

# **BLACK SLUICE INTERNAL DRAINAGE BOARD**

## **MINUTES**

of the proceedings of a Meeting of the Board  
held at the Offices of the Board on Wednesday  
3<sup>rd</sup> February 2010 at 2:30pm

### **Members**

Chairman - \* Mr M J Scott

* Mr W Ash	* Cllr R Austin
* Mr J F Atkinson	* Cllr P Bedford
Mr V A Barker	* Cllr J Blaylock
* Mr K C Casswell	Cllr M Brookes
* Mr J Fowler	* Cllr D Dickinson
* Mr F W C Holmes	* Cllr D Owens
* Mr R Leggott	* Cllr A Puttick
* Mr P Robinson	Cllr B Russell
Mr M Rollinson	* Cllr R Singleton-McGuire
* Mr J R Wray	* Cllr D Witts

\* Member Present

In attendance: Mr S M Hemmings (Chief Executive)  
Mr D Withnall (Finance Officer)

#### 715 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr V A Barker, Mr M Rollinson, Cllr M Brookes and Cllr B Russell.

#### 716 MINUTES OF LAST BOARD MEETING

The Minutes of the last Meeting of the Board held on 4<sup>th</sup> November 2009, copies of which had been circulated, were signed by the Chairman as a true record.

It was RESOLVED that the Minutes should be received and adopted.

#### 717 MATTERS ARISING

##### (a) Flood and Water Bill - Minute No 662(d)

The Chief Executive stated that the Bill has received its third reading on 2<sup>nd</sup> February 2010 and is now going to the Lords and is expected to be made law before March/April 2010.

718 MINUTES OF THE EXECUTIVE COMMITTEE MEETING

The Chairman presented the minutes of the last meeting held on 4<sup>th</sup> November 2009, copies of which had been circulated.

It was RESOLVED that the Minutes should be received and adopted.

719 MATTERS ARISING

(a) Reporting of Assets – Minute No 650(d)

The Chairman stated that progress has been made with regard to the qualification points that had been made in the recent audit of accounts. In the audit of the 2009/10 accounts the auditors will be looking into the financial assets ie buildings, pumping stations and drains and how we manage these assets. We are looking into systems to be developed and the Executive Committee have requested the Chief Executive prepare a policy document describing how the assets are managed.

720 MINUTES OF THE EXECUTIVE COMMITTEE MEETING

The Chairman presented the minutes of the last meeting held on 13<sup>th</sup> January 2010, copies of which had been circulated.

It was RESOLVED that the Minutes should be received and adopted.

721 MATTERS ARISING

(a) Report on Boards Long Term Investments – Minute No 689

The Chairman stated that the Board currently has £300,000 invested in Santander and £200,000 in Newcastle Building Society which matures mid February. He stated that at the Executive Committee meeting earlier the matter had been reconsidered and the Committee now recommended that the investment in Santander not be increased higher than £300,000 and the Finance Officer should invest the £200,000 when it matures with another bank or building society.

722 MINUTES OF THE AUDIT & RISK COMMITTEE MEETING

The Chairman presented the minutes of the last meeting held on 26<sup>th</sup> January 2010, copies of which had been circulated.

It was RESOLVED that the Minutes should be received and adopted.

723 MATTERS ARISING

(a) Report of Meeting with External Auditor – Minute No 700

The Chairman stated that a meeting had taken place with Mr Caley of Grant Thornton to discuss the problems that had been experienced with the audit of the 2008/09 accounts.

Reference was made to the business plan and risk analysis that had been sent to Mr Caley prior to the meeting and the latter stated that these documents, along with the improved financial reporting should allow the auditors to issue an unqualified audit opinion for the 2009/10 accounts.

A discussion had taken place on the contradictory advice given with the ADA guidelines and the FRSSE, and both sides had agreed that if there was different advice in the two documents then the FRSSE should be used.

Nick Caley advised that he would not be continuing as Audit Manager and Paul Winrow, the appointed Manager would be replaced by Paul Dossitt, who is a partner in the London Office of Grant Thornton. The Chairman stated that he had extended an invitation to Mr Dossitt along with the new Audit Manager to visit the area and this has been accepted.

