

# TRENT VALLEY INTERNAL DRAINAGE BOARD

Minutes of the Meeting of the Board held at Winthorpe Community Centre on Thursday, 30th March 2023.

## Elected Members

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

## Nominated Members

- Bassetlaw District Council
- Cllrs J. Ogle
- Mrs S. Fielding
- 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*

## Staff

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

\* *In attendance*

The Chairman welcomed the new Board member for the Laneham area, Mr A. Bradley, to his first meeting.

## 1. APOLOGIES

Apologies for absence were received from Messrs R. Jackson, D. Gash, J. Evans and Cllrs J. Ogle, J. Nash, G. Dickman, Mrs S. Michael, Mrs S. Fielding and Mrs J. Walker.

## 2. DECLARATION OF INTEREST

None.

## 3. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

Council Elections.

## 4. BOARD MINUTES (Pages 544 to 552)

RESOLVED

That the minutes of the meeting of the Board held on the 26th January 2023 be confirmed as a correct record.

5. MATTERS ARISING

None.

6. CONSORTIUM COMMITTEE

The Chief Executive presented the attached minutes of the meeting held on 7th March 2023 and highlighted that the Committee had recommended that the Boards withhold payment of the EA annual precept and to put together a case evidencing the reasons why and requesting a meeting with DEFRA to discuss a change in policy.

The Chief Executive reported that the Committee had also requested a meeting with the Chairmen of the Boards and the Chief Executive of ADA to discuss their concerns regarding the rebranding of and support from ADA and until this time, payment of the subscriptions be withheld. This meeting had been held on 23rd March 2023 and would be discussed further under agenda item 19.

The Chairman commented that Michael Gove, Secretary for Levelling Up, Housing and Communities would be attending a meeting hosted by the Witham Fourth IDB.

RESOLVED

That the minutes of the meeting of the Consortium Committee held on the 7th March 2023 be confirmed as correct record and the resolutions be adopted by the Board.

7. COMMITTEES

The DRAFT Terms of Reference for the Standards and Finance and Plant Committees were presented to the Board for consideration. The Chief Executive highlighted that the Standard Committee was short of two members. After discussion the Chairman proposed that the matter would be brought to the June meeting as this would give existing members time to consider volunteering and also there would be new appointed members following the local elections.

The Corporate Services Manager commented that the Finance and Plant Committee Meeting on the 8th June would need to be rearranged.

RESOLVED

(a) That the attached Committee Terms of Reference be approved.

(b) That the appointment of new members be postponed until the June meeting.

8. RISK REGISTERS

The Chief Executive Officer presented the attached Dynamic Risk Assessment and the Business Risk Assessment to the Board for consideration.

In response to a question raised by Mr T.H. Farr the Senior Engineer reported on the two items with a RAG status of red. Regarding the issues with telemetry communications, he confirmed that this was not affecting operations but a manual reset was required. Schneider was working on a software update to resolve the issue but there would be no further cost to the Board. Improvements were also being undertaken to the variable speed drive. The second item (Low Ellers Pumping station) was in the Doncaster East area.

The Chairman stated that it was imperative to train and develop a Deputy Finance Officer to improve resilience and reduce over reliance on key members.

Following a question raised by Mr T.H. Farr a discussion took place on data protection and, in particular, passing on of contact information to ADA. The Corporate Services Manager confirmed that no personal information was released without the individual's consent but she could check with members and pass on their details if they were happy for her to do so.

RESOLVED

That the attached Risk Registers be noted.

## 9. COMPLAINTS

The Chief Executive gave an overview of queries/complaints received from 1st April 2023 to date. It was noted that 4 of the 73 queries received and logged on the database (24 in the Trent area) had been raised as formal complaints. He stated that Officers would be sharpening up response times and improving recording.

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## 10. HEALTH, SAFETY AND WELFARE

The Senior Operations Manager reported that there had been no changes in legislation since the last meeting. There had been one minor incident (damage only) recorded across the Consortium since the last meeting, nothing in the Trent Valley area. A total of 21 incidents had been recorded across the Consortium in 2022/23, six of which were in the Trent Valley area (two damage only, one road traffic incident, two machinery related incidents and one near miss; no serious injuries). The Senior Operations Manager confirmed that he was redesigning the incident form to encourage near miss reporting.

A COSHH rationalisation exercise had been completed and the number of assessments had been reduced by 40%. Substances that were no longer used had been archived, substances with similar chemical compositions and safety measures had been amalgamated and assigned a more generic heading rather than individual brand/product names.

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## 11. OPERATIONS REPORT

The Senior Operations Manager reported that 35% of the winter tree and bush works had been completed, any works outstanding at the end of the season would be deferred to the start of 2023/24. Access improvements and debris removal works had been completed in the Hoveringham/Rolleston, Norwell, Newark, Thorney, Orston, Langar and Rampton areas. Extensive works had been undertaken to reinstate access which had previously been lost along the Harby Road Feeder, Langar and the North Drain in Orston. Additional works outside the planned programme had been completed on the Darnsyke and Torksey Main Drain. A status report confirming completion of the 2022/23 winter programme was presented together with an update on the 2023/24 programme.

