

TRENT VALLEY INTERNAL DRAINAGE BOARD

Minutes of the Annual General Meeting of the Board held at Winthorpe Community Centre and via Microsoft Teams on Thursday, 24th November 2022 at 10.00am.

Elected Members

- * Messrs J. Miller (Chairman)
- * T.H. Farr (Vice-Chairman)
- * A. Arden
- * J.B. Ashworth
- * A.J. Bradley
- * D. Gash
- * N.J. Greenhalgh
- * T. Hawthorne
- * R.J. Jackson
- * D. Loates
- * W.J. Staunton

Nominated Members

Bassetlaw District Council

- Cllrs J. Ogle
- * Mrs S. Fielding
- v J. Naish

Newark and Sherwood District Council

- * Cllrs Mrs S. Michael
- * I. Walker
- * K. Walker
- * Mrs L. Dales

Rushcliffe Borough Council

- Cllrs Mrs J. Walker
- * Mrs C. Thomas
- * Mrs C. Jeffreys
- G. Dickman

Gedling/Melton Borough Councils

- * Mr J. Evens

West Lindsey/North Kesteven District Councils

- * Cllr P. Overton

* *Present*

v *Virtual*

Staff

- * Mr A. McGill (Chief Executive)
- * Dr D. Hickman (Executive Officer)
- * Messrs A.J. Malin (Senior Operations Manager)
- * R. Brown (Senior Engineer)
- * M.S. Everett (Operations Manager)
- * Mesdames N. Hind (Finance Manager)
- * C.B. Davies (Corporate Services Manager)

* *In attendance*

The Chairman welcomed Mr J.B. Ashworth to the meeting explaining that his previous experience as Chairman of the NFU would serve him well.

1. APPOINTMENT OF CHAIRMAN PRO TEM

The Chief Executive was appointed Chairman pro tem to conduct the election of Chairman of the Board for the ensuing year.

2. ELECTION OF CHAIRMAN

It was proposed by Mr W.J. Staunton and seconded by Mr T.H. Farr that Mr J. Miller be elected Chairman of the Board for the ensuing year.

RESOLVED unanimously

That Mr J. Miller be elected Chairman of the Board for the ensuing year.

3. ELECTION OF VICE-CHAIRMAN

It was proposed by Mr J. Miller and seconded by Cllr Mrs C. Jefferys that Mr T.H. Farr be elected Vice-Chairman of the Board for the ensuing year.

RESOLVED unanimously

That Mr T.H. Farr be elected as Vice-Chairman of the Board for the ensuing year.

4. APOLOGIES

Apologies for absence were received from Messrs R.J. Jackson and T. Hawthorne and Cllrs Messrs J. Ogle and G. Dickman.

5. DECLARATION OF INTEREST

Mr W.J. Staunton declared an interest in agenda item 24, Delegated Matters – Planning, Bylaws and Supervisory Role, Ref 22/01726/FULM.

Mr J. Miller declared an interest in agenda item 21 the A46 Newark Bypass.

6. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

None.

7. BOARD MINUTES (Pages 520 to 531)

RESOLVED

That the minutes of the meeting of the Board held on 28th September 2022 be confirmed as a correct record.

8. MATTERS ARISING

None.

9. FINANCE AND PLANT COMMITTEE MINUTES

RESOLVED

That the minutes of the meeting of the Finance and Plant Committee held on the 10th November be approved and adopted.

Cllr P. Overton was pleased to see the purchase of an excavator tree mulching attachment which would reduce the amount of waste materials disposed of by burning and lessen the environmental impact.

10. ELECTION

The Chairman confirmed the elected members to the Board with effect from the 1st November 2022.

Electoral District

Laneham

Newark

Members Elected

Mr N.J. Greenhalgh

Mr D.H. Loates

Mr A.J. Bradley

Mr A. Arden

Mr D.C. Gash

Southwell	Mr J.B. Ashworth Mr R.J. Jackson Mr J.J. Miller Mr T.H. Farr
Fosse and South Notts	Mr T.G. Hawthorne Mr W.J. Staunton
Fosse Sub DRO	Vacancy

He commented that Mrs J. Love had resigned from the Board and that a vacancy existed in the Fosse Sub DRO area. Cllr Mrs C. Thomas asked for guidance and the criteria for replacing a Board member. The Chief Executive confirmed that the Board could appoint someone to fill the vacancy and would ask the Corporate Services Manager to contact her.

