

DanVm Drainage Commissioners

Shire Group of IDBs
Epsom House
Malton Way
Adwick le Street
Doncaster DN6 7FE

Meeting Papers

*Thursday 30 June 2016
9.30am*




Shire Group of IDBS
Epsom House
Malton Way
Adwick le Street
Doncaster DN6 7FE


T: 01302 337798

info@shiregroup-idbs.gov.uk
www.shiregroup-idbs.gov.uk



Meeting Papers

Prepared by  Alison Briggs BSc., (Hons) Env.Sc., MSc., Env. Mngt: Climate Change, AIEMA.
Senior Administrator and Environment Officer

Reviewed by  Ian Benn HNC/D, Dip NEBOSH, PG Dip H&S/Env Law, Grad IOSH, MCQI CQP.
Chief Executive Officer

Purpose

These meeting papers have been prepared solely as a record for the Internal Drainage Board. JBA Consulting accepts no responsibility or liability for any use that is made of this document other than by the Drainage Board for the purposes for which it was originally commissioned and prepared.

Carbon Footprint



A printed copy of the main text in this document will result in a carbon footprint of 140g if 100% post-consumer recycled paper is used and 178g if primary-source paper is used. These figures assume the report is printed in black and white on A4 paper and in duplex.



Agenda

1.	Governance	4
1.1	Apologies for Absence	4
1.2	Declaration of Interest	4
1.3	Public Forum	4
1.4	Key Performance Indicators.....	4
1.5	Minutes of the Meeting held 5 February 2016	5
1.6	Matters arising not elsewhere on the Agenda.....	13
1.7	Complaints/FOI requests	13
1.8	DMBC Audit	16
2.	CEO Report.....	18
2.1	Shire Group of IDBs Website	18
2.2	Policy	18
2.3	Legislation.....	18
2.4	Board Assets.....	18
2.5	Defra	18
2.6	Environment Agency (EA).....	19
2.7	Association of Drainage Authorities (ADA)	24
2.8	Total Catchment Management.....	25
2.9	Election Year.....	27
3.	Engineers Report	28
3.1	Drainage District Hydraulic Model.....	28
3.2	WLM Committee	28
3.3	Planning, pre-application advice and consents.....	28
4.	Finance Report.....	29
4.1	Rating Report.....	29
4.2	Finance Committee	30
4.3	Schedules of Payments Made	30
4.4	Audit.....	30
4.5	Accounts for the Year Ending 31 March 2016	30
4.6	Five Year Budget Estimate	31
5.	Environment.....	35
5.1	Legislation	35
5.2	Biodiversity Action Plans.....	35
5.3	Water Level Management Plans.....	37
5.4	Dearne & Dove District - RSPB Old Moor Reserve	37
6.	Health & Safety Report	38
7.	Representation	39
8.	Date of next meeting.....	39
9.	Management Services – Closed session.....	39
10.	APPENDIX A: Data Sharing Agreement and Data Sharing Policy.....	40
12.	APPENDIX B: WLM Committee.....	42
11.	APPENDIX C: Planning and Consents	46
12.	APPENDIX D: DRAFT Finance Committee Minutes	51
13.	APPENDIX E – Internal Audit Report	53
14.	APPENDIX F – Annual Return.....	59
15.	APPENDIX G: BAP Actions	64

1.5 Minutes of the Meeting held 5 February 2016

Present:

Member	20.6.14	7.11.14	6.2.15	19.6.15	6.11.15	5.2.16
David Atkinson (Dun District)	✓	✓	✓	✓	x	✓
David Dusi				appointed	✓	✓
Derek Bell (Barnsley DC)	✓	✓	A	✓	x	✓
Andrew Cooke (Went District)	A	✓	✓	A	✓	✓
John Duckitt (Dun District)	✓	✓	✓	✓	✓	✓
Martin Falkingham (Went District)	✓	✓	✓	✓	✓	✓
Terry Grady (Doncaster MBC)	✓	✓	✓	✓	✓	✓
Charlie Hogarth (Doncaster MBC)	✓	A	✓	✓	x	✓
Gillian Ivey (Vice Chair) (Selby DC)	✓	✓	✓	✓	✓	✓
Mike Jordan (Selby DC)	✓	A	✓	A	✓	✓
Dave Hill (DMBC)					✓	✓
Steve Lomas (Dun District)	✓	✓	✓	✓	✓	✓
Andrew Parmenter (Selby DC)						✓
Paul Maddison (Wakefield MDC)	✓	✓	✓	✓	✓	✓
Richard Pashley (Dun District)	✓	✓	A	✓	✓	✓
David Platt (Knottingley to Gowdall District)	✓	✓	✓	✓	x	✓
Sue Ryder (Selby DC)	✓	✓	A	A	✓	✓