In respect of the summer maintenance works it was confirmed that the remaining handworks were being completed. Any outstanding watercourses/sites that were not accessible with plant/machinery were completed once the Board's machinery had been stood down and team members became available. These works included the Winterbeck, Easthorpe Sewer, Chapel Lane, Greenacres Drain, Palis Hall Drain, Foxholes Drain, Villa Drain, Mission Drain, Broadgate Lane Drain, Halam Beck, Holme Dyke, Drain 02, Drain 51 and Northlands Drain.

Evaluation of the Board's plant and machinery was ongoing ahead of the summer cutting season. Strategic ordinary watercourses across the Board's area were being regularly monitored to ensure continued conveyance of water and where necessary removal of weed would be undertaken after consultation with the Board's Environmental Officer. It was confirmed that delivery of the new JCB140X LC excavator was due in the next two weeks.

The Operations Manager gave a visual presentation of completed and ongoing improvement works. He reported that the work on Darnsdyke would improve access saving in low loader moves; trees had been planted elsewhere to offset the environmental impact of the tree and bushing work. Handwork had been undertaken on the Winterton Beck and Easthorpe Sewer due to access issues but the Operations Manager stated that ideally further work was required with a mini-digger on the Easthorpe Sewer.

Cllr P. Overton raised a question in respect of fly tipping, especially tyres and whether they were disposed/recycled in an environmentally friendly method. The Operations Manager confirmed that the Board had a good working relationship with local councils whereby the DLO removed the fly tipping from the watercourse and the local council collected and disposed of it. He did not know how the tyres were disposed of.

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## 12. COMPENSATION

A schedule of compensation payments totalling £2,682.50 was presented for approval; these had been paid in accordance with the Board's policy.

The Senior Operations Manager presented proposed compensation rates for 2023/24 which had been prepared in line with the Board's Compensation policy. The Corporate Services Manager reported that the purpose of setting standard rates was so that compensation could be paid quickly after work had taken place and hopefully avoid valuer's fees.

A discussion took place on the rate paid for maize and agreed to include a rate of £40 per ton for forage maize and 18 tons per acre. The Senior Operations Manager confirmed that should a landowner not agree with the rates, a report would be brought to the Board for consideration. It was noted that the rates were being presented to all four boards and any queries raised by the other boards in respect of the rates would be reported back.

RESOLVED

- (a) That compensation payments made since the last meeting totalling £2,682.50 be approved.
- (b) That the compensation rates for 2023/24 be approved with the addition of a price of £40 in respect of forage maize; Officers to report back on the feedback from the other Consortium boards.

## 13. ASSEST RENEWAL AND REFURBISHMENT PROJECTS

### 13:1 Sturton Pumping Station - Pump Refurbishment (TV1619)

The Senior Engineer reported that in 2017 the works were aborted due to access issues and not being able to dam off the station. Stoplog installation was now complete and all other issues had been resolved. The Board previously awarded a contract for the works for the amount of £20,960.00. An uplifted price of £27,792.76 had been received for the refurbishment of both pumps. The project had a remaining balance of £446.94.

To fund the pump refurbishment officers proposed a transfer of £12,000 from the Asset Renewal Budget (TV22451) and £21,742.00 from the emergency pump repair budget (TV22302). This would include the £17,600.00 previously approved at the June 2022 Board meeting.

RESOLVED

That £12,000 be transferred from the Asset Renewal Budget (TV22451) and £21,742.00 be transferred from the emergency pump repair budget (TV22302) to fund the refurbishment works at Sturton Pumping Station.

13:2 Pump Refurbishments – Church Laneham (TV21308), Weir Dyke (TV21309) and Fledborough (TV22306) Pumping Stations

Quotations had been received for the refurbishment works at Church Laneham, Weir Dyke and Fledborough Pumping Stations. Details of the tenders received were presented and it was confirmed that within the recommendation made to the Board the Weir Dyke pumps would be replaced and not just refurbished. Officers proposed to place an order with Torishima at a cost of £84,150.00 which was within the approved budget of £95,000.00.

RESOLVED

The order for the refurbishment works at Church Lane, Weir Dyke and Fledborough Pumping Stations be placed with Torishima at a cost of £84,150.

13:3 Sutton on Trent (TV21310) and Thurgarton (TV20505) Flood Alleviation Schemes

The Environmental Officer had undertaken a preliminary tree survey at the proposed Thurgarton site. Initial outcomes showed indicator species of ancient woodland, however, it was mostly a plantation of younger trees. Further surveys would be required throughout the year together with a bat survey. As both flood alleviation schemes had a biodiversity impact, as part of the planning application, the Board would have to demonstrate a net gain in biodiversity. Officers had requested quotations for the design of the earthwork embankment at Thurgarton.