Cllr Mrs C. Jeffreys advised the Board that she would be retiring prior to the next Local Council Elections. She commented that one of the best aspects of being a Councillor had been her involvement on the Drainage Board and that the experience had been delightful, and she thanked everybody involved. The Chairman thanked her for her service to the Board.

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11. MEETINGS 2023

Proposed meeting dates were reported as follows:

26th January 2023	Board (approval of estimates and rate setting)
30th March 2023	Board
25th May 2023	Consortium Committee
8th June 2023	Finance and Plant Committee
26th June 2023	Board (Approval of final accounts)
25th July 2023	Joint Negotiating Committee
28th September 2023	Board
3rd October 2023	Consortium Committee
3rd October 2023	Joint Negotiating Committee
9th November 2023	Finance and Plant Committee
23rd November 2023	Board (Annual General Meeting)

Other Dates

ADA Trent Branch – 14th June 2023
Lincolnshire Show – 21st and 22nd June 2023
Flood and Water Live (Carrington, Lincolnshire) – 5th and 6 July 2023
ADA Annual Conference - November 2023 (Date to be confirmed)

The Chief Executive highlighted that the June Board meeting had been brought forward to allow time to submit the approved year end accounts.

He also confirmed that the Finance and Plant Meeting proposed for the 8th June 2023 may be cancelled if there were no issues to be discussed.

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12. MEMBERSHIP OF COMMITTEES

Committee membership was discussed, and no changes were made to the existing membership.

- (a) Standards Committee - The Chairman and Vice-Chairman, Mr R.J. Jackson and Cllr I. Walker (two vacancies).
- (b) Finance and Plant Committee - The Chairman and Vice-Chairman, Cllrs P. Overton, J. Naish, G. Dickman, Cllr Mrs S. Michael, and Messrs N.J. Greenhalgh and T. Hawthorne.
- (c) Consortium Committee - The Chairman and Vice-Chairman of the Board (vacancy for substitute).
- (d) Conservation Advisory Group - The Chairman and Vice-Chairman, Messrs N. J Greenhalgh and D. Loates, Cllr P. Overton and Cllr Mrs C. Jeffreys.

The Chairman asked for volunteers to fill the vacancies and would be happy to discuss with anyone interested. He invited those interested to contact the Corporate Services Manager. He felt that it was important that the Conservation and Advisory Group met on a regular basis and would be looking to arrange a meeting for January/February 2023.

RESOLVED

That the Committee membership detailed above be noted.

13. HEALTH, SAFETY AND WELFARE

The Senior Operations Manager reported that the Consortium continued to follow Government Covid-19 guidance with advisory measures in place to protect staff. There had been no changes in legislation since the last meeting.

There had been five incidents since the last meeting, three of which were in the Trent Valley Board area. One of the incidents involved a flail arm striking the tractor roof, this was the second incident of this type and Officers were talking to the manufacturers regarding a possible fault and work around to avoid a reoccurrence. There were no injuries and the damage was less than the previous incident.

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14. OPERATIONS REPORT

The Senior Operations Manager reported that the summer cutting season was entering its final weeks. He confirmed that 86% of the flailing maintenance work had been completed and 73% of the weedcutting work. Due to the warmer weather and increased weed growth, it had been necessary to undertake some second cuts on the Laneham main drains, the Catchwater Drain and the Mother Drain. He confirmed that the labour-intensive urban walk-through areas and the roadside maintenance works would be completed once the plant work reduced in fields and machinery became available. Progress had been slower this season whilst new starters became familiar with the work and Board's area. Issues continued in respect of blocked access routes.

A programme of winter works for 2022/23 totaling 7,315m was presented together with details of the proposed 2023/24 reforming works.

Rechargeable works continued with the Environment Agency (EA) through the PSCA but no additional works had been requested and across the Consortium Boards an overall reduction had been noted. A series of slides were presented from the EA highlighting works carried out on the River Devon. The Chief Executive was in contact with the EA and continued to pressure for further improvement. The Chief Executive encouraged members to attend the EA Liaison meeting on the 30th November. In the afternoon he had been invited to attend a meeting with DEFRA to discuss escalating electricity costs. ADA had also approached him to help write a question to be tabled in the house of commons by Andrew Percy MP on 'Main River Maintenance'.

