

# **BLACK SLUICE INTERNAL DRAINAGE BOARD**

## **MINUTES**

of the proceedings of a Meeting of the Board

held at the Offices of the Board on  
7<sup>th</sup> November 2012 at 2:30pm

### **Members**

Chairman - \* Mr M J Scott

* Mr W Ash	* Cllr P Bedford
* Mr J F Atkinson	* Cllr C Brotherton
* Mr V A Barker	Cllr M Brookes
* Mr K C Casswell	* Cllr D Dickinson
* Mr J Fowler	* Cllr Y Gunter
* Mr P Holmes	* Cllr A Puttick
* Mr R Leggott	* Cllr B Russell
* Mr P Robinson	Cllr R Singleton-McGuire
* Mr M Rollinson	* Cllr S Woodliffe
Mr J R Wray	

\* Member Present

In attendance: Mr S M Hemmings (Chief Executive)  
Mr D Withnall (Finance Officer)  
Mr I Warsap (Operations Manager)

### 275 **APPOINTMENT OF CHAIRMAN OF THE BOARD**

On the proposition of Cllr D Dickinson, seconded by Mr R Leggott it was unanimously RESOLVED that Mr M J Scott be appointed Chairman of the Board for the next three years.

Mr Scott thanked Members for their support and stated that this would be his last term as Chairman.

### 276 **APPOINTMENT OF VICE CHAIRMAN OF THE BOARD**

On the proposition of Mr R Leggott, seconded by Mr J Fowler it was unanimously RESOLVED that Mr K C Casswell be appointed Vice Chairman of the Board for the next three years.

The Chairman welcomed Mr P Holmes to his first Board meeting and hoped he would enjoy his time on the Board.

The Chairman asked Members to stand in memory of the passing of Mr Philip Ash who had served as a member of the Board for 46 years.

277 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M Brookes, Cllr R Singleton-McGuire and Mr J R Wray.

278 DECLARATIONS OF INTEREST

There were no declarations of interest and the Chairman reminded Members to hand in their completed declaration forms.

279 APPOINTMENT OF BOARD MEMBERS AND CO-OPTED MEMBERS – Agenda Item 5

The Chairman outlined the members of the Boards Committees as stated in Agenda Item 5 with the exception of Mr J A Pocklington and Mr G Woodward who have resigned from the Northern Works Committee.

The Chairman stated that the Chairmen and Committee members of the Northern and Southern Works should bring forward names of possible Co-Opted members from local people whom might have an interest in being members of the relevant committees.

It was RESOLVED that the following Board Members should be appointed onto the Executive Committee:

Cllr P Bedford	Cllr M Brookes	Mr K C Casswell
Mr R Leggott	Mr M J Scott	Mr J R Wray

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

Board Members:-

Cllr P Bedford	Cllr C Brotherton	Cllr M Brookes
Cllr D R Dickinson	Cllr Y Gunter	Mr J G Fowler
Mr P Holmes	Mr R Leggott	Mr P C Robinson
Mr M A Rollinson	Mr M J Scott	Cllr R Singleton-McGuire
Cllr S Woodliffe		

Co-opted Members:-

Mr S Bartlett	Mr D Casswell	Mr R Firth
Mr R Needham	Mr J E Pocklington	Mr R Welberry

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

Board Members:-

Mr W Ash	Mr J F Atkinson	Mr V A Barker
Mr K C Casswell	Cllr A Puttick	Cllr B Russell
Mr J R Wray		

Co-opted Members:-

Mr J Casswell	Mr R Dorrington	Mr C A Fretwell
Mr P S Harborow	Mr A Mair	Mr M Mowbray
Mr A H Proctor	Mr M E F Richardson	

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

Mr J F Atkinson	Mr V A Barker	Mr K C Casswell
Cllr D R Dickinson	Mr C A Fretwell	Mr P Holmes
Mr R Leggott	Mr P Robinson	Mr M J Scott
Mr R Welberry	Mr J R Wray	

It was RESOLVED that the Audit & Risk Committee be appointed as follows:

Mr W Ash	Mr V A Barker	Cllr M Brookes
Mr J Fowler	Mr R Leggott	Cllr B Russell
Cllr R Singleton-McGuire		

It was RESOLVED that the Culverts & Bridges Committee be appointed as follows:

Mr W Ash	Mr V A Barker	Mr K C Casswell
Mr J Fowler	Mr R Leggott	Mr P Robinson

The Board all AGREED to these appointments.