RECEIVED

13:4 Telemetry system replacement (TV20303)

It was confirmed that the outstanding works were the calibration of levels to O.D.N at nine sites and also some sites would benefit from having outfall level sensors fitted. Calibration of levels was time consuming as it required a Surveyor and Site Mechanical and Electrical Engineer to change the settings to level instruments, telemetry level parameters and pump start/stop levels. Schneider was arranging for two engineers to visit all the sites to update the telemetry firmware which would resolve some communication problems and other issues. Schneider and Inter-Lec Ltd were to meet on a site with a representative from ABB (variable speed drive manufacturers) to configure settings so the Schneider telemetry could talk to the variable speed drives. Once achieved at the first site, this would then be rolled out at the other stations with variable speed drives. The first site would be Cuckstool Pumping Station.

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13:5 Capital Works Programme Update

The Executive Officer confirmed that officers had completed a comprehensive review of the entire capital programme across the Consortium totalling 88 projects. He presented a summary of the programme, showing timescales for commencement and completion together with an assessment of relative priority. Officers were implementing a programme management system so that this information could be used effectively to plan future resource allocation. It was intended that each project would have a clear summary sheet that could be made available to Board members and our partners detailing an up to date and clear description of each project, including progress and expected completion dates and outturns. Projects had been rationalised into four distinct groups: close-down, in delivery, planned and future works.

He updated the Board on the progress made with the Scape consultancy preparation for large scale packaged outline business cases for works on an additional range of projects for delivery from 2024 onwards. A list of projects for inclusion was presented to the Board and included 19 for the whole of the Trent Area.

Close down projects included Egmanon June 2023, telemetry March 2023, Torksey June 2023 and Beckingham March 2023. North Scarle Flood Scheme was in delivery and due for completion June 2023. Schemes due for completion by the end of this calendar year included Bole Ings, Church Laneham, Weir Dyke and Moor Lane pumping stations. The Executive Officer agreed to circulate a copy of the programme to members and stated that this would continue to be developed to ensure that the focus was on delivery, any bottlenecks were clearly identified and to make sure there were sufficient resources to deliver the projects.

Development of the programme was expected to proceed quickly, and an update would be given at the June Board meeting.

The Executive Officer requested that the Chairman, Vice Chairman and Chief Executive Officer be given delegated authority to place orders for works associated with the Outline Business Case preparation.

Cllr Mrs C. Thomas raised a question in respect of the diversion of the Sheepwash Dyke at East Leake. Officers confirmed that details of the scheme were being considered and that a report/proposal would be brought to a future Board meeting. She commented that Severn Trent were currently carrying out work in the area to install a new sewer and also that the Parish Council would like to be consulted. The Chief Executive reported that Officers would liaise with them regarding the works and maybe a contribution towards the Board's scheme. She made officers aware of two possible sources of funding from Rushcliffe Borough Council which may be available from the UK Shared Prosperity Fund and the Rural England Prosperity Fund; Officers agreed to pursue.

RESOLVED

That delegated authority be given to the Chairman, Vice-Chairman and Chief Executive to place orders for work associated with the Outline Business Case preparation.

14. FINANCE

14:1 Management Accounts for the Period ending 31st January 2023

The Finance Manager presented the management accounts up to the 31st January 2023. The variance report showed a positive variance of £39,069.43 for the period to

31st January 2023, much of the positive variance related to an underspend in DLO employment costs due to unfilled positions, changes in personnel and reduced pension costs. It was confirmed that the DLO had moved to the new salary scheme from December.

The predicted outturn report was presented to the Board and the Finance Manager confirmed that, after allowing for expected overspends and savings, the surplus would give a deficit of £39,165.41 at 31st March 2023. Any outturn deficit would have to be met from General Reserves. This was an improvement to the outturn reported in January, which was a predicted deficit of £102,237.41, mainly due to the expected savings on DLO salaries due to reduced overtime and pension costs and also a reduction in the predicted overspend relating to plant repairs. The calculated overspend in the year to 31st March 2023 regarding electricity was estimated to be £113,410.00 based upon average weather conditions. Whilst January/February weather had been dry, the invoices from the new supplier were still awaited so the overspend had not been adjusted.

A report was presented on the Capital Receipts Unapplied Reserves Fund which originated from the sale of the Board's Castlegate property. This fund was to be used for capital assets and not to boost general reserves. The current balance was £82,640.00 as at 30th March 2023 and this was predicted to reduce to £2,640.00 as at 31st March 2024.

The General Reserves-Surplus Cash report was presented to the Board. The Board would have insufficient cash reserves to absorb the additional costs generated by the increase in electricity prices. If the predicted costs of electricity proved correct the expected cash surplus as at the 31st March 2023 would be £295,047.57, equating to 13.94% of net operating costs. The Board's policy was to hold a reserve of 30% of Net Operating Costs. The Finance Manager confirmed that the proposed 2023/24 Estimates had been prepared to increase the level of funds to an acceptable percentage and monetary amount.

It was confirmed that the Board also held funds for Engineering projects, but these were held separately to the General Reserves. A summary was presented.

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14:2 Transfer of Budgets for Accounts

The Finance Manager presented a schedule of budget transfers which had been approved under the Asset Renewal Report for members information.