

BLACK SLUICE INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of a Meeting of the Board

held remotely on
30th June 2020 at 2pm

Members

Chairman - * Mr K C Casswell

* Mr W Ash	* Cllr T Ashton
* Mr J Atkinson	* Cllr R Austin
* Mr V Barker	* Cllr P Bedford
* Mr J Fowler	Cllr M Cooper
* Mr P Holmes	* Cllr F Pickett
* Mr R Leggott	* Cllr P Skinner
* Mr P Robinson	* Cllr M Head
* Mr M Rollinson	Cllr C Benn
Mr N J Scott	* Cllr S Walsh
* Mr J R Wray	* Mr M Brookes

* Member Present

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

Due to COVID-19, this meeting was held remotely in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

1624 APOLOGIES FOR ABSENCE - Agenda Item 1

Apologies for absence were received from Cllr C Benn and Cllr M Cooper.

1625 DECLARATIONS OF INTEREST - Agenda Item 2

There were no declarations of interest.

1626 TO ADOPT THE AMENDED STANDING ORDERS (POLICY No. 12) - Agenda Item 3

The Chairman presented the amended Standing Orders, which have been amended to allow virtual meetings, they have been approved by the Chairman and Chief Executive and require retrospective approval from the Board.

The Board RESOLVED that the Standing Orders (Policy No. 12) be adopted.

1627 MINUTES OF THE LAST BOARD MEETING - Agenda Item 4

The Minutes of the last meeting of the Board held on the 7th February 2020, copies of which had been circulated, were considered and it was AGREED that they should be signed as a true record.

1628 CONFIDENTIAL MINUTES OF THE LAST BOARD MEETING - Agenda Item 5

The Confidential Minutes of the last meeting of the Board held on the 7th February 2020, copies of which had been circulated, were considered and it was AGREED that they should be signed as a true record.

1629 MATTERS ARISING - Agenda Item 6

(a) SCHEDULE OF CONSENTS (OCTOBER 2019 – JANUARY 2020) - Minute 1582(b)

The Chief Executive made reference to Mr V Barker's question in minute 1582(b) about consents in relation to riparian watercourses, noting his response that consent is required, even for private drains. The Chief Executive explained that he has since spoken to the Planning & Byelaw Officer and found that actually there is not a definitive answer to Mr V Barker's question. Some are consented in relation to size and flows (i.e. housing estate into riparian watercourse) and others aren't consented in relation to size and flows (i.e. land drainage pipe into riparian watercourse). There is no policy around this issue currently and therefore the Chief Executive proposed that a new policy is formed and presented at the next relevant meeting.

Mr V Barker questioned if it could go to the Structures Committee?

It was agreed the policy would be presented to the Structures Committee if they are able to hold a meeting, in light of COVID-19. If not, it will have to be presented to the Executive Committee and then adopted by the Board.

Mr R Leggott made reference to the fee of £50 per consent, noting he was aware ADA are considering increasing this charge. The Chief Executive responded that this will be discussed further at minute 1630(c)(aa).

1630 TO RECEIVE THE UNCONFIRMED MINUTES OF THE FOLLOWING MEETINGS - Agenda Item 7

(a) SOUTHERN WORKS COMMITTEE

The Chairman of the Southern Works Committee presented the unconfirmed Minutes of the Southern Works Committee meeting held on the 4th March 2020, copies of which had been circulated. The Board RESOLVED that the Minutes should be received.

MATTERS ARISING

(aa) DRAINAGE & MAINTENANCE ISSUES – LAND SOUTH OF THE RISEGATE EAU, GOSBERTON FEN - Minute 1591(a)

Mr V Barker made reference to the following sentence; '*Following a survey, it may also show that the conveyance could be improved...*'. He felt that that the word '*could*' should be '*would*'. Mr P Nicholson noted that it is still subject to survey and so '*could*' is correct.