Tony Sockett (Doncaster MBC)	A	✓	✓	✓	✓	✓
Robert Robinson (Dun District)					Casual vacancy appointment	✓
Cllr Debbie White				A	✓	✓
Richard Ward (Doncaster MBC)	✓	✓	✓	✓	✓	✓
Richard Thompson (Dun District)	✓	✓	A	✓	✓	✓
Neil Welburn (Went District)	✓	✓	✓	✓	✓	✓
Frank Jackson (Doncaster MBC)	✓	✓	A	✓	✓	✓
Chris Crowe (Coal Authority) Knottingley to Gowdall District		Appointed and present ✓	✓	A	✓	A

Officers attending:

Ian Benn – CEO
 Craig Benson – Finance Officer
 Alison Briggs – Administrator/Environment
 Paul Jones- Engineer
 Janette Parker – Rating Officer

Public attendance – Peter Jackson DMBC, two members of the public

Governance

2016.1 The Chairman welcomed members to the first meeting of 2016 noting during the Christmas period Yorkshire and Cumbria had experienced its worst flooding in recent years. New members Robert Robinson and Andrew Parmenter introduced themselves. Chair welcomed Peter Jackson DMBC Audit and one member of the public. MJ advised the sad loss of member Carol Mackman who had served the Board for 8 years and Members observed a minutes' silence.

Apologies

2016.2 No apologies were received.

Declaration of Interest

2016.3 JBA Consulting as Board Management declared in item 3.2 as noted in the papers. AC declared an interest in item within Finance Committee minutes relating to Stubbs Grange Bridge.

Key Performance indicators

2016.4 The CEO advised expected % of rates collected was relevant to this meeting. Delay in completing maintenance related to staff absence through illness and failure to replace a previous employee. CEO confirmed workforce at full strength and covered under a later item. Minutes of Meeting 6 November 2015

2016.5 GI proposed minutes recorded as true record, seconded MJ, all in favour.

Matters arising

2016.6 None.

Audit Task & Finish Group

2016.7 The Chairman advised the Task & Finish Group had reconvened to look at three new recommendations and the reappraisal of others. Chair requested Peter Jackson from DMBC Audit identify those items in DMBC review which required further clarification or further work.

2016.8 PJ positive regarding G4 Training Packages, the training issue for new members was well supported and one to one possible mentoring a sensible suggestion. TG advised the last training session was held on the first floor which he was unable to access. The Chairman noted his comments and apologised for the inconvenience. The Chairman requested a resolution to issue a letter of appointment to new members advising what the Board expects of them with regards to training. He thanked GI for the addition of one to one training for new members. **Proposed FJ, seconded MJ, Agreed by all members**

2016.9 PJ referred to G6 Standing Orders confirming DMBC Audit did not consider this as being implemented. Following discussion PJ suggested that if the Board decided that sufficient action had been taken then DMBC Audit would be prepared to consider the matter closed. **Proposed TS the Board considers it has taken sufficient action to implement recommendation G6, GI seconded all in agreement.**

2016.10 G7 - TS confirmed all member Register of Interest forms were complete therefore fully implemented. PJ agreed. The CEO reminded all present the Register linked with map was exceptional and not something common to the industry.

2016.11 G12 - Chairman requested Board resolution required following Task & Finish Group recommendation that Officers be asked to produce a procedure for investigating any alleged breach of the Member Code of Conduct, which if proven may result in

removal from any position held other than that of member, as stated under the Land Drainage Act. **All members present in favour**

2016.12 PJ referred to G13 advising the recommendation was Board employee contracts should incorporate a Code of Conduct, in line with other Public Bodies. The Board response now produced referred to benchmarking against an industry standard. CEO confirmed the workforce contract linked to Board policies however the Code of Conduct was being further developed with the intention of producing an employment handbook which it was hoped would be in place by the next Board meeting. PJ advised as the workforce were public body employees they should be bound by the Nolan principles. CEO reiterated previous comments and advised employee contract significantly superior to the industry standard ADA White Book terms and conditions

2016.13 F1- Chair confirmed the Board's auditors, had been in place for ten years. In September 2015 quotations had been sought for a five year term. PJ agreed the market had been tested and requested the outcome. The FO confirmed that three parties had been invited to tender with two quotations received. Price difference was minimal and it was decided better for the Board to retain the current incumbent. PJ enquired if financial regulations had been followed in the process. FO confirmed they had.