The JCB JS130 (YT15 BZH) tracked excavator was due for replacement in line with the five year plant replacement policy, the excavator was eight years old and had covered 5,500 hours. Details of the tenders submitted were presented to the Board and Officers recommended the purchase of a JCB 140X for a total cost of £108,000 (Net spend £86,000 after a trade-in of £22,000) including a five year 5,000 hours warranty package. The machine would be delivered after April 2023. Officers highlighted that the tender submitted for a new Hyundai was slightly lower but did not include additional warranty.

In response to a question from Mr J.B. Ashworth, the Operations Manager confirmed that the Board had a policy for invasive species. The Board did not treat Himalayan Balsam but encouraged Parish Councils and residents to form working parties to pull and spray before it went to seed, landowners were responsible for their own management.

RESOLVED

That a JCB 140X be purchased at a total cost of £108,000, including a 5-year 5,000 hours warranty package in the financial year 2023/24.

Cllr J. Naish joined the meeting.

15. ASSET RENEWAL AND REFURBISHMENT REPORT

15:1 North Scarle Flood Relief (TV21803)

The Senior Engineer reported that all works were now complete except for minor works required to the final headwall. Expenditure to date was £43,331 against the approved budget of £34,500. The overspend would be shared with Lincolnshire County Council. It was recommended that £10,000 be transferred from the Catchment Study budget (TV22800) to fund the overspend.

RESOLVED

That £10,000 be transferred to North Scarle Flood Relief (TV21803) from the Catchment Study Budget (TV22800).

15:2 Egmanton Village Flood Relief Scheme (TV11012)

To assist with the production of the flood maps required, Officers were seeking the release of the original Model from JBA Consulting. It was recommended that TV17012 Egmanton Mill Dam be closed and the remaining funds, £8,114.27, be transferred to this project.

RESOLVED

That TV17012 Egmanton Mill Dam be closed and £8,114.27 be transferred to TV11012 Egmanton Village Flood Relief Scheme.

15:3 Sturton Pumping Station – Pump Refurbishment (TV16019)

The dam had been installed to enable modifications to the stoplog frames and was being monitored. IWJS had attended the site and jetted and cleared the silt from the basin and pump chambers. Officers were awaiting the return of IBS Engineered Products to complete the stoplog installation. Quotes for pump refurbishment would be refreshed for delivery in April/May when weather conditions would be more favourable. A report on outturn costs would be presented at a future meeting.

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15:4 Torksey Pumping Station Refurbishment (TV16002)

It was reported that works at Torksey Pumping Station were substantially complete. There were some issues with the roof that would require remedial works including replacement of some ridge tiles and works to the guttering. This work had been carried out as part of Gelder Constructions contract work. Unfortunately, the defects correction period with Gelder Construction had expired. Officers expected that the work could be completed within the remaining budget.

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15:5 Sutton on Trent (TV21310) and Thurgarton (TV20505) Flood Alleviation Schemes

Modelling had been completed in-house for both schemes. In each case an embankment is planned, similar to the completed scheme at Egmonton, which would hold water back during periods of excessive rainfall and allow for a controlled discharge of the resulting retention area as high flows recede. Modelling and mapped data had been provided to Scape consultancy with a project scope report and a feasibility report expected in December. This would also inform the Outline Business Case for both schemes, due for submission to the Environment Agency in December. Remaining site surveys would be undertaken, with the aim of reporting detailed design and costings for both schemes to the Board in January. Engagement had taken place with the landowner at Thurgarton, who was supportive of the scheme. Discussions with a landowner at Sutton on Trent would commence in the early part of December 2023.

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15:6 Future Programme Update

The Executive Officer reported that work had progressed across the Consortium's programme and presented a Project status update. Officers had outlined with the Scape consultancy the planned future projects that would form part of two large scale packaged outline cases, one for the Lindsay Marsh area and a second for Trent Valley, Doncaster East and Isle of Axholme areas. A clear narrative was emerging for both areas, emphasising connectivity between catchments, the potential for large scale movement and retention of water in periods of low and high flows, and the environmental benefits arising from this approach. Feedback both regionally and nationally continued to be favourable to a packaged approach, with clear anticipation that this was considered a more advantageous way of guaranteeing effective use of funds allocated by government for flood and water management. It was anticipated that Scape would be in a position to provide an initial scoping report setting out the key elements of each OBC during December, leading to detailed feasibility work in early 2023 and production of the completed OBCs during summer 2023.