(b) Procurement Policy – Minute No 703

The Chief Executive informed the Board that he had made revisions to parts of the policy and added the process of procurement and the items below £250. He recommended that the Board should agree the policy and the Audit & Risk Committee should reconsider this at their next meeting.

The Chairman thanked Cllr M Brookes for chairing the Audit & Risk Committee which had met for the first time in January.

724 TO CONSIDER PERIOD 9 MANAGEMENT ACCOUNTS AND FORECAST – Agenda Item 5

The Finance Officer presented the period 9 management accounts to the Board. He highlighted that the accounts are favourable against budget and forecast, and that Drain Maintenance has been recovered by £22,000 since the previous quarter's accounts as expected. The forecast for drain maintenance and pumping station maintenance has been increased although electricity had been accrued for £8,000 for December and is expected to be approximately double at £16,000.

The rates collection has improved against budget and Court Summons have been signed with a value of £8,862.97 (24 cases) compared with £6,099.89 (28 cases) last year. The Board's finances are still expected to be in the region of Budget by the financial year end.

725 TO CONSIDER THE 2010/11 BUDGET AND FIVE & TEN YEAR ESTIMATES – Agenda Item 6

The Finance Officer referred to the budgets on pages 27 to 35 of the meeting papers. He stated that the officers had been mindful of the economic situation and financial constraints bearing on local authorities in the recommendations. He referred to the five year budgets for both maintenance and asset improvements. The possible increases in charges for electricity was a concern, however Energy Management Services will be used again to obtain the best quotation from utility companies.

The Chief Executive stated that the Northern and Southern Works Committees would consider the proposed drain asset improvement works in detail at their meetings in March 2010.

726 BOURNE NORTH FEN FARM ACCOUNT – Agenda Item 7(a)

The Chairman reminded the Board about the background to this account. It is not a part of the Black Sluice accounts and therefore the Executive Committee has asked G Parkes (Internal Auditor) to audit these accounts.

The Chairman stated that the Executive Committee had recommended that the rate alleviation to ratepayers in Bourne North Fen should continue to be 2.4p in the £.

727 DEVELOPMENT CONSENT FEE ACCOUNT – Agenda Item 7(b)

The Chief Executive stated that it was likely that in future years the amount of development fees that would be collected would be very much less than in previous years. This is due to the general policy that all new developments should be served by Sustainable Urban Drainage Systems (SUDs) which recommend reduction in flows discharged to the Board's drainage system.

He recommended that the administration contribution should be reduced in 2009/10 to £10,000. The Board agreed.

728 PLANT REPLACEMENT FUND – Agenda Item 7(c)

The proposed purchase of an excavator to replace the JCB160 purchased in 2002 was discussed.

The Board AGREED to purchase a new JCB160 excavator for the sum of £88,095 with a trade in value of £16,000 for the old JCB160.

729 TO APPROVE BUSINESS PLAN – Agenda Item No 8(a)

The Chairman explained that the Business Plan had been written in response to one of the qualification points that had been made in the recent audit of accounts. It states the short and long term plans of the Board and brings together plans that have been discussed by the Board at previous meetings.

The Board APPROVED the policy all AGREED.

730 TO APPROVE PROPOSED PROCUREMENT POLICY – Agenda Item No 8(b)

The Chief Executive reported that this policy sets down the procurement practices that are at present carried out by the Board's management team.

The Board APPROVED the policy all AGREED.

731 TO APPROVE PROPOSED RISK STRATEGY AND REGISTER – Agenda Item No 8(c)

The Chief Executive reported that the risk strategy had been presented to the Audit & Risk Committee and the amendments recommended had been incorporated.

The Board APPROVED the Risk Strategy and Register all AGREED.

732 TO APPROVE BLACK SLUICE IDB BIODIVERSITY ACTION PLAN – Agenda Item 8(d)

The Chief Executive presented the Biodiversity Action Plan (BAP) to the Board which had been circulated under separate cover. This had been produced by Lapwings Consultancy in Horncastle in co-operation with the Chief Executive.

The Chief Executive reminded members that the Board were required to have a BAP produced before 31<sup>st</sup> March 2010.

The BAP still requires further additional material to be added in the section which details the future work programme.

