

# **BLACK SLUICE INTERNAL DRAINAGE BOARD**

## **MINUTES**

of the proceedings of a meeting of the Audit & Risk Committee

held remotely on  
14<sup>th</sup> October 2020 at 2pm

### **Members**

Chairman - \* Mr M Brookes

* Mr W Ash	* Mr V Barker
* Mr R Leggott	* Mr N Scott
Cllr R Austin	* Cllr S Walsh

\* Member Present

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

#### 1654 APOLOGIES FOR ABSENCE - Agenda Item 1

Apologies for absence were received from Cllr R Austin.

#### 1655 DECLARATIONS OF INTEREST - Agenda Item 2

No declarations of interest were received.

#### 1656 MINUTES OF THE LAST MEETING - Agenda Item 3

Minutes of the last meeting held on 13<sup>th</sup> May 2020, copies of which had been circulated, were considered and it was AGREED that they should be signed as a true record with the following amendment:

- Minute 1600(a) – 1.2 Risk of Loss of Electrical Supply – Within paragraph two of this section should read ‘...which have enough for brief interruption’ rather than ‘...which have enough or brief introduction’.

#### 1657 CONFIDENTIAL MINUTES OF THE LAST MEETING - Agenda Item 4

Confidential Minutes of the last meeting held on 13<sup>th</sup> May 2020, copies of which had been circulated, were considered and it was AGREED that they should be signed as a true record.

(a) POLICY No. 01: RISK MANAGEMENT STRATEGY - Minute 1600(a)

The Chairman referred to Section 3 – Skills and Expertise, noting that it was agreed at the last meeting that the officers would look into the qualification used by the EA for operating vehicles on bank tops.

The Chief Executive gave an update on this, explaining that three members of the workforce were sent, at a cost of approximately £240 each. The attendees have noted that the course was informative and interesting, it being especially useful that they were able to complete the training using their own vehicles, allowing them to find out the capabilities of them. It was added that the Operations Manager feels it could be beneficial for more of the workforce to attend this course, but at the moment, the three attendees are assessing the benefits of the course before sending more employees.

Mr V Barker noted that he has spoken to one of the attendees and was surprised that they were not told to wind down electric windows in case of not being able to get them open in the event of entering water. The Chief Executive noted that he will pass the comment on to the course provider.

(b) POLICY No.1: RISK MANAGEMENT STRATEGY - Minute 1600(a)

The Chairman referred to Appendix C, Risk of being unable to prevent flooding to property or land, noting that it was agreed at the last meeting that the Chief Executive would contact the EA and re-emphasise the need for the operational manual.

The Chief Executive gave an update on this, explaining that he has had various meetings with Norman Robinson and EA Managers, at the last meeting held on 28<sup>th</sup> September 2020 (the last meeting of the South Forty Foot Steering Group which are 'handing over the baton' to the South Lincs Water Partnership) Norman Robinson, the Area Director for Lincs, was extremely embarrassed to be informed that we have still not yet received anything from his team. He has therefore taken it onboard himself to get this operation manual produced and circulated. Once the Chief Executive has received it, it will then be relayed to the Board and relevant committees.

(c) POLICY No. 13: EMERGENCY RESPONSE PLAN - Minute 1600(d)

The Chairman referred to the section regarding the Operation of Pumping Stations, noting that it was agreed at the last meeting that the Chief Executive would look into the level of the banks and land in relation to the pump at Dowsby Lode.

The Chief Executive gave an update on this, explaining that works are currently being undertaken at Dowsby Lode and the banks. The raised banks have not yet been levelled as a badger sett has been discovered and so discussion is currently taking place with the EA in relation to relocating the sett. The Chief Executive noted that they don't believe the land levels will change dramatically and so if there is a change needed to be made to the schedule within the emergency plan then it will be changed accordingly. The survey will not be conducted until all of the works are completed.

Mr V Barker thanked the Chief Executive for this, next making reference to the section headed 'Emergency Response Section – Summary'. He questioned if there was anything further to report in regard to the EA pump at the end of the Bourne Eau?

The Chief Executive explained that there is now a 'bigger picture' in relation to this, informing the committee that the Lincolnshire Wildlife Trust have made a bid for the Green Recovery Project Fund which has passed the first stage of this process. The application is to purchase 50ha of land around the Bourne Eau pond that is owned by the Board, with the idea of turning it into a nature reserve and water polishing wetland taking water from the Bourne Eau before it could enter the River Glen. The water would then be lifted back into the Glen or, in negotiation with the Board, ran back into The Weir Dyke before being lifted into the South Forty Foot Drain. Therefore, nothing has moved forward regarding the pumping station until there is more certainty around the potential reduction in water.

