be reviewed and be adapted if required.

The Chairman felt that paragraph four represented a good description of what the committee entails.

Mr P Holmes noted it should be 'triennial' and not 'tri-annual' general meeting.

All AGREED to recommend the Executive Committee's Terms of Reference to the Board for approval.

1455 CONFIDENTIAL - TO RECEIVE A REPORT ON THE FINANCE SUPERVISOR - Agenda Item 7

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.

1456 TO RECEIVE THE 2018/19 ACCOUNTS - Agenda Item 8

The Finance Manager highlighted some key points:

Income

- 99.98% of drainage rates have been collected before the end of the year, with only £217.91 outstanding.
- Other income includes £59,309 from the Rationalising of the Main River Network (RMRN) which has gone into the general reserve.

Expenditure

- £56,000 of general culvert replacement wasn't spent
- £17,311 over spend on Donington North Ings Weedscreen Cleaner

Overall, there is an additional £128,816 to the General Reserve than originally in the budget so a positive outcome for the Board.

(a) PERIOD 12 MANAGEMENT ACCOUNTS

The Finance Manager invited questions.

(b) DRAFT 2018/19 UNAUDITED FINANCIAL STATEMENTS

The Finance Manager referred to page eight and the item in red, under the Statement of Accounting Policies.

The original pumping stations valuations were conducted in 2009 to be reviewed after ten years. Therefore, they are due for review this year. The Finance Manager doesn't believe there is any value, for the purpose of the unaudited accounts, in obtaining a market value for pumping stations, which don't really have a market value anyway.

All AGREED to retain the pumping stations market values at their current value.

(c) ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN - YEAR ENDED 31 MARCH 2019

The Finance Manager invited questions.

1457 TO RECEIVE THE 2018/19 INTERNAL AUDIT REPORT - Agenda Item 9

Mr M Brookes, Chairman on the Audit & Risk Committee, presented this item explaining that the Internal Auditor was present at the Audit & Risk meeting. He noted that the Board achieved substantial assurance, with only one routine recommendation regarding the procurement policy. The policy was reviewed at the meeting and so will be presented to the Board for approval. He thanked all those involved in achieving substantial assurance. The Chairman seconded that.

1458 TO REVIEW AND APPROVE ACCOUNTS OF BOURNE FEN FARM - Agenda Item 10

The Finance Manager noted that there is an additional £2000 investment shown, but also £2,000 of additional charges. This is due to the change in structure, as agreed. Looking at the surplus, the Board is in a better position at the same time last year, with an additional £150 surplus. From a valuation perspective, the fund has increased from £246,000 to £255,000.

1459 TO RECEIVE A REPORT ON FINANCE & RATING - Agenda Item 11

The Chief Executive explained that the Board, in line with the Land Drainage Act, charge drainage rates on any piece of land over 0.5 acres. It is now being questioned if parcels of non-agricultural land over 0.5 acres should still pay drainage rates? The Chief Executive referred to the case study of a large garden.

Cllr P Bedford felt that the landowner should be asked if they have applied for planning permission to change the land from an agricultural field to domestic. Mr M Rollinson felt that if the landowner has applied for the change then drainage rates shouldn't be applied.

Mr J Fowler questioned whether the figure of 0.5 acres is stipulated within the Land Drainage Act? It isn't, it is just the figure used collectively by Drainage Board's.

Mr J Fowler further added that individuals could declare their numerous acres of paddock as a 'garden' and therefore not pay drainage rates, however, generally the value of a paddock is not included in the council tax band. He continued that he felt an acreage limit should be set, as it is currently as 0.5 acres. Over 0.5 acres is more likely to use the drainage system and therefore requires covering by the drainage rate.

Mr M Brookes noted that if it has been a garden for a long period of time then a certificate of lawfulness could be applied for.

All AGREED to continue with the current system of applying drainage rates to parcels of land over 0.5 acres.

1460 TO CONSIDER PERIOD ONE MANAGEMENT ACCOUNTS - Agenda Item 12

The Finance Manager highlighted the following points:

- Collected £168,000 more of drainage rates than we had at Period One last year, partially due to going out a week earlier. This is 41.53% collected in just one month.
- Income and expenditure now includes the rechargeable income and rechargeable expenditure. There is a change in the policy which will be recommended to the Board from the Audit and Risk Committee regarding rechargeable income and PSCA works – invoicing will be carried out on a monthly basis rather than twice a year.
- There is an expected overspend of C£6000 on the Malting Lane, Donington Flood Defence Grant in Aid Scheme. Currently, it is not known if any contingencies can be claimed for it; the Operations Manager is going to look into it.
- Scredington Bank Scheme – this work is now completed at around £15,000 this financial year. Circular timber piles have been driven in, but as one section has been completed it has been realised that more sections further along also required completing. Therefore, the works have been carried out whilst on site.

