

1. Governance

1.1 Declaration of Interest

Board Members are advised to declare a pecuniary or non-pecuniary interest on any item in the Agenda.

1.2 Apologies for Absence

1.3 Chair's Announcements

1.4 Minutes of the meeting held on 26 January 2022

Members Present	12.5.2021	24.11.2021	26.01.2022			
Paul Andrews PA	-	A	√			
Christy Bolderson CB	√	-	√			
Sebastian Bowen SB	√	A	√			
John Cawley JC	√	A	√			
Zita Chilman ZC	√	A	√			
Richard Corbett RC	A	A	√			
Malcolm Davies MD	√	√	√			
Noorissa Davies ND	√	√	A			
Nic Eynon NE	A	-	-			
John Hardwick JH	√	√	√			
John Harrington JHa	A	-	√			
James Hereford JHe	√	A	√			
Peter Jinman PJ	√	-	√			
James Makin JM	A	A	√			
Tony Mitcheson TM	√	√	√			
Roger Phillips RP	A	√	A			
Charles Pudge Vice Chair	√	√	√			
John Stone JS	A	A	√			
David Summers DS	√	√	√			
Elissa Swinglehurst Chair	√	√	√			

In attendance on behalf of JBA Consulting

Officer:	Craig Benson	Clerk
	Anne-Clare Landolt	Engineer
	David Blake	Finance Officer
	Janette Parker	Rating Officer
	Alison Briggs	Environment Officer

Guest Present: Michelle Green

MG - North Lincolnshire Council

Members of the Public in Attendance

Lyn Langford

Declaration of Interest

2022.1 None.

Apologies for Absence

2022.2 Apologies were received from Roger Phillips and Noorissa Davies.

Tender for Service Maintenance Contract



2022.3 Chair brought forward this section of the meeting then handed over to MG who introduced herself to members as the procurement officer for North Lincolnshire Council dealing with the procurement of the Board's maintenance contract. MG explained the process and outcome to members and discussions followed. **Vice Chair proposed acceptance of recommendation and Chair seconded. Members in agreement with exception of MD who voted against the proposal.** MG confirmed she would draft standstill letters and reminded members not to discuss the outcome with anyone which was still confidential and that she would confirm when the standstill period had ended. DS requested sight of the contract before it was signed. Eng. stated she would welcome that to ensure it was robust and that would circulate for comments.

Minutes of the Meeting held on 24 November 2021

2022.4 Minutes of the meeting were considered. JHe stated that he had made his apologies for the meeting and Chair agreed they would be amended. **Chair proposed to sign as true and correct record, all members in agreement.**

Matters arising not discussed elsewhere on Agenda

2022.5 None.

Complaints/FOI/EIR requests

2022.6 None received.

CLERK REPORT

2022.7 Legislation – Red Diesel – Clerk advised that further clarification was expected in the next few weeks and that may well receive some form of exemption but would advise members as soon as notified.

2022.8 Clerk advised that the Board had been invited to attend the Water Resource West Workshop which was to be held online on 2nd February 2022 and would send a link through for those who may be interested in attending.

FINANCIAL REPORT

2022.9 Rating Report – RO advised the balance outstanding had now been reduced to £9,505 with 91.3% of drainage rates collected to date. RO then stated that the debtors with Solicitors were currently under review as several issues had been raised.

2022.10 PA then raised an issue with regards a ratepayer stating that he was willing to go to Court to state his case and that not going to pay until works were undertaken. Eng. advised she had spoken to the ratepayer concerned and felt that as not a huge debt would be beneficial to wait on action until works started. She confirmed that agreement had been reached with the Wildlife Trust for flailing to be undertaken in the location before the end of February with a further section to be undertaken during August and September. PA stated that he had walked the area and that the new members of the Wildlife Trust were amenable to the work the Board was proposing.

2022.11 Request to Remove Land from Rating – Clerk advised that the request had been received prior to Christmas and that similar to the issue raised above in that certain areas had not been maintained and that whilst the majority were with the EA the Board's Eng. had been out to visit the ratepayer. Eng. confirmed that she had visited the ratepayer's wife as he was ill in hospital and had walked the ditches across his land advising he was correct that they were not in a great condition and with regard to Mousenatch ditch this had not been maintained for a number of years. She then referred to Pinsley Brook which was the EA responsibility stating that the ratepayer had advised her they had been given conflicting information regarding responsibility and what they could or could not do so were very unsure how to proceed. Eng. then stated that didn't believe the ratepayer would pursue further this year due to ill health but that works should be undertaken by the Board on Mousenatch ditch. Chair stated that it was an interesting case and asked that Pinsley Brook was mentioned at the next meeting with the EA and said that the Board needed to try and assist ratepayers in understanding what they can and cannot do.