(ab) LEVEL OF STAFFING - Minute 1593(a)

Mr V Barker made reference to his previous point about the level of staffing, noting that he believes one of the excavator drivers is off sick, raising his concern in light of the upcoming summer cutting season, questioning if there are sufficient staff levels?

The Chief Executive responded that one of the operators is currently shielding from the coronavirus and another off sick temporarily due to a recent injury to his eye. A new Ganger commences work on Monday 6th July and the summer cutting works are intended to commence on 6th / 7th July. Mr V Barker was happy with this.

TO ADOPT THE FOLLOWING:

(i) ADOPT THE SOUTHERN WORKS COMMITTEE TERMS OF REFERENCE

The Chairman of the Southern Works Committee presented the Terms of Reference.

The Board RESOLVED that the Southern Works Committee Terms of Reference be adopted.

(b) AUDIT & RISK COMMITTEE

The Chairman of the Audit & Risk Committee presented the unconfirmed Minutes of the Audit & Risk Committee meeting held on the 13th May 2020, copies of which had been circulated.

Mr R Leggott noted minute 1600(d), the Emergency Response Plan – Operation of Pumping Stations, that in the seventh paragraph, the word '*defiantly*' should be '*definitely*'.

The Board RESOLVED that the Minutes should be received.

MATTERS ARISING

(aa) IDENTIFY HEALTH & SAFETY TRAINING REQUIREMENTS - Minute 1602

The Chairman of the Audit & Risk highlighted this, emphasising that it was felt that all the recommendations from ADA were actually already in practice.

Further reference was made to health surveillance, it being noted that previously the Workforce was tested for Weil's disease, with the Chief Executive going to investigate why this was ceased. The Operations Manager stated that, actually, employees were not previously tested for Weil's disease, but for cholinesterase levels in blood samples in relation to spraying. The Chief Executive added that further work will be done into health surveillance.

The Audit & Risk Chairman further noted the health and safety issue raised regarding Gosberton Pumping Station. Mr V Barker added that it has happened again today, one of the workforce members was inside the pumping station with the gate still locked, presumably having climbed over the fence.

The Operations Manager informed that this has been looked into and a supplier is currently being sourced to put a pedestrian gate adjacent to the main gate with an extension of the fence to make the gate secure.

TO ADOPT THE FOLLOWING:

(i) ADOPTION OF THE RISK MANAGEMENT STRATEGY (POLICY No. 1)

The Chairman of the Audit & Risk Committee presented the Risk Management Strategy.

The A&R Chairman highlighted risk 1.1. – the risk of being unable to prevent flooding to property or land. He made reference to previous concerns around the Black Sluice Pumping Station (Boston) site and so it has been split into separate risks of coastal flooding and fluvial flooding, so the high risk is just associated with fluvial flooding.

The A&R Chairman further highlighted that the fluvial flooding still remains at the high-risk level of 6 due to still not having received the operations manual documentation from the Environment Agency (EA) for the operation of the sluice and nav lock at Black Sluice Pumping Station (Boston).

The Chief Executive added that he is holding a virtual meeting with Norman Robinson (EA) this week and the operations manual for the sluice and nav lock is on the agenda.

The Board RESOLVED that the Risk Management Strategy (Policy No. 1) be adopted.

(ii) ADOPTION OF THE INVESTMENT STRATEGY (POLICY No. 5)

The Chairman of the Audit & Risk Committee presented the Investment Strategy, questions and comments invited.

The Board RESOLVED that the Investment Strategy (Policy No. 5) be adopted.

(iii) ADOPTION OF THE EMERGENCY RESPONSE PLAN (POLICY No. 13)

The Chairman of the Audit & Risk Committee presented the Emergency Response Plan, questions and comments invited.

The A&R Chairman noted that the failure of the Environment Agency (EA) to produce the operational manual for the sluice and nav lock at the Black Sluice Pumping Station (Boston) not only impacts on the Risk Management Strategy, but also on the Emergency Plan, further noted that, once received, this information will be inputted into the emergency plan.