2016.14 The Chair advised the Audit Report which had begun in late 2014 was now close to conclusion. MJ thanked the Chairman for pushing the matter forward and acknowledged that there had been a lot of work involved. PJ confirmed the Board had progressed acknowledging the work put in by Management staff and members of the Task & Finish Group.

2016.15 Board considered recommendation C1 and separating the Complaints Policy into a Complaint Policy and a Persistent Complaint Policy. GI advised heading on Page 60 should not include word Persistent. The Chairman advised they were draft documents and asked, subject to that amendment for a proposal recommendation C1 was agreed and Policy separated in accordance with drafts. **FJ proposed, GI seconded and all members agreed.** AC enquired of necessity to set a review date. The EO advised that policies were usually reviewed every three years and review would be February 2019. The Chairman thanked the Task & Finish Group for its work.

Freedom of Information Request

2016.16 EO advised purpose of the table was to advise Members of requests received, date acknowledged and that they had been dealt with in accordance with Complaint Policy of FOI Act. She confirmed traffic light system indicates the status of the request. Green believed issue resolved, orange issue under review and red as yet outstanding within response timeframe

Matters Arising

2016.17 Defra-Greater Alignment-PSCA, River Went – SL advised EA confusion over Went catchment area noting Towns Clough and Blackshaw discharged into the River Don. He had drawn the correct catchment around the Went and given a copy to Innes Thompson at the recent ADA meeting to pass to Andrew Percy MP for follow up. The CEO advised APEM were working on behalf of EA identifying WFD failures through point source pollution and was not connected to Board function. EO confirmed following conversations with members last year she had spoken to APEM who advised the catchment boundary was incorrect and they would advise the EA. Members local to that district discussed the issue further confirming no single farmer had been identified for polluting. Several members advised that individual landowners needed to pursue this direct with the EA directly, not through the Board which should garner a speedier response.

2016.18 Sykehouse Maintenance – JD reiterated earlier statement that there had been no notification of a road closure from Oak Lane to Fosterhouses which had resulted in great inconvenience. He objected to the current Board policy necessitating road closure, proposing a simpler system be implemented. The Engineer advised the Board could not make any decision on this matter, it was controlled by the Highways Authority. RW confirmed DMBC had followed what was legally required and advised notices for major closure or diversion required advertising and DMBC erect advance notices two to

three weeks prior to closure. Agreed the Board would continue to work with DMBC Highways Authority to improve advance notification of road closures where possible.

CEO Report

The CEO confirmed there were no recommendations but asked the Board to acknowledge information contained in the report.

Production of Board Logo

2016.19 CEO advised Students from Doncaster College had produced some Logo's but some improvements were required and hoped they would be ready before the next Board meeting. CEO would email to members for comments before June.

Board Website

2016.20 CEO confirmed a technical specification had been produced and he would progress this to website designers to obtain cost proposals. He confirmed that copies could be emailed to anyone interested however this was a technical specification. Discussions took place, Members acknowledged a Task & Finish Group comprising various members of the Shire Group of IDBs would discuss website look once costs were obtained.

Board Workforce

2016.21 MF requested update on status of workforce. CEO confirmed the Board had two new employees. MF queried what their jobs would involve. CEO confirmed they were in training following which they would be involved in maintenance works and developing skills linked to telemetry. NW expressed concern over the cost of training and leaving when training completed. CEO advised it was not possible to tie an employee to an employer but hoped they could identify opportunities by remaining with the Board.

Environment Agency

2016.22 The CEO reported the Board workforce had supported EA over Christmas period and was very pleased how they rose to the occasion; such cooperative work placed the Board in a good position. He thanked the Chairman and Vice Chairman for supporting his decision to deploy the workforce. The CEO confirmed he had already written to the workforce thanking them for their efforts. JD enquired who had paid for the support. CEO confirmed this had been at Board expense but recharge may be possible.