2022.12 Internal Audit – FO advised that an Internal Review meeting had been held with representatives from Boards within the Shire Group and the Internal Auditor and that it had been a very constructive meeting.

2022.13 Risk Register – FO explained the document was a process that identifies possible risks and the steps the Board would take to address those risks. He added that it was reviewed on a quarterly basis by Officers and that needed approval annually by Members. FO then took members through the document. CB stated that the document was far more detailed than anything they had seen previously and asked if it would replace the Risk Management Policy on the website. FO confirmed it would. CB then queried the Policy Statement on the website with the three objectives the Board worked towards asking if these tied in with the Risk Register. FO confirmed that these could be incorporated into the Register. CB asked if the register was strategic or operational as concerned that items discussed at the meetings were not necessarily shown in the register. FO concurred this was a good point and that the register was strategic but that an operational version could be created that linked into it. Chair queried if climate change had been included as a risk. FO confirmed he would add this in. CB requested sight of changes before approval. Chair queried implications if not agreed and work undertaken to align with Board objectives before further review at the next meeting. Clerk advised that the Risk Register needed to be approved by the Board within the financial year to which it related so could be agreed with changes to be made. FO advised draft version would be prepared and sent to members for comments. **All members in agreement that Risk Register be approved as stands and that discussed changes will be actioned.**

2022.14 Estimates for Year Ending 31 March 2023 – FO took members through the report advising that there was a slight positive variance to income of £260 which was the inflationary increase from Network Rail. He thanked the Vice Chair for locating the original agreement which had resulted in the increased payment. He noted that there was also an additional £100 received for consents. With regard expenditure there had been a positive variance of £9,000 in relation to maintenance costs and administration costs had been reduced by £3,000. He stated that these would result in a forecasted reserve balance of £158,000 with a reserve level of 66%. FO then explained costs for the following period stating that if the Board still decided to make the rate uniform then this would result in similar surplus to the current year of £17,000. Chair confirmed it was the intention to regularise the rate but concerned if starting to accrue money where it could be utilised. Clerk advised he had submitted a response on behalf of the Board to the EA Draft Flood Risk Management Plans and stated that it would be an ideal opportunity for the Board to consider undertaking a hydraulic model of the district so as to understand why they maintained what they did and that this could be shared with others to give better understanding of what the Board does and the resultant benefits. He added it could also be used to apply for grants to undertake works confirming that grants could also be obtained to assist in producing the model. Eng. added that a number of watercourses had not been maintained for some years so the surplus would allow the Board to undertake that work. Chair acknowledged that was helpful and important to have a full understanding of what happening within the district. CB asked what reserve level the Board should be targeting and if at the right level currently didn't see why it should be increased. Vice Chair said that historically the Board had failed to get confirmation from the Auditor or ADA on what the level should be but that any surplus money belongs to ratepayers and the Board shouldn't hold it and in fact rate reductions had been made in previous years. He stated with regard the lack of maintenance that the previous engineer used to walk round the district but did rely on ratepayers advising him of work that needed doing. He then referred to the budget and queried if the proposed increases included inflation and would the proposed surpluses materialise. FO confirmed that both inflation and future price increases were included in the budget and that a buffer had been built in which was sufficient for anything untoward happening. FO advised that both ADA and DEFRA suggested that a reserve level of 30 to 40% was adequate and suggested a level at 80% which would mean a slight increase in the current year but then the rate wouldn't need to be altered over the next five-year period. He then referred members to the Reserve Policy which had been agreed at the last meeting to bring to members for approval. He explained that this would set out how the Board would maintain the level and what the reserves would be used for. Clerk stated that in his experience gravity IDBs like this Board tended to have a higher level of reserves so that, should the need arise, there is sufficient funds to cover works for a year without any income. He advised that a nearby Board in the same situation as River Lugg currently had reserves at 80% but that it was members decision what to set the level at, recommending that it should be upwards of 50%. Discussions took place with one suggestion of uniform rate at 8.5p with 50% reserve level which FO advised would result in a



break-even budget and one suggestion of uniform rate at 8.75p with 50% reserve level which FO advised would result in a surplus of £5-6,000 based on current forecast. **Members voted on two options with result to set rate at 8.50p with a 50% reserve level.**