Mr V Barker made reference to the Extended Area Map included within the Emergency Plan and his previous point regarding an area West of Bourne and whether that should be highlighted as part of the Board's extended area. He continued by explaining that he has further looked at this and feels it does not require changing.

However, he did note that if the land between the Cawthorpe turning and the Stamford road was ever developed it would run into the Car Dyke and then into the Bourne Eau which can overtop into our catchment.

The Board RESOLVED that the Emergency Response Plan (Policy No. 13) be adopted.

(iv) ADOPTION OF THE H&S CONTROL & MANAGEMENT OF ASBESTOS POLICY (POLICY No. 21)

The Chairman of the Audit & Risk Committee presented the H&S Control and Management of Asbestos Policy, questions and comments invited.

The Board RESOLVED that the H&S Control & Management of Asbestos Policy (Policy No. 21) be adopted.

(v) ADOPTION OF THE H&S CONTROL OF NOISE POLICY (POLICY No. 22)

The Chairman of the Audit & Risk Committee presented the H&S Control and Management of Noise Policy, questions and comments invited.

The Board RESOLVED that the H&S Control & Management of Noise Policy (Policy No. 22) be adopted.

(vi) ADOPTION OF THE H&S FIRST AID & ACCIDENT REPORTING POLICY (POLICY No. 24)

The Chairman of the Audit & Risk Committee presented the H&S First Aid & Accident Reporting Policy, questions and comments invited.

The Board RESOLVED that the H&S First Aid and Accident Reporting Policy (Policy No. 24) be adopted.

(vii) ADOPTION OF THE LOCAL GOVERNMENT PENSION SCHEME DISCRETIONS STATEMENT (POLICY No. 30)

The Chairman of the Audit & Risk Committee presented the Local Government Pension Scheme Discretions Statement, questions and comments invited.

The Board RESOLVED that the Local Government Pension Scheme Discretions Statement (Policy No. 30) be adopted.

(viii) ADOPTION OF THE FIRE MANAGEMENT PLAN (POLICY No. 35)

The Chairman of the Audit & Risk Committee presented the Fire Management Plan, questions and comments invited.

The Board RESOLVED that the Fire Management Plan (Policy No. 35) be adopted.

TO APPROVE THE FOLLOWING:

(ix) APPROVAL OF THE INTERNAL AUDITORS REPORT 2019/20

The Chairman of the Audit & Risk Committee presented the Internal Auditors Report, outlining the achievement of 'substantial assurance'. The Chairman & Audit & Risk Chairman commended the Board's staff on this respectable achievement, seconded by Mr V Barker.

The Board RESOLVED that the Internal Auditors Report be noted.

(x) APPROVAL OF THE AUDIT PROGRAMME 2020/21

The Audit & Risk Chairman presented the Audit Programme 2020/21.

The Board RESOLVED that the Audit Programme 2019/20 be noted.

(c) EXECUTIVE COMMITTEE

The Chairman presented the unconfirmed Minutes of the Executive Committee meeting held on the 10th June 2020, copies of which had been circulated. The Board RESOLVED that the minutes should be received.

MATTERS ARISING

(aa) LAND DRAINAGE ACT SECTION 23 CONSENT CHARGES - Minute 1617(a)

The Chief Executive made reference to the current consent fee of £50, explaining that ADA have requested that all IDBs send their opinion and comments in regard to increasing this fee from the current £50 to £250.

The Chief Executive felt that if it was increased to £250, there may be many unconsented works due to the high consent fee. The Chief Executive therefore proposed that they suggest to ADA a band system of consent fees ranging from £50 to £250 dependant on the complexity and workload having to be undertaken by the Board's officers.

Mr P Holmes declared an ongoing interest in this matter.

Mr J Fowler questioned if the bands would be based on riparian and drainage board drains and further questioned how an applicant would determine how expensive the consent would be?

The Chief Executive responded that it would be based on the time an officer of the Board would have to spend working on the application to get it to the point of consent, which could be indicated at the point of application. Mr J Fowler agreed with this idea.