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16. FINANCE

The Finance Manager presented the attached report for members consideration.

16:1 Management Accounts for the period ending 30th September 2022

The management accounts up to the 30th September 2022 showed a positive variance of £80,453.94 for the six month period to 30th September 2022, the majority of the positive variance (£30,178) related to an underspend in DLO employment costs due to an unfilled position, however, the move to the DLO salary scheme would reverse this position by the end of the financial year. Additional rates income had been received from increased land valuations.

The predicted outturn for 2022/23 was a deficit of £158,835.06 which would have to be met from general reserves. Should the Board experience a wet winter period prior to March 2023, these costs would rise, and the outturn position would worsen. The increase in electricity costs to run the pumping stations had predicted an overspend of £194,662 and this was calculated on an average year. Income was anticipated from the sale of Board land at Egmonton and this would be added to the Capital Receipts Unapplied Reserve which could be used to finance capital schemes. If the predicted costs of electricity proved correct the expected cash surplus as at the 31st March 2023 would be £175,377, equating to reserves of 7.84% of net operating costs, significantly less than the Board's reserve policy of 30% of net operating costs. The Board would have insufficient cash reserves to absorb the additional costs generated by the increase in electricity prices. It was confirmed that the Board also held funds for engineering projects, but these were held separately to the general reserves.

The proposed 2023/24 estimates had been prepared to increase those levels of funds to an acceptable percentage and monetary amount.

Cllr I. Walker thanked the Finance Manager for her presentation. The Chairman commented that unexpected events had affected the Board's expenditure and it was important to build reserves for future events.

RESOLVED

That the management accounts for the period ending 30th September 2022 be approved.

16:2 Transfer of Budgets for Approval

The Finance Manager presented a summary of budget transfers, which were approved under the Asset Renewal and Refurbishment agenda item, for members information.

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16:3 Cash and Bank Reserves as at 30th September 2022

It was reported that the Board currently had five accounts with a total balance of £1,609,672.99

The Board had one loan with a balance outstanding of £544,842.41

The Chief Executive reported that officers were looking at options for investing the Board's funds for a better return.

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16:4 Payments over £500

A schedule of payments over £500 totalling £415,015.26 was presented for Board approval.

RESOLVED

That the schedule of payments over £500 totalling £415,015.26 be approved.

17. ESTIMATES OF INCOME AND EXPENDITURE 2023/24

The Finance Manager presented the DRAFT estimates for 2023/24 for consideration. Explaining that the Board was facing an unprecedented increase in the cost of electricity, the scale of which would underpin the need to increase the Rates chargeable to Agricultural Rates and Special Levy in the 2023/24 estimates and beyond. The planned expenditure for 2023/24 was £3,550,533 of which £2,785,501 would be funded by Rates and Special Levy.

The Finance Manager presented the attached summary of options for rate increases. The DRAFT estimates had been prepared using an increase of 35% on the Rates from 2022/23, whilst this increase was unusually high, this would result in a surplus budget required to return the cash reserves to an acceptable level, but still below the Board's policy of 30% of net operating costs. Pumping station expenditure had been estimated at £522,195 plus an extra amount of £194,682 for the 2022/23 electricity overspend. This figure was based on an average year, and should the winter be wet, the Board could anticipate a further £200,000. Currently there were no external funds to assist with the additional costs and they would need to be met from General Cash Reserves. The Board had insufficient general cash reserves to sustain such a deficit and would need to rate for these additional costs. To raise sufficient income from rating to cover the electricity costs alone would require a rate of 30%. The income from agricultural rates for the year 2022/23 was £461,516 which equated to £160,341 below the electricity costs.

A 35% rise would increase the rate from 11.045 p/£ to £14.911 p/£ in Area A and from 2.071p/£ to 2.796 p/£ in Area B. This would result in a surplus budget of £70,487 and surplus cash reserves of £553,047 equating to 19.85% of net operating costs.