(d) IDENTIFY HEALTH & SAFETY REQUIREMENTS - Minute 1602

The Chairman made reference to employees climbing over the fence at Gosberton Pumping Station to use the welfare facilities.

The Chief Executive gave an update on this, explaining that all the materials have been purchased and received to put in a pedestrian gate. The Pumping Station Maintenance Person will be constructing this in the next 4 – 6 weeks.

1659 RECEIVE A REPORT ON INSURANCE ARRANGEMENTS - Agenda Item 6

The Finance Manager introduced this item, noting that there are no changes to the cover for this renewal. At one point, it was looking like there was going to be a 55% increase on the commercial combined renewal, even though the rates were agreed as a group IDB policy on 31 March 2020, these rates have now been reinstated.

The figures highlighted in yellow in the agenda are estimate figures, with the idea being that the Finance Manager would be able to give an update with the actual figures. The Finance Manager presented on screen the updated renewal figures, noting that the low claims rebate is still highlighted as, at today, this figure is still being awaited, but it is expected to be within region of the estimate. The Finance Manager added that the reason for the increase in the commercial combined renewal is because the business interruption cover was increased from £100,000 to £500,000 last year.

The Chairman added that an overall premium increase of 1% is excellent.

All AGREED to accept these insurance arrangements.

1660 RECEIVE THE ANNUAL RETURN INCLUDING EXTERNAL AUDITORS OPINION FOR 2019/20 - Agenda Item 7

The Finance Manager reminded the committee that they have already received the Annual Return, the only new part to this is the external auditors report, on page 22 of the agenda.

The Chairman noted the good achievement, with no matters for concern being picked up by the external auditors. The Chairman thanked the officers and the team for their hard work, congratulating them on this achievement.

All AGREED to receive the Annual Return including External Auditors Opinion for 2019/20.

1661 TO REVIEW THE FOLLOWING BOARD'S POLICIES - Agenda Item 8

The Finance Manager explained that these are policies that have been identified for review and any changes have been made in red and any additional notes made in green.

(a) POLICY No. 15: EMPLOYEES CODE OF CONDUCT

The committee were informed that there are no proposed changes to this policy and there were no questions or comments from the committee.

The Committee RESOLVED to recommend that the Employees Code of Conduct (No. 15) be approved at the next Board meeting.

(b) POLICY No. 16: FRAUD & CORRUPTION

The committee were informed that the only proposed change to this policy is around the definition of fraud. The Finance Manager explained that it did previously state that fraud was not a criminal offence, however, this changed with the Fraud Act 2006.

The Committee RESOLVED to recommend that the Fraud & Corruption Policy (No. 16) be approved at the next Board meeting.

(c) POLICY No. 20: OFFICERS CAR LOAN

The committee were informed that there are no proposed changes to this policy.

Mr V Barker made reference to section 2 of the policy and the interest being paid at 1% above the Bank of England Base Rate. He noted the uncertain times ahead, with predictions being of minus base rates, suggesting that it should be outlined in the policy that it be a minimum of 1%.

All AGREED to the following addition; 'Simple interest shall be paid *at a minimum of 1% or 1% above the Bank of England Base Rate, whichever is the greatest* when the loan is taken out, and be fixed for the term of the loan.'

The Committee RESOLVED to recommend that the Officers Car Loan Policy (No. 20) be approved with the above amendment at the next Board meeting.

(d) POLICY No. 42: NEAR MISS REPORTING

The committee were informed that the only proposed changes are in relation to the responsibilities of the managers.

The Chief Executive highlighted that the workforce receive toolbox talks where they are encouraged to report near misses in a no-blame culture. These near misses need to be reported so that they can be acted upon and the risk reduced to a level as low as reasonably possible.

The Chief Executive explained that according to the reports, there are very few near misses. However, with the number of workforce and industry that they work in, it does seem surprising that there are very few near miss incidents.

Therefore, emphasis has been given to try and encourage employees to report near miss incidents and remove any reluctance to record them.

Mr V Barker noted that he has watched some of the twigas in operation and some of the positions they have ended up in, especially in wet conditions, he would think they would be classed as a near miss. The Chief Executive noted that if any members witness anything they believe should be reported as a near miss, please inform the Operations Team.

The Chairman acknowledged the importance of near misses being reported so that there is opportunity to do something about it and ensure it doesn't result in something worse. The Chairman also noted that, quite often, near misses aren't reported because they were doing something in a way they shouldn't be.