All AGREED that the Chief Executive will respond to ADA suggesting a band system from £50 to £250 dependant on the complexity and workload for Board Officers.

(ab) SLWP AQUATIC SURVEYS - Minute 1623(b)

The Chief Executive gave an update on this matter, informing members of the Board that, yesterday, the SLWP (South Lincs Water Partnership) received confirmation from the Ministry for Housing, Communities & Local Government (MHCLG) that the European Social Funding (ESF) bid for a £700k grant has been approved and the grant can be obtained and commence works immediately.

The works are for 20 No. gravity flow monitoring sites (all highland carriers and some gravity channels at PS), 10 No. additional rainfall gauges & 9 No. soil moisture readers all linked to our existing telemetry for recording purposes.

In addition, the SLWP will be completing refurbishment works to some PS gravity channels, installing 15 additional CCTV monitoring sites at some of Black Sluice's Pumping Stations, implementing weed screen running hours software, all paid for the next 4 years.

The SLWP have other applications for funding being applied for this afternoon, via the WRE, AWA, AWS funding streams which could be approved by the time this meeting is over. They consist of the following:

- An Environmental Scoping Report c£35k. This work through ESF match funding from LCC commenced last week, it was hoped that 40 different aquatic species would be identified over the four year period. Lincolnshire Wildlife Trust are over the moon that they identified 60+ within the first week of surveys, this has been pointed out by LWT to ourselves this in primarily due to Black Sluice's current watercourse maintenance works.
- A 2 year Landowner Engagement Review/Report c£225k
- An Environmental Land Management Scheme review c£100k
- Hydrology & Storage Options c£50k
- Reservoir Commissioning & Operating Strategy c£100k
- Funding 2 full time SLWP Project Team posts for 3 years c£300k
- South Lincs Reservoir, environmental & social appraisal c£62k
- Technical Assurance Plan c£12k

In total approaching £900k.

The Chief Executive added that he is the Chairman of the SLWP and are becoming ever more confident the SLWP and in turn the South Lincs Reservoir (SLR) will be approved by Water Resources East (WRE) and Ofwat and will partner AWS (Anglian Water Services) and Affinity Water (AW) in the project, resulting in multiple benefits for our catchment and beyond, least of all enhanced flooding resilience for the South Forty Foot Catchment.

(ac) WORKFORCE DRIVING ON RIVER BANKS - Minute 1623(c)

Mr V Barker questioned if any members of the workforce had been on the LANTRA qualified land rover course yet? The Operations Manager noted that they were on the course today and so feedback will follow shortly.

(ad) VIKING LINK - Minute 1623(d)

The Chairman noted that Mr C Wray, co-opted member of the Board, will be representing the Board at the quarterly meetings held during the construction phase.

(ad) STRUCTURAL SURVEYS - Minute 1623(e)

The Chairman highlighted this matter, noting that he felt the quote was good to ensure that there are no future problems. The Chief Executive added that this is also on the agenda for the meeting with Norman Robinson (EA) to try and get the EA to fund.

(ae) PURCHASE OF DRONE – Minute 1623(f)

Mr R Leggott made reference to the purchase of a drone, questioning if there is enough work for it? Secondly asking, if there is enough work for it, would it be better to purchase a larger drone?

The Chief Executive responded that this was discussed at the Executive meeting, there is enough work for it and will hopefully save time and money. He added, that at the current time, the small drone is all that is required, with the larger drones costing a lot more.

TO APPROVE THE FOLLOWING:

(i) APPROVAL OF THE PERIOD 12 MANAGEMENT ACCOUNTS

Mr R Leggott noted his concern about the amount of maintenance work not completed, acknowledging the extraordinary year faced this year, but also noted that there is a level of maintenance that needs to be completed in order to have an efficient system. Mr R Leggott made particular reference to the North Forty Foot Drain and how much maintenance will be required to remove all the reeds.

The Operations Manager responded that he thinks this has been raised previously and that using a weed boat would be looked into for the places inaccessible by machine.