A 48.5% increase would result in a surplus budget of £356,016, increasing the cash reserves to within the Board's policy of 30%. This would increase Area A from 11.045 p/£ to 16.402 p/£ and Area B from 2.071 p/£ to 3.075 p/£.

The Finance Manager commented that if the Board were to rate at 9% or below they would run out of money in 2023/24.

The Chief Executive stated that it was important to stand back and look at what this meant to the Board. The increased electricity costs were an unprecedented event that would affect all Internal Drainage Boards (IDBs). He commented that it was important to convey the role of IDBs and raise awareness of the hidden industries and the infrastructure which were supported by their activities. He confirmed that he had been busy contacting ADA and local MPs and that he was hopeful of a meeting with Victoria Atkins MP before Christmas, who held a position in the Treasury. He continued to lobby on behalf of the Board's and thanked Cllr J. Naish for his support in raising awareness on the issues faced by IDBs and local Councils which had led to Radio Sheffield reporting on the issues.

Cllr J. Naish commented that people are not aware of the work carried out by IDBs and that of more rural local councils. Rural councils were picking up a tab which more urban councils do not have to consider. He wanted to raise awareness that Bassetlaw District Council, IDBs and landowners needed support and that this should be high on the agenda.

The Chief Executive stated that a united front from all Boards was important and that a meeting with Defra had been secured after the ADA Trent Meeting on the 30th November. This was to be attended by CEOs from several Boards.

Cllr Mrs S. Michael asked whether Mark Spencer MP had been contacted. Mr T.H. Farr confirmed that he had contacted his office but there had been no response to date. She encouraged Board members to engage with their local councillors and help raise awareness of the problems faced.

Cllr P. Overton asked in respect of energy costs what percentage of the annual running costs did that equate to. The Finance Manager confirmed that last year it was 6.5% of the overall costs and that this year she anticipated it to be 26%. She confirmed that standing charges had also been increased by electricity providers and not just the cost of energy used. For example, Burton Round Pumping Station had previously paid £26.50 a monthly and the new charge at the end of an existing contract was £21.50 a day totalling £7,858 for the year.

Cllr J. Naish asked when the last time was the Board had reserves of 30% and whether this was the right time to calculate for this figure given the difficulties faced by local councils and landowners. He commented that if the Board totally absorbed the increases, then the opportunities to raise money from other funds and source would be reduced. The Chief Executive pointed out that the 30% reserve policy came from ADA advice and the Board's Auditor would raise the matter if reserves fell too low.

Cllr S. Michael commented that if the rate was to be increased substantially it was important that the service would not be reduced.

Following further discussions, the Chairman commented that today was an initial consideration and that no decision was needed until the January meeting, when the situation would be reviewed.

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Cllr I. Walker left the meeting.

18. DRAINAGE RATES AND SPECIAL LEVIES

The Finance Manager reported that drainage rates and special levies collected to date totalled 72.05%. The outstanding balance to be collected was £588,926.34. Final demands had been posted and a Court Date had been set for 6th February 2023.

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19. ENVIRONMENTAL AGENCY AND PARTNERSHIP MATTERS

The Chief Executive reported that the ADA Trent/EA Liaison meeting would be held on the 30th November and he would update members on this at the next meeting.

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20. ENVIRONMENTAL REPORT

The Board noted the submitted report on the ADA 'Environmental Good Governance Guide for Internal Drainage Boards' which the Chief Executive invited members to download.

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21. A46 NEWARK BYPASS

The Senior Engineer presented an update on officers involvement with the A46 Bypass consultations. Although at early stages the applicant's agents had been informed of the Board's requirements relating to compliance with its byelaws and activities that would require Board consent and would keep members updated with progress. In response to the Chairman the Chief Executive stated he understood officers were responding to the public consultation.

Cllr Mrs L. Dales asked if the concerns of residents regarding the impact on local watercourses had been taken into account. The Senior Engineer would ask the Planning and Development Control Officer to contact her directly.

RECEIVED

22. SOLAR FARM DEVELOPMENTS

The Senior Engineer presented a report on the proposed solar farm developments within the Board's area. The proposed cable routes may impact on Board assets, officers had advised developers on the Board's requirements for crossing watercourses and would continue to liaise with developers. Once finalised a further report would be brought to the Board.

Cllr Mrs C. Thomas queried the effects of chemical cleaning of the solar panels. The Senior Engineer confirmed that he would raise this concern with the Development Control Officer.