Mr M Rollinson made reference to electricity. The Finance Manager noted that there is £46,000 more spent in the last twelve months than the previous twelve months.

The Board is on an annual contract through Woldmarsh, with no huge increases. Mr M Rollinson noted his concern about the cost if a drastically wet period occurs. The Chief Executive added that lower and higher cut off levels have been adopted and so the pumps are actually running less and less, pump hours were presented on screen. It was noted that this is what the reserves are for.

1461 TO CONSIDER THE EIGHT-YEAR PLANT REPLACEMENT BUDGET - Agenda Item 13

The Chief Executive directed the committee to the following extract from the unaudited financial statements – ‘*The Plant Fund generates income internally throughout the year from all works carried out using the Board’s plant.*’ He further made reference to the 2018/19 accounts, highlighting that the plant reserve has recovered to a positive figure of £29,922 in comparison to a forecast of a deficit £59,653.

The Chief Executive has made some proposed changes in light of this as follows:

- Unimog – was due for replacement in 2020/21 with a net exchange of £90,000. The Chief Executive has increased this to £100,000 to ensure all costs are covered.
- Low Loader Trailer – was due for replacement in 2022/23 for £13,000. Having discussed with the operations team, they believe it would be best to change the low loader at the time the unimog is changed to ensure the correct linkage. This has therefore been brought forward to 2020/21 and been increased to £18,000. Mr P Holmes questioned why the increase is required? The Chief Executive noted that it is due to the unknown of what machine will be purchased, i.e. Fastrac, and the compatibility of a low loader.
- JCB 160 – it was previously reported that a cost to purchase a replacement was an exchange of £76,000. The machine is being used as little as possible due to its condition. Due to the previous successful use of a smaller machine and the increased PSCA works that the Hitachi competes, it has been investigated whether a machine of 160 size with a telescopic arm is actually required. It is believed it is not necessary, and therefore a 145 standard track set up with a 13 tonne machine and two static arms has been opted for. However, it is more costly and therefore the net exchange would be £110,000 rather than the original budgeted £76,000.
- Vauxhall Van (fitter) – the Board has purchased a new van and instead of a £14,000 exchange, it is £12,845.
- Pick-up (Works Manager) – this is a new addition to the plant budget, as the previous Works Manager provided his own vehicle and so provision hadn’t been made for this.

The Chief Executive noted that, as in the Committee’s Terms of Reference, the committee can only make decisions on values up to £25,000. However, the JCB 160 replacement is an ask of £31,850. If this is not approved now and waits for the next Board meeting on 26th June 2019, then the machine will not be with the Board in time for the next cutting season. The Chairman would therefore have to sanction the decision if the committee approve of it. The Chairman felt it would be unwise to wait another month when the machine is required for the next season.

Mr P Holmes questioned the suitability of the replacement of the Unimog with a Fastrac, noting that a normal agricultural tractor may also be suitable. It will continue to be reviewed and decide what machine will be best and fit for purpose.

Mr M Rollinson made reference to ad-blue, questioning if there is an ad-blue tank as well as a diesel tank on the Unimog? There is on the Unimog, as well as at the depot.

All AGREED that it is not financially prudent to wait for approval of the plant account at the Board meeting as the JCB 145 would not be with the Board in time for the new season. Due to the limit of £25,000 for the Executive Committee, the Chairman approved this decision, with it also possibly being classed as an emergency due to the current machine not being fit for purpose.

Discussion took place around whether the limit value for the Executive Committee should be increased in the Delegation of Authority for cases such as these.

1462 TO RECEIVE A REPORT ON THE PREPARATION OF PUMPING STATION CONTINGENCY PLANNING - Agenda Item 14

The Chief Executive highlighted to the committee that it is £8,600 for Van Heck to visit and undertake detailed assessments of Holland Fen and Chain Bridge Pumping Stations and produce a contingency plan based on the pumps being as close to the water level as possible.