Public Sector Co-Operation Agreement

2016.23 The CEO confirmed the Board had signed the Agreement

ADA

2016.24 CEO advised three members of the Management Team now sit on ADA committees, he advised ADA on Health & Safety matters. He referred to the statement released by Innes Thompson advising that terminology management had been used for some time. MF commented that the statement made clear that maintenance was key and much of the recent flooding had been caused by lack of maintenance. The Chairman was advised not all aspects of the Pitt Report had been implemented. PM advised Local Authorities had funding for capital schemes but funding not available for maintenance of structures and all parties needed to work together to drive for this. MJ confirmed at ADA Northern meeting Innes Thompson advised ADA stated the emphasis should change away from capital to revenue.

Information on Board Constitution

2016.25 CEO advised graphics in the Meeting papers illustrated from where Board income was derived, example pumping station costs advising future information would show the pump station cost per hectare, the number of houses protected and include cumecs of water moved by the station. MJ enquired the purpose of the information. CEO confirmed it a useful exercise showing members costs involved, source of its income, land area, property and infrastructure served by Board function. DB confirmed that the information was useful and would correlate with seasonal conditions at the time allowing recorded rainfall levels to be reflected in power usage at sites. This would allow the Board to understand which areas of its District required more attention or better financial management. GI welcomed the exercise and further details should be available to the Committees for Board recommendations.

2016.26 GI referred to the Local Authority representative Member split in terms of Special Levy pointing out following the combined flat rate that Selby DC and Doncaster MBC collected the same contribution to Board income yet Selby DC had 5 representatives whereas DMBC had 6, suggesting this should now be equal. FO advised Council member seats are based on annual values and not on how much drainage rate collected on behalf of the Board, the annual values were Doncaster MBC £4,216,886 and Selby DC ££4,067,957. This had been taken into account at pre-amalgamation and would not change.

2016.27 SL stated he had heard the Coal Authority were to close some of its station sites and divert water to other stations. CEO advised that he was not aware of any such proposals. MF referred to the River Aire flooding at Gowdall confirming that water came from out of the Board district but the Board still had to pay it to be pumped. FO advised the Board claims Foreign Water contribution from the Agency. The Engineer confirmed modelling would support the position regarding catchments and in wash land areas it was critical to clear the area as the event may be repeated requiring the storage area. The CEO reminded members of repeated reference to total catchment management in meeting papers and stated that Liz Truss MP used that phrase confirming an understanding of catchments was needed following the recent flood events. He continued advising the need to stop treating water as the enemy and look at ways of storing it.

Engineers Report

The Engineer advised that he had a few additions to the report in the meeting papers and thanked FJ for pointing out the date corrections contained therein.

Working Access Task & Finish Group

2016.28 Engineer confirmed the Task & Finish Group had met once to discuss issues with regard working access and an improvement to the Notice of Entry with the aim of improving communication. An updated Notice should be available at the end of February after which the Group would reconvene to take forward with a report to the Board.

Drainage District Hydraulic Model

2016.29 Engineer reported the model was on track and Local Levy funds would be spent within the financial year with completion expected May 2016. The Consultants had been requested to make a presentation at the June meeting showing what the model is and what it can be used for. MJ noted although CA funding was not forthcoming the Engineer had worked with the Consultants to find efficiencies and reduce costs. MJ queried whether pressure could be brought to bear on the CA by Local Authorities and the Board. The Engineer advised the EA had tried and he did not see any advantage in

continuing. The Chairman welcomed the progress made and congratulated the Engineer and his team on the work done.

WLM Committee

2016.30 Working Access – MJ advised the first meeting had been valuable with input from landowner members.

Land Drainage Act 1991 (as amended) Section 23 and Section 66 (Byelaw) Consents

2016.31 RW advised that the EA was undergoing consultation for proposals to increase its consenting fee. He enquired whether there was any means by which the Board and LLFA could increase fees. The Engineer advised the issue was raised with ADA over a year ago; the EA was transferring legislation under which consents were given to the Environmental Permitting Regulations thereby allowing the increase. IDBs and LLFA were constrained by the Land Drainage Act. This should be raised again with ADA to pursue as it required parliamentary approval to amend. RW suggested this could be pushed through Council political members to take forward. DB advised Barnsley MBC was currently reviewing fees and charges and working with other LLFAs and RMAs. MJ enquired if IDB charges were fixed by law and did the Board charge for giving consent. RW confirmed yes at £50. PJ advised a small consent application cost in terms of time spent was in the region of £400.