280 APPOINTMENT OF CHAIRMAN OF THE COMMITTEES

(a) Northern Works Committee

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

(b) Southern Works Committee

On the proposition of Mr V A Barker, seconded by Mr J Atkinson it was unanimously RESOLVED that Mr K C Casswell be appointed Chairman of the Southern Works Committee for the next three years.

(c) Environment Committee

On the proposition of Cllr D Dickinson, seconded by Mr J Atkinson it was unanimously RESOLVED that Mr J R Wray be appointed Chairman of the Environment Committee for the next three years.

280 Cont.....

(d) Audit & Risk Committee

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

(e) Culverts & Bridges Committee

On the proposition of Mr W Ash, seconded by Mr P Robinson it was unanimously RESOLVED that Mr K C Casswell be appointed Chairman of the Culverts & Bridges Committee for the next three years.

(f) Ex-Officio Members

It was RESOLVED that the Chairman and Vice Chairman of the Board are ex-officio members of all Committees they are not appointed to.

281 MINUTES OF LAST BOARD MEETING

The Minutes of the last meeting of the Board held on 22<sup>nd</sup> June 2012, copies of which had been circulated, were signed by the Chairman as a true record.

282 MATTERS ARISING

(a) Boston Barrier - Minute No 188(a)

The Chief Executive reported that the Environment Agency are producing a Project Appraisal Report which over the next six months will be presented to the EA Board for approval. The project will then require a Public Works Act to be agreed by Government. At the present time the earliest start date for the project is in 2016.

(b) Flooding in Swaton Village – Minute No. 190 (a)

The Chief Executive reported that there had been flooding in Swaton village on two occasions during the wet summer. A meeting had been arranged with the local M.P. by Swaton Parish Council, and the Board and the Environment Agency (EA) had been asked to attend.

Mr Barker stated that he was of the opinion that a section of the Swaton Eau downstream of the village was restricting the flow. The Chief Executive stated that he would bring this to the attention of the EA.

(c) Installation of Fish & Eel Flap Valve - Minute No 198(e)

The Operations Manager stated that the CCTV monitoring system for Chain Bridge had not yet been installed and he envisaged that it will be in operation by the end of 2012 or beginning of January 2013.

283 MINUTES OF THE EXECUTIVE COMMITTEE MEETING

The Chairman presented the confirmed minutes of the meeting held on 22<sup>nd</sup> June 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

284 MINUTES OF THE CULVERTS & BRIDGES COMMITTEE MEETING

The Chairman presented the confirmed minutes of the meeting held on 9<sup>th</sup> July 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

285 MATTERS ARISING

(a) Cost of Reconstruction of Culverts - Minute No 208(d)

The Chief Executive presented slides outlining the cost of reconstruction and the condition of culverts that had been presented at the Culverts Committee Meeting. The Operations Manager added that further surveys of culverts are now being carried out to ascertain the condition of each structure.

(b) Contributions towards Reconstruction of Culverts - Minute No 208(f)

The Chief Executive explained that the Committee had proposed an equal contribution for every access culvert that needed to be reconstructed in the future. The rate for this would be 50% of the cost of the reconstruction of a standard 600mm diameter access culvert for all culverts. Mr Casswell stated that this would encourage landowners to consider whether every access culvert was necessary in the future.

Cllr Woodliffe was concerned about the Board's liability if a culvert suddenly collapsed and caused damage or injury to a vehicle or driver crossing that culvert. It was agreed that the risk of a sudden collapse such as this was negligible.

Mr Atkinson presented the case of unfairness generally between large farms and small farms and gave an example in number of acres to each culvert being from 180 acres range to 12 acres. He also stated that it was undemocratic that a policy should be passed without informing landowners.

The Chairman stated that the Board has an ongoing liability problem as many culverts have been replaced with Helcor steel pipes over the last forty years under grant aided schemes, and the Board have not previously informed landowners who would be responsible for the maintenance of these structures in the future. The general perception by ratepayers is that because the culvert was constructed by the Board the latter will be responsible for the future maintenance.

285 (b) Cont.....

He recommended that the Chief Executive should seek a legal opinion on the Board's powers to enact a policy requiring contributions towards the cost of reconstruction.

- (c) Following discussion it was AGREED that the Chief Executive should arrange for a legal opinion on the policy, and following this the Culverting Committee should if necessary reconsider the policy before it is resubmitted to the next Board Meeting for approval.