The Chief Executive noted that it needs reporting for the safeguarding of the employees and the toolbox talks will continue.

Mr R Leggott added that different individuals have different perceptions of what a near miss is and so hopefully through education the variation of what constitutes a near miss can be reduced.

Mr W Ash noted that also, often, near misses are due to operator error and so they are then not going to want to highlight it to management.

The Chief Executive added that there are also very few reported accidents and so it may just be that there are no near misses to report.

The Committee RESOLVED to recommend that the Near Miss Reporting Policy (No. 42) be approved at the next Board meeting.

(e) POLICY No. 47: BUSINESS CONTINUITY PLAN – COVID-19

The committee were informed that this was presented to the Executive committee in September and, at the time of printing the agenda, there were no proposed changes. However, the Finance Manager noted that following the Prime Minister's announcement on 12<sup>th</sup> October 2020 regarding the three-tier system, it may be useful to include that.

It was clarified that the changes are made by the Chief Executive as and when necessary and it is then retrospectively reviewed by the Executive committee and Board.

Mr R Leggott made reference to the COVID-19 Secure section, noting that it currently states that ten people can be in the Boardroom, questioning whether this requires reducing to six?

The Finance Manager explained that there is an exemption for business', meaning that more than 6 people can meet, provided that they are able to social distance. Ten people is the maximum number of people that could fit in the Boardroom socially distanced. However, the decision has been taken that future meetings should be held remotely due to the increasing infection levels.

The Committee RESOLVED to recommend that the Business Continuity Plan - COVID-19 (No. 47) be retrospectively approved at the next Board meeting with the addition of the newly announced tier system.

1662 TO RECEIVE A NEW POLICY ON CROP LOSS COMPENSATION (POLICY No. 46)  
- Agenda Item 9

The Chief Executive explained that this a new policy, however, the information within the policy is already in place, it just wasn't formally set out in a policy format, so the figures and procedure have already been approved by the Board.

The Finance Manager noted that a change needs to be made to the Land Loss Calculator; the '*Average Rentable Value*' should be the '*Annual Rateable value*'.

The Chairman clarified that they are locally agreed rates, questioning how they compare to other local Board's rates? The Chief Executive responded that Welland & Deepings IDB and Witham 4<sup>th</sup> IDB do not pay any compensation for their annual summer maintenance works. The Chief Executive added that the Board pay around £10,000 - £15,000 per year in crop and land loss compensation, which the Board may feel could be used better for something else i.e. capital schemes etc.

The Chairman confirmed that at this committee meeting, all the committee are doing are agreeing to the policy outlining what is already in practice. Any changes to the procedure or rates need to be discussed at the Board.

Mr V Barker made two points, the first being that sometimes the land is let by the ratepayer. The second being in reference to bulbs, explaining that they can be in for c3 years and already be in before the decision is made for the drain maintenance to take place. He added that the value would be greater than for cereals and rape and so didn't believe that the value was appropriate for bulbs.

The Finance Manager responded to Mr V Barkers first point, explaining that any crop loss payment will be paid to the occupier as per the drainage rate system. Any land loss payment will be paid to the owner.

The Chairman confirmed that the values will need to be discussed by the Board.

Mr N Scott added that it is a clear policy, but it would be beneficial to have a section on how the procedure works. For example, whether the ratepayer needs to make a claim for the payment and what this involves or whether it is automatically paid. All AGREED this would be a beneficial addition.

The Committee RESOLVED to recommend that the Crop Loss Compensation Policy (No. 46) be approved at the next Board meeting with the addition of a new section explaining how the process works.

1663 RECEIVE THE CATALOGUE OF BOARD POLICIES WITH RECOMMENDED APPROVAL DATES - Agenda Item 10

The Finance Manager explained that the catalogue is based on the maximum review time and so for the April 2021 meeting some may be pulled forward.

The Committee AGREED that the Catalogue of Board Policies be adopted.

1664 TO REVIEW THE RISK REGISTER - Agenda Item 11

The Chairman presented the Risk Register, highlighting the risk score of 6 associated with the risk of fluvial flooding from failure or overtopping of defences. This being such a high risk due to still waiting for the operation manual from the EA, once this is received, this risk can be re-assessed.

Mr R Leggott questioned whether this risk score is being relayed to the EA in the discussions about the urgency of the operations manual? The Chief Executive responded that this has been highlighted to Norman Robinson, who was rather shocked and so is actioning it himself.

The committee AGREED that the Risk Register be accepted.

1665 ANY OTHER BUSINESS - Agenda Item 12

There was no additional business.

There being no further business the meeting closed at 14:55.