Finance Report

Rating

2016.32 The FO advised the rating balance outstanding reduced and 99.5% of rates had been collected since papers were produced. He envisaged this would reduce further as £2,000 was in probate and £1,000 comprised debtors being taken to Court.

System of Internal Audit Review and Risk Register

2016.33 The FO paperwork was circulated with the meeting papers, the Register had been updated from last year. The internal audit review panel had looked at the register in detail but the register required individual Board approval formally minuted. GI queried a specific register for this Board or was it generic. FO advised the areas of risk and questions posed related to every IDB and was generic, confirming the Board could add specific areas of risk if required however approval of the Register as it stood was required at this meeting to comply with Regulations. The Chairman advised the Risk Register should be accepted and additionally proposing the Board delegate power to himself, the Vice Chair and the Committee Chairs to revisit the Risk Register. **DB proposed acceptance of the Risk Register and delegated power to Chair, Vice Chair and Committee Chairs, MJ seconded, all in agreement**

Budget Estimates, Rates and Special Levies for the Year Ending 31 March 2017

2016.34 FO discussed the Budget Estimate advising a single harmonised rate would be in place 2016/17. The rate proposed at 9.25 pence within the budget would produce an income of just under 1.5 million. **GI proposed acceptance of the budget, all members in favour.**

2016.35 GI proposed Andrew Parmenter a suitable replacement of Carol Mackman on the Finance Committee, MJ seconded, all in agreement.

Health & Safety

2016.36 The CEO advised that he had nothing further to report other than that already in the papers. CH noted that the information board in the entry of JBA Office was incomplete. The CEO advised that there had been disagreements on how information be reported and this had been removed for now however Shire Group information was correct. He advised ADA Technical & Environmental Committee was currently investigating how human behaviour related to incidents and accidents.

Environment Report

Eels (England & Wales) Regulations 2009

2016.37 The EO confirmed during review of Eel prioritisation of stations the EA had visited Kirk Bramwith, previously classified as low priority but likely to become high priority which would involve the Board in additional expense for eel compliance. It was likely Bramwith Rands culvert would require screening also.

Biodiversity Action Plans

2016.38 The EO advised that some actions had now been undertaken including suitable eel habitat assessment and pond enhancement survey for Great Crested Newts. EO confirmed the Board's workforce would undertake pond enhancement work programmed into the maintenance schedule.

Water Level Management Plans - Shirley Pool SSSI

2016.39 The EO advised that the specification had been submitted to North Lincolnshire Council acting as procurement agents on behalf of the Board, tender assessments would also be undertaken and recommendations made to the Board. As a SSSI the scoring was weighted in favour of ability and experience, not price.

Renewable Energy

2016.40 The EO noted disappointment the project would not be proceeding at this time. MJ enquired if the Board could rent the land out. EO responded the land which was subject to permission was not suitable however the Board also owned the river banks which if rented required fencing and cattle were inappropriate on site, previously damaging dykes and access track to the pumping station. A member suggested restricting grazing to sheep, the EO confirmed the Board Land Agent could advertise an annual grazing licence. NW agreed sheep should keep the ragwort & thistle to a minimum. **MJ recommended that Board's land agent be approached to investigate, DW seconded and all members agreed.**

Date of next meeting

2016.41 Amended to 10 June 2016 at the request of Chair & Vice Chair. Next Finance Meeting rescheduled for 20th May 2016.

Any other business

2016.42 Following agenda item 7, the Chairman requested that JBA staff leave the meeting as there was an urgent confidential matter to discuss which it was felt should not be left until the next Board meeting in June.

2016.43 The Vice-Chair took notes to form the minutes.

2016.44 The Chairman read out an email he had received the day before the meeting from DMBC. The email reminded Board members that the 3-year contract for management services to the Board, would be due to expire in April 2017. DMBC suggest

that the Board needs to consider what arrangements it might wish to make to procure future management services, since procurement can be a long drawn out process.

2016.45 Members agreed that it was important to heed this reminder and resolved to form a task group which would meet to consider all options available. A number of board members volunteered to join the task group and it was agreed that all 4 Local Authorities associated with the Danvm IDB should be represented.

2016.46 The task group will report back with recommendations to the June Board meeting.

2016 Meeting Dates

Board	Finance	WLM
4 November 2016	7 October 2016	7 October 2016
	2 December 2016	