Mr R Leggott further noted his concern for reeds, noting that they were probably set for environmental purposes but worries they will overtake us.

The Board RESOLVED that the Period 12 Management Accounts be approved.

(ii) APPROVAL OF BOURNE FEN FARM ACCOUNTS

The Finance Manager presented the Bourne Fen Farm Accounts.

The Board RESOLVED that the Bourne Fen Farm Accounts be approved.

(iii) APPROVAL OF OUTSTANDING MATTERS FROM CANCELLED COMMITTEE MEETINGS

The Chairman explained that the committee meetings that were cancelled due to COVID-19 restrictions have been reviewed and any important outstanding items were presented to the Executive Committee.

The Chairmen of the three committee meetings that were cancelled, the Structures, Environment and Northern Works, were all in attendance at the Executive Committee and recommended as detailed in minute 1621.

All AGREED the following in light of the cancelation of committee meetings:

Structures Committee

The Structures Replacement Policy be kept as it is until the next review of the Structures Committee in 2021.

Environment Committee

The Biodiversity Action Plan (BAP) review be delayed and the proposed environmental works, in line with the budget of £20,400 for 2020/21, go ahead.

Northern Works

The following works to go ahead, in line with the associated budgets;

2020/21

- Wyberton Marsh p/s Weedscreen cleaner replacement budget of £110,000
- NFF revetment £350,000
- Jetting to major pipelines £50,000

2021/22

- Proposed refurbish weedscreen cleaner at Great Hale pumping station £46,000
- Proposed new roof Kirton Marsh p/s £10,000
- Kirton Drain – adjacent to Balaclava Cottage (AOB at Joint Works in November 2019)

(iv) ADOPTION OF THE BUSINESS CONTINUITY PLAN – COVID-19

The Audit & Risk Chairman made reference to the COVID-19 Business Continuity Plan, noting that the review of this policy is delegated to the CEO, with the Executive Committee and Board reviewing retrospectively because of the need to be adaptable to the fluid situation.

The Finance Manager added that the COVID-19 Business Continuity Plan was substantially reviewed and changed between the Audit & Risk Committee meeting and Executive Committee meeting.

The Chairman thanked the Finance Manager for his work on the COVID-19 Business Continuity Plan.

The Board RESOLVED that the Business Continuity Plan (Policy No. 47) be retrospectively adopted.

TO CONSIDER THE FOLLOWING:

(v) ADA PROPOSED REVISIONS TO THE MODEL IDB LAND DRAINAGE BYELAWS

There were no comments on this item.

1631 TO CONSIDER PERIOD 02 MANAGEMENT ACCOUNTS - Agenda Item 8

The Finance Manager presented the Period 2 Management Accounts, outlining that by the end of Period 2, other than the wages on cost account, the position of the Board was fairly neutral. He further highlighted that a lot is affected by timing, noting that drain maintenance was overspent due to the winter maintenance overrunning.

1632 TO RECEIVE THE AMENDED TEN-YEAR PLANT REPLACEMENT BUDGET - Agenda Item 9

The Chief Executive presented the amended ten-year plant replacement budget, noting that the amendments are in relation to the addition of the Drott and also the adjustment of the timing of changing some of the plant in order to therefore alter some of the Net Spend figures, following Mr M Rollinson's concern at the Executive Committee meeting about the extent of fluctuation in these figures year on year and the suggestion that they be evened out.

Mr M Rollinson was pleased to see this had been completed.

The Board AGREED to adopt the ten-year Plant Account proposals as presented.

1633 APPROVAL OF THE DRAFT UNAUDITED FINANCIAL STATEMENTS FOR YEAR ENDING 31 MARCH 2020 - Agenda Item 10

The Finance Manager explained that the draft unaudited financial statements are a summary of the Period 12 Management Accounts.

The Board RESOLVED for the Chairman to sign the unaudited financial statements for the year ending 31 March 2020.