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23. BYELAW APPLICATION – SCAFFOLD DRAIN, COLLINGHAM

The Senior Engineer present a byelaw application for consent by the Board for the construction of two building plots within nine metres but no closer than five metres, garden fences with nine metres but no closer than three metres, and a private road within nine metres but no closer than four metres of the board-maintained Scaffold Drain. He confirmed that this would not affect maintenance of the drain by the Board's Operations team, access was currently from Cross Lane with mature trees preventing access from this site. Officers had been advised that this section of road would be closed to vehicles in the future. The Board would have access in perpetuity to this side of the watercourse and this would become a dedicated access strip.

The applicant would be required to enter into a deed of indemnity to protect the Board against any damages as a result of the works and/or access in the future. The applicant or future successors in title would retain responsibility for the maintenance of the mature trees. Appropriate covenants would also be included within the title deeds of individual plot sales.

RESOLVED

- (a) That the Board grant consent for the construction of building plots within nine metres but no closer than five metres, garden fences within nine metres but no closer than three metres, and a private road within nine

metres but no closer than four metres of the Board maintained Scaffold Drain.

- (b) That a deed of indemnity be entered into to protect the Board against damage resulting from the work and access in the future.

24. DELEGATED MATTERS – PLANNING, BYELAWS AND SUPERVISORY ROLE

24:1 Byelaw Applications

The following consents had been granted under delegated authority since the last Board meeting:

TVIDB/LDC/2021/039 Installation of a temporary access culvert crossing using precast concrete box sections of size 4.8m by 3.4m, for a length of 12 metres, within the Board maintained Catchwater Drain at Field adjacent Common Lane, national grid reference 480084-384858 in the parish of Sturton Le Steeple.

TVIDB/LDC/2022/007 Increase in flows to the Board maintained Scaffold Drain via an outfall structure at land adjacent Cross Lane, Collingham, national grid reference 483911-361829 in the parish of Collingham.

TVIDB/LDC/2022/017 Replacement of existing 62 AC main with 180mm HPPE water main lain in open cut trench at 700mm depth over Board maintained Mill Dam, Swinderby Road, Eagle Hall, national grid reference 486783-365676 in the parish of Eagle and Swinethorpe.

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24:2 Section 23 Applications

The following consents had been granted under delegated authority since the last Board meeting:

TVIDB/LDC/2022/003 Installation of a culvert and two catchpit chambers in a riparian watercourse at Witham St Hughes, Lincs, national grid reference 489230-362873 in the parish of Witham St Hughes.

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24:3 Planning Applications

The Board had not objected to any planning application since the last meeting.

The Engineer reported that 21 planning applications had been reviewed by Officers since the last Board meeting and appropriate comments made.

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25. ADA TRENT BRANCH MEETING AND ANNUAL IDB/EA LIAISON MEETING

The Chief Executive invited members to attend to the ADA Trent Branch and Environment Agency Liaison meeting on the 30th November 2022 to be held in the Twickenham Suite at Castle Park, Doncaster.

Members noted the DRAFT minutes of the ADA Trent Branch Annual General Meeting held on the 14th July 2022.

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26. WMC JOINT NEGOTIATING COMMITTEE

All Officers left the meeting with the exception of the Chief Executive and Data Protection Officer. The Chief Executive and Chairman gave an outline of the last Joint Negotiating Committee held on the 17th October 2022 the attached minutes of which were circulated for members' information. The four Chairmen and Vice-Chairmen had met prior to the JNC and considered various options and looked at proposed increases across similar organisations.

The Committee had discussed a 5.5% salary increase for 2023/24, staff and the union were in favour of this rise. The Committee had also recommended a £1,000 one off unconsolidated cost of living payment for staff to be paid in December. The Chief Executive stated that he would not receive this payment.

Members supported the proposals stating that the value of retaining staff was more than the additional £1,000 per person.

RESOLVED unanimously

- (a) That all wages and salaries be increased by 5.5% with effect from 1st April 2023.
- (b) That a one-off, unconsolidated payment of £1,000 (pro rata) be paid to all staff (except the Chief Executive) in December 2022 to assist with the current cost-of-living crisis.

27. ANY OTHER BUSINESS.

None.

CHAIRMAN