286 MINUTES OF THE AUDIT & RISK COMMITTEE MEETING

The Chairman presented the unconfirmed minutes of the meeting held on 19<sup>th</sup> September 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

287 MATTERS ARISING

- (a) A Fluvial Emergency - Minute No 213(a)

The Chief Executive stated that Welland and Deepings IDB do not monitor water levels in the Bourne Eau or River Glen.

- (b) Internal Auditors Audit Strategy and Plan for 2012/13 - Minute No 215

The Finance Officer stated that the 2012/13 internal auditors audit plan sets out the internal auditors plan for 2012/13. In addition to the items in the plan he intends to review the outcomes and recommendations from Public Interest report concerning Caldicott and Wentlooge IDB.

- (c) External Audit Opinion for year ended 31<sup>st</sup> March 2012 - Minute No 216

The Finance Officer highlighted the External auditors report on Page 25 and stated that the audit was un-qualified with no comments. He added that Grant Thornton have been appointed as External Auditors for the next 5 years.

288 MINUTES OF THE EXECUTIVE COMMITTEE MEETING

The Chairman presented the confirmed minutes of the meeting held on 20<sup>th</sup> September 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

289 MATTERS ARISING

(a) Direct Debits - Minute No 234(a)

The Finance Officer stated that he had looked into the costs of providing direct debit arrangement for rate payers. He recommended not proceeding as the start up and running costs outweigh the benefit to the Board, and the Board has a very good collection rate at the present time.

290 MINUTES OF THE CULVERTS & BRIDGES COMMITTEE MEETING

The Chairman presented the unconfirmed minutes of the meeting held on 25<sup>th</sup> September 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

291 MATTERS ARISING

(a) Culvert & Bridges Replacement Policy - Minute No 239

Following discussion it was AGREED that the Chief Executive should arrange for a legal opinion on the policy, and following this the Culverting Committee should if necessary reconsider the policy before it is resubmitted to the next Board Meeting for approval.

292 MINUTES OF THE NORTHERN WORKS COMMITTEE MEETING

The Chairman presented the unconfirmed minutes of the meeting held on 4<sup>th</sup> October 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

293 MATTERS ARISING

(a) Revetment Works Great Hale Pump Drain - Minute No 245(a)

The Operations Manager stated that he had contacted Network Rail and they intend to visit site to ascertain if works are required to stabilise the northern bank of the drain alongside the railway.

(b) Owl Boxes, sites for Pole Mounted Boxes - Minute No 245(e)

The Chief Executive confirmed that three additional pole mounted owl boxes had recently been erected.

(c) Application to pipe Drain 6/28 Wyberton Low Road - Minute No 245(i)

The Operations Manager stated that the proposed work to pipe a section of this drain will be carried out late November 2012.

293 Cont.....

(d) LCC Boston Waste Transfer Station at Slippery Gowt Lane - Minute No 245(j)

The Operations Manager stated that the proposal is for the Board to take over 180 metres of watercourse south of Slippery Gowt Lane for a commuted sum of £7,400. In addition the cost of improvement work to the drain before it is taken over is £4,500. All of these costs will be met by LCC.

294 MINUTES OF THE SOUTHERN WORKS COMMITTEE MEETING

The Chairman presented the unconfirmed minutes of the meeting held on 12<sup>th</sup> October 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

295 MATTERS ARISING

(a) Environmental Scheme Gosberton Risegate Eau - Minute No 251(c)

The Operations Manager reported on an Environmental study that had identified a project to create a native wildflower embankment and this will be presented to the Environment Committee on 6<sup>th</sup> December 2012.

(b) Black Hole Drove Pumping Station - Minute No 252(d)

The Operations Manager stated that quotations are being prepared and will be presented to the Executive Committee in January 2013.

(c) Fens Waterways Link - Minute No 252(i)

The Chief Executive reported that he had recently met with a representative from Halcrow who are consultants for the Fens Waterway Link. Two possible options are now being considered for the route of the link to connect the South Forty Foot Drain and the River Glen. The first option is to create a canal at ground level east of the South Forty Foot Drain, and the second option is to create a lock and bypass channel around Black Hole Drove Pumping Station and to use the southern IDB maintained part of the South Forty Foot Drain to connect to the River Glen. This would involve deepening and widening the southern part of the drain near Guthram Gowt.

He explained that the second option had previously been discounted, but was now being considered again following discussions with various landowners.