1634 TO REVIEW AND APPROVE THE ANNUAL GOVERNANCE STATEMENT - Agenda Item 11

The Finance Manager explained that this is part of the Annual Governance and Accountability Return 2019/20, which is a further summary of the unaudited financial statements.

The Finance Manager referred to item 4 of the Annual Governance Statement which is agreed as 'no'. He explained that this has to be 'no' due to the oversight last year of not giving the public 30 working days to view the accounts. This year the Finance Manager will be extra vigilant to ensure it is available for the correct 30 working days.

The Board RESOLVED that the Annual Governance Statement be signed and approved.

1635 APPROVAL AND AUTHORISATION FOR THE CHAIRMAN TO SIGN THE ANNUAL RETURN FOR THE YEAR ENDING 31 MARCH 2020 - Agenda Item 12

The Finance Manager presented the annual return.

The Board RESOLVED that the Annual Return for the year ending 31 March 2020 be signed and approved.

1636 TO RECEIVE THE MINUTES OF THE ADA JOINT LINCOLNSHIRE BRANCH AND WELLAND AND NENE BRANCH MEETING ON 17 OCTOBER 2019 AND 19 FEBRUARY 2020 - Agenda Item 13

The Chairman presented the minutes of the two meetings.

Mr P Holmes noted that on the first page of the minutes of the meeting held on Thursday 17th October 2019, it states that Mr K Casswell was both in attendance and gave his apologies for absence. The Chairman noted that he will point it out at the next meeting.

The Chief Executive referred to the minutes of the meeting held on the 19th February 2020, agenda item 5, the Environment Agency update, highlighting that the EA thanked the IDBs for their cooperation and not pumping during emergency events. The Chief Executive stated that he is going to use this and show to Norman Robinson (EA) that a partnership works two ways – and we are still awaiting the operation manual for the nav lock and sluice at Black Sluice Pumping Station (Boston).

The Chief Executive referred again to this agenda item, noting it stated ‘...no IDB in Lincolnshire had renewed its 5-Year PSCA with the EA’. He added that the Black Sluice IDB have now signed it, with other IDBs in Lincolnshire also about to sign. The agreement will be backdated and will expire 31st September 2024 and the Operations Manager has orders for all the general EA maintenance work.

Cllr M Head left the meeting.

1637 TO REVIEW THE RISK REGISTER - Agenda Item 14

The Audit & Risk Chairman noted that there is only the one risk with a red score of 6 which relates to the risk of fluvial flooding from failure or overtopping of defences. This being due to still not having received the operations manual for the nav lock and sluice at Black Sluice Pumping Station (Boston).

The Board RESOLVED the Risk Register be accepted.

1638 REPORTS ON THE FOLLOWING: - Agenda Item 15

(a) MONTHLY ACCOUNTS (FEBRUARY 2020 - MAY 2020)

The Board’s monthly accounts, inclusive of February 2020 - May 2020, were circulated.

Mr V Barker referred to Woldmarsh, noting the sizeable figures in each period for it. He felt breaking it down would be a lot more entries, but also noted that it could cover up a ‘sin’ as it is not shown what each individual item is.

The Chief Executive stated that it is mostly used for electricity, fuel and aggregates. He also added that they seek at least three quotations and offer competitive prices.

The Finance Manager displayed the breakdown of the total sum for Woldmarsh on screen.

The Board RESOLVED that this report be noted.

(b) SCHEDULE OF CONSENTS (FEBRUARY 2020 - MAY 2020)

The Chief Executive presented the Schedule of Consents, consisting of February 2020 - May 2020, copies of which had been circulated. The Board RESOLVED that this report be noted.

(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.

1639 ANY OTHER BUSINESS - Agenda Item 16

(a) DRAFT MINUTES OF THIS MEETING

Mr V Barker noted that it has been quite hard to hear exactly what was being said at times. It was AGREED that a draft set of minutes will be circulated in the next week.

The Chairman thanked members for their virtual attendance.

There being no further business the meeting closed at 15.07.