2022.15 Schedule of Payments – **Approval proposed by DS, seconded by Chair.**

ENGINEERS REPORT

2022.16 Eng. advised the report was for information with the following updates:

2022.17 Access Issues in Wellington – Eng referred to the recent issue over access over land that had High Level Stewardship and the fact the owner not happy for the Board to have access as he may be penalised and queried the view of the Board on how to respond if a claim received. Vice Chair stated that claims should not be paid as understood there were emergency rules for Board powers but that should get advice from ADA or DEFRA. CB agreed with the need to request advice and queried if this was covered under Insurance. PJ suggested the RPA be approached for a response. Clerk advised that insurance related to the Board's permissive powers and that any claims received would be challenged adding that Alison Briggs, the EO, had looked into this previously. EO advised that contacted DEFRA and the RPA approx. 3 years ago and that it was then easier for a landowner to request a derogation of grant as the RPA had a specific post in place. However, the RPA would not expect a landowner to enter into a scheme where they know the IDB requires access to maintain. EO added in case of emergencies the Board could not solve all issues with its permissive powers but could serve notice on landowners to remove obstructions to flow. Chair stated that the RPA should be contacted to request clarification.

2022.18 Leominster Compensation Ditch – Eng confirmed additional works had now been carried out which should address the concerns of water not flowing.

2022.19 Planning Application Ewyas Harold - Eng. advised members that the developer had now discarded the use of attenuation ponds but that would still appreciate a response from the Board regarding the option to take on assets for maintenance. Discussions took place with the view that these should be considered on a case-by-case basis. With regard to the above the design would need to be reviewed by the Engineer however, there was a reluctance to assist with this matter as there would be no benefit to the Board in doing so.

2022.20 PJ advised that a protocol document on riparian responsibilities had been produced by Hereford council which would help landowners understanding and said he could advise the Engineer where a copy could be obtained if interested. Chair confirmed it would be worthwhile having that additional input at the training session which would now be postponed from after this meeting.

2022.21 Chair stated she was aware there were still issues surrounding receipt of planning applications. Eng confirmed it was a laborious job to go through separately. Chair then asked Eng. if when application found she going back to relevant authority to advise Board needed sight of. Eng. confirmed she was if it was necessary to make comments, adding that the situation with receipt had improved. EO asked if all Local Authorities had the Boards district shapefile. Eng. advised she would confirm with them.

2022.22 Wellington Brook Section Breaches – Eng confirmed that one owner had now taken action following the letter drop.

2022.23 Eng advised she had requested costs from the Board's Ecologist to obtain a report with more information on protected species and where located within the Board's district. EO said requesting from the biodiversity and record centre would be expensive. Eng noted that the Board had received in the past and asked if any members were aware of. Vice Chair said not but that may be something in the old records he held.

HEALTH, SAFETY AND WELLBEING

2022.24 Information noted. Clerk advised that the Health & Safety Statement had been updated and that the new Contractors would also now be incorporated.

ENVIRONMENTAL ADVISER'S REPORT



2022.25 Clerk referred to the agreed purchase of testing kits and asked if any landowner members were interested in assisting with the testing to contact him via email.

2022.26 EO advised she had reviewed the Board's BAP which was unclear on the Board's actions. Chair said she would like to feel that the Board was taking some ownership. Clerk suggested the Boards Ecologist confer with the EO to set appropriate targets that the Board could achieve. Chair agreed asking to be kept informed.

Any Other Business

2022.27 It was agreed that the Training session due to be held at the end of the meeting would be re-arranged for the end of February and include the Councils proposals on riparian responsibilities.

Date of Next Meeting

2022.28 15th June 2022 to include district tour.

2022.29 Chair thanked all for attending and closed the meeting at 13.16pm.

1.5 Matters arising there from not elsewhere on Agenda

1.6 Complaints/FOI/EIR requests

None received.

A handwritten signature in black ink, appearing to be 'Angus' followed by a stylized flourish.

13 June 2022