It was AGREED that the BAP should be approved and additional material added which should be reviewed by the Environment Committee at their meeting in May.

733 REPORT ON FINANCE, ADMINISTRATION AND RATING – Agenda Item 9

The Finance Officer presented his report to the Board. It was RESOLVED that the Report be received and adopted.

(a) Court Proceedings – Arrears of Rates

The Board AGREED that the Chief Executive Officer, the Finance Officer and the Rating Officer shall be authorised, as set down under Chapter 59, Section 54 of the Land Drainage Act 1991 to carry out the following:

- to institute or defend on the Board's behalf proceedings in relation to a drainage rate; and
- notwithstanding that these officers are not qualified as solicitors, to appear on their behalf in any proceedings before a magistrates court for the issue of a warrant of distress for failure to pay a drainage rate.

It is further recommended that the Chief Executive Officer, Finance Officer and Rating Officer of the Board be authorised to arrange the execution of distress warrants on behalf of the Board for the recovery of drainage rates.

(b) Bad Debts

The Finance Officer recommended that the following actions be included in the accounts of the Board for the year ending 31<sup>st</sup> March 2010.

- (i) [REDACTED] – [REDACTED] was listed as bankrupt on 6<sup>th</sup> April 2009 at which time £599.45 in drainage rates were unpaid relating to 2008/09. A further £551.12 was levied for 2009/10.

The Board AGREED to write off this account in the sum of £1,150.57 as a bad debt.

- (ii) [REDACTED] – [REDACTED] entered administration on 10<sup>th</sup> July 2009. With the Drainage Rates apportioned the amount due from the company for the period 1<sup>st</sup> April 2009 to 10<sup>th</sup> July 2009 is £1008.92, for the period 10<sup>th</sup> July 2009 and 31<sup>st</sup> July 2009 the apportioned amount due for this period is £216.13. The amount due from 1<sup>st</sup> August 2009 to the end of this financial year is £2,457.51.

The Board AGREED to write off this account in the sum of £3,682.56 as a bad debt.

733 Cont.....

- (iii) [REDACTED] – [REDACTED] has unpaid drainage rates of £118.91 from several years.

The Board AGREED to write off this account in the sum of £118.91.

(c) Rating Valuation

The Board AGREED to the revaluation of the following rating accounts and Determination Notices should be sent to the occupiers giving details of the proposed changes in valuation and the appeals period. The new values will be effective from 1<sup>st</sup> April 2009:

Reference Number	Occupier and Location of Revaluation	Description	Existing Valuation	Proposed Valuation
2460/1301 0085	[REDACTED]	Nursery	£120,829	£148,235
2719/1201 0106	[REDACTED]	Glasshouse	£361	£898
2860/2101 0001	[REDACTED]	Egg Production Unit	£24,766	£36,362

734 PRESENTATION ON BOSTON BARRIER - Agenda Item 10(a)

The Chief Executive presented a slide presentation on the Environment Agency's (EA) proposal to construct a multifunctional barrier in the Haven. He referred to the recent exhibitions that the EA had held in Boston which many members had attended.

The barrier would carry out two functions:

- (a) To protect Boston from a 1 in 300 year tidal surge event.
- (b) To retain higher water levels in the Haven during low tide periods.

The Chief Executive reminded members that the Board had been unhappy about the first proposals put forward by the EA in 2007 because the design did not allow for any gravity drainage from the South Forty Foot Drain into the Haven. Following discussions the EA added a large gravity culvert to allow low flows to continue to discharge into the Haven by gravity at low tide.

734 Cont.....

The EA were now putting forward five locations for the barrier, four of which were downstream of Black Sluice Pumping Station. None of the downstream proposals made any allowance for gravity drainage at low tide.

If the culvert is not constructed then the option would be to construct new electric pumping capacity at Black Sluice Pumping Station which could be working 24 hours per day in higher normal flow conditions which could cost £18,000 per year to run.

The Board members discussed at length the proposals and the impact on pumping water rather than relying on gravity feed could increase the Board's electric costs.