It was AGREED that the Chief Executive should continue to discuss the matter with Halcrow, who should be aware of the present operating levels in the IDB drain during both the summer and winter months.



295 Cont.....

(d) Cleansing Works Risegate Eau - Minute No 256

The Operations Manager reported that he had visited the site between Bennett's Bridge and Allen's bridge and met with local residents. Proposals for future maintenance and cleansing of this section will be agreed and work will be carried out as soon as possible.

296 MINUTES OF THE EXECUTIVE COMMITTEE MEETING

The Chairman presented the confirmed minutes of the meeting held on 29<sup>th</sup> October 2012, copies of which had been circulated.

The Board RESOLVED that the Minutes should be received.

297 MATTERS ARISING

(a) Joint Management with the Witham 4<sup>th</sup> - Minute No 260

The Chairman reported that following the receipt of the report by the Internal Auditor for identifying benefits and financial savings of forming a joint administration, Witham Fourth had set up a Committee to consider the matter. After an initial meeting of this Committee a second meeting was held at Black Sluice IDB offices. He had now been informed that this Committee had recommended that Witham Fourth should not proceed with any further negotiations or considerations of joint management.

The Chairman then reported that the Executive Committee had discussed the replacement of the Chief Executive. They had decided not to proceed with the recruitment of a new Chief Executive at the present time and had asked the Operations Manager and the Finance Officer to produce proposals on how the Board's staff could be restructured to undertake all of the present tasks. They have been asked to report back to the Executive Committee with the possible savings of this option.

The Board RESOLVED to accept the recommendation of the Executive Committee.

(b) Nominations Committee - Minute No 261

The Chairman outlined a proposal in the aid to good governance that a Nominations Committee should be formed to look at the election and representation on Committees and the system of succession to ensure there is a structured plan in place to manage the Board going forward. Initially this Committee should have three members, the Chairman, Vice-Chairman and the Chairman of the Audit and Risk Committee.

297 (b) Cont.....

In addition he recommended there should be Vice-Chairman elected for both the Northern and Southern Works Committees.

The Board RESOLVED to accept the recommendation of the Executive Committee.

(c) Five Year Estimates - Minute No 263

The Finance Officer reported that the Executive Committee had indicated that estimates should be produced with no increase in the rate. This will be the fourth year that the rate has not been increased.

298 TO APPROVE BOARD'S POLICIES – Agenda Item No 10

(a) Procurement Policy

The Finance Officer presented the Procurement Policy which had been amended to allow purchasing through Woldmarsh Group.

The Board RESOLVED that the Procurement Policy be adopted.

(b) Employees Code of Conduct Policy

The Finance Officer presented the Employees Code of Conduct Policy which is reviewed every five years and has not been amended.

The Board RESOLVED that the Employees Code of Conduct Policy be adopted.

(c) Members Code of Conduct Policy

The Finance Officer presented the Members Code of Conduct Policy which is reviewed every five years. He stated that the ten principles of public life have now been amended to the seven principles as set by the Nolan Committee. This would be included in the final policy.

The Board RESOLVED that with the above amendment the Members Code of Conduct Policy be adopted.

(d) Whistle Blowing Policy

The Finance Officer presented the Whistle Blowing Policy, which is revised every five years. He stated that there had only been some minor changes made by the Audit & Risk Committee.

The Board RESOLVED that the Whistle Blowing Policy be adopted.

298 Cont.....

(e) Car Loan Policy

The Finance Officer outlined the history of this policy which was approved by the Board in 2009. The Policy now includes an agreement written between both parties as a loan agreement.

The Board RESOLVED that the Car Loan Policy be adopted.

299 TO REVIEW THE RISK REGISTER

The Chief Executive stated that the Audit & Risk Committee had reviewed the risk register at their meeting and the Internal Auditor recommended the Board should review this at every meeting.

The Board reviewed and advised that terms of reference for all Committees should be reviewed.

It was RESOLVED that the Register be received and adopted.

300 FINANCE, ADMINISTRATION AND RATING – Agenda Item 12

The Finance Officer presented his report to the Board.

- (a) The Finance Officer recommended that the following amount should be written off in the accounts of the Board for the year ending 31<sup>st</sup> March 2013.

Account (3084)	£655.51
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The Board AGREED to write off the above sum of £655.51 in respect of (3084).

A graph of the rates collection profile was presented to the Board. He reported that 35 court summons are to be requested at the earlier than normal court hearing date in mid November.