It has taken so long for this to be reported back, since the meeting in March, due to the lack of response from the EA.

Once the plan has been produced, there will then be works needed to be completed to implement the plan – at a budgeted £17,000 per pumping station. The operations team will be on site whilst this plan is produced and works completed, so officers will then be able to use this experience to produce plans for other pumping stations.

Mr M Rollinson noted that clarification around the quotation is needed – whether it is £8,600 for a plan for both pumping stations or each. The Chief Executive will clarify.

All AGREED, that with the above clarification, Van Heck should produce the contingency plan. If it is £8,600 for a plan for both pumping stations, all AGREED to go ahead with a plan for both. If it is £8,600 for one pumping station, all AGREED to go ahead with a plan for Holland Fen Pumping Station due to it being a larger catchment. Once the plan has been completed, the Chief Executive will present it to the committee for the approval of the budget for the works required.

The committee felt that the pumping stations should be listed in liability and a plan drawn up for each one in priority order, with the cost being built into the budget over a period of years.

1463 TO RECEIVE A REPORT ON WATER RESOURCE EAST BOARD MEMBERSHIP - Agenda Item 15

The Chief Executive explained that the Water Resource East (WRE) are looking to formulate the new management structure. If you would like to be on the WRE Board you can buy a seat for £15,000.

It has been suggested that ADA should sit on the Board, however they have suggested that the Board's affected should have a representative on the Board. These Boards have been asked to give their collective responses before the 4th June 2019 which will be presented to the P&F Committee.

The Chief Executive directed the committee to the initial response sent to WRE.

The Chairman felt that ADA should be on the Board.

The Finance Manager made the point of what benefit would spending money to sit on the Board be on our rate payers?

All AGREED to continue with the original response that the IDB tend to be catchment based and therefore not see the wider picture, whereas ADA should see the bigger picture and therefore should have a representative on the Board. Welland and Deeping IDB and North Level IDB have also given similar responses. It was AGREED that no finance should be offered towards a seat on the Board.

1464 ANY OTHER BUSINESS - Agenda Item 16

(a) MIDLEVEL IDB VISIT

Midlevel IDB will be visiting the Board's offices on their inspection on the 4th July 2019. They are an extremely large and highly regarded IDB. It is thought they will only be at the Board's offices for a short period of time, arriving at 10am. It would be beneficial to have a few Board Members present for discussion with them.

(b) PSCA WORKS - LAYING OF STONE

The Chief Executive has received a request from Phil Wright Excavators Ltd, to see if the Board were prepared through PSCA works, to employ the company to place 5,000 tonnes of stone on the banks of the tidal haven for the EA. The request has been delivered through Phil Wright Excavators Ltd rather than the EA as they were apprehensive about contacting the Board directly. After speaking to the EA, the Chief Executive agreed for this work to go ahead. The quotation of £52,940 has been received to lay 5,000 tonnes of stone on the bank over a period of 32 days. The Chief Executive has added his time spent on this and the 5% contingency, bringing it to £59,500 + VAT.

The EA has responded that they wish to proceed with the works and a purchase order will be raised. The Chief Executive gave some further details and terms and conditions from the EA, questioning if the committee are comfortable to move forward with these works? All AGREED to commence with the works, acknowledging that the procurement policy won't be followed due to it being a specialist supplier. It will be further presented to the Board.

(c) CO-OPTED MEMBERS

The Finance Manager gave the following updates on the new co-opted members following the local elections:

Boston Borough Council

1. Tom Ashton
2. Richard Austin
3. Peter Bedford

4. Michael Cooper
5. Frank Pickett
6. Paul Skinner
7. Michael Brookes (Lay member)

North Kesteven District Council

1. Mervyn Head

South Kesteven District Council

1. Chris Benn

South Holland District Council

Did not make an appointment. Democratic services are looking into why not and will be back in contact.

(d) NORTHERN WORKS – FENCE AT B&M'S & DUNELMS

Cllr P Bedford questioned if any more progress had been made regarding the possibility of a fence to reduce the amount of waste and litter entering the watercourse? The Chief Executive explained that they are in contact and a meeting is to be arranged to decide on the specification of fence.

(e) NEW TWIGA (VX68 EFR)

Cllr P Bedford questioned if the ex-demo Twiga had been purchased? The Board has purchased the machine.

There being no further business the meeting closed at 16.10.