735 PRESENTATION ON EA BLACK SLUICE STRATEGY- Agenda Item 10(b)

The Chief Executive presented a slide presentation on the Black Sluice Strategy which is the future plan for the whole of the Black Sluice Catchment, to include main river and Black Sluice IDB drains.

The first strategy was drawn up in 2000/01 following the high rainfall events in 1999/2000. Following this the EA engaged Bullen and Partners to produce a computer model of the South Forty Foot Drain and the Highland Carriers. The conclusions of this study were that overtopping of banks, with the risk of breaches, would begin to occur in a 1 in 10 year event. A number of options for the future were considered in the report, one of which being strengthening and raising of banks. However it became evident in 2004 that EA were not able to finance a scheme to raise banks in the Black Sluice area.

In 2005 the Board commissioned further work to investigate the proposed breach positions in more detail. Bullen and Partners carried out investigations to ascertain whether switching off IDB pumps, and providing storage outside the Board's District would improve the standard of service. The results indicated that the standard of service would be improved.

In 2009 the EA commissioned AECOM (previously Bullen and Partners) to update the computer model and the results again indicated flooding starting to occur in a 1 in 10 year event. This year the EA have informed the Board that the strategy will be reviewed and the Chief Executive stated that he would be asking the EA to review the options considered by the Board and to consider how the EA and the Board can work together to manage the catchment in the future.

There was a general discussion on the presentation, and Cllr Austin made reference to the point that the reason for the section of bank failing was the number of rabbit holes in the bank, and that the EA should be reminded that the control of rabbits and badgers in flood banks was very important.

736 DRAFT LINCOLNSHIRE FLOOD RISK AND DRAINAGE MANAGEMENT FRAMEWORK – Agenda Item 11

The Chief Executive explained that the Flood and Water Bill gives County Councils the overall responsibility for surface water management. Lincolnshire County Council has drawn up the Lincolnshire Flood Risk and Drainage Management Framework as the method in which they intend to implement their strategy. The framework proposes three levels of management, a strategic group, an operational group and local delivery committees.

The Board AGREED to sign up to the draft framework and AGREED that the final framework should be reviewed and signed by the Executive Committee.

737 REPORTS – Agenda Item 12

(a) Monthly Accounts – Agenda Item 12(a)

The Board's monthly accounts which included October 2009 – December 2009, copies of which had been circulated, were AGREED.

(b) Schedule of Consents – Agenda Item 12(b)

Schedule of consents for Bye-Law Relaxations, Culvert Consents, Development Contributions and Tile Drainage Consents issued from November 2009 – January 2010 were presented, copies of which had been circulated.

(c) Rainfall – Agenda Item 12(c)

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

738 TO SEAL THE RATE FOR 2010/11 – Agenda Item 13

The Board RESOLVED that the Chairman and Chief Executive be authorised to seal the Drainage Rates and Special Levies for the year 2010/11 as follows:-

(a) Drainage Rates

	£	<u>Estimated Amount Drainage Rates Payable</u>
Sub-District No 1 being so much of the said Internal Drainage District as: Comprises the area of the Borough of Boston as constituted and in existence immediately before 1 <sup>st</sup> April 1974	6.075p	£994,320.15 (51.03%)
Sub-District No 2 – Being the remainder of the Internal Drainage District	12.150p	

738 Cont.....

(b) Special Levies

Borough of Boston	£721,161.43	
South Holland District Council	£119,669.36	
North Kesteven District Council	£57,532.92	
South Kesteven District Council	<u>£55,907.01</u>	
		£954,270.72 ( 48.97%)

739 ANY OTHER BUSINESS – Agenda Item 14

(a) 75 Year Anniversary

The Chairman reminded the Board that this year is the 75<sup>th</sup> year since the formation of the Black Sluice Internal Drainage Board. The Board AGREED that the BSIDB should raise awareness of this in local Public Relations.

(b) 200<sup>th</sup> Anniversary of last flood on 10<sup>th</sup> November 1810

Cllr Austin stated that this year marks the 200<sup>th</sup> year since the last flood in Boston which instigated the building of drainage works and a meeting on 23<sup>rd</sup> February 2010 has been arranged to discuss the use of this to celebrate the work of drainage boards and coastal defence strategies.

There being no further business the meeting closed at 4:40pm.