(b) Period 6 Management Accounts and Forecast

The Finance Officer presented the Period 6 Management Accounts and Forecast copies of which have been circulated. He highlighted the following points:-

- Schemes budget has been amended.
- Pumping Station Maintenance is adverse to budget due to wet summer.
- Interest is reduced as there are lower balances to invest.

300 (b) Cont.....

- Pumping Station Maintenance and Administration & Establishment are all amended to lower levels to meet management expectations.
- The estimated profit from rechargeable works of £40,000 is due to contingencies included in quotations which were not required.
- The overall forecast is that the Board will be an estimated £25,000 favourable at year end.

(c) Solar Panels – Swineshead Office/Depot

Mr Barker asked whether the installation of solar panels at the office and depot was being considered. The Finance Officer commented that any capital outlay would further reduce balances which could not be maintained, until the property at Carlton Road is sold.

It was RESOLVED that the Report be received and adopted.

301 CONSIDER DRAFT RESPONSE TO RT HON RICHARD BENYON MP

The Board reviewed the draft response to the letter that had been received from the Rt Hon Richard Benyon MP.

It was agreed that the Chief Executive should review the declaration forms annotating outside memberships and include these in the response.

With the above addition the Board RESOLVED to send the response.

302 TO RECEIVE ADA LINCOLNSHIRE BRANCH MINUTES – Agenda Item No 14

(a) ADA Subscriptions

The Chief Executive stated that there was general agreement that a 25% increase in subscriptions to ADA was necessary. This would increase the Board's subscription to £3500 this year.

(b) LCC Strategy

It was RESOLVED that the Board should sign up to the LCC Strategy for Flood and Surface Water Management.

303 ANNUAL REPORT ON HEALTH AND SAFETY – Agenda Item 15

The Operations Manager presented to the Board the Annual report on Health and Safety. It was RESOLVED that the Health and Safety Report be approved and adopted.

304 REPORTS – Agenda Item 16

(a) Monthly Accounts – Agenda Item 16(a)

The Board RESOLVED that the Board's monthly accounts which included June 2012 to September 2012, copies of which had been circulated, were noted.

(b) Schedule of Consents – Agenda Item 16(b)

The Board RESOLVED that the schedule of consents for Byelaw Relaxations, Culvert Consents, Development Contributions, Tile Drainage Consents and Extended Area Consents issued from June 2012 to September 2012, copies of which had been circulated, were noted.

(c) Rainfall – Agenda Item 16(c)

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

305 CONFIRMATION OF DATES OF MEETINGS FOR THE NEXT 12 MONTHS – Agenda Item 17

The list of dates were tabled and AGREED by the Board.

Audit & Risk Committee	Wednesday 16 <sup>th</sup> January
Executive Committee	Thursday 17 <sup>th</sup> January
Board	Wednesday 6 <sup>th</sup> February (before 15 <sup>th</sup> February)
Southern Works Inspection	Wednesday 27 <sup>th</sup> February
Northern Works Inspection	Wednesday 13 <sup>th</sup> March
Environment Committee	Wednesday 22 <sup>nd</sup> May
Executive Committee	Wednesday 5 <sup>th</sup> June
Board Meeting and Inspection	Wednesday 26 <sup>th</sup> June (before 30 June)
Northern Works Committee	Wednesday 25 <sup>th</sup> September
Southern Works Committee	Wednesday 2 <sup>nd</sup> October
Audit & Risk Committee	Wednesday 9 <sup>th</sup> October (after 30 September)
Board	Wednesday 6 <sup>th</sup> November

306 ANY OTHER BUSINESS – Agenda Item 18

(a) Employees Pension Scheme

The Chairman stated that the Board need to continue to be aware of the high cost it pays for the employer contribution to the LCC pension fund. The present rate is 30%, and there is a possibility that this will increase further in the future.

(b) Cottage, Money Bridge Lane, West Pinchbeck - Extension

The Chief Executive presented an application to relax the Board's Bye-Law received from the owners of The Cottage, Money Bridge Lane, West Pinchbeck in order to allow an extension to be placed 3 metres from the brink of the drain.

As the existing building is at its closest only 2.0 metres from the drain this complies with Section 6:1 of the Board's policy on Bye-Laws.

It was RESOLVED that the Board should relax the Bye law and allow the building to be placed no nearer than 3.0metres from the brink of the drain.

There being no further business the meeting closed at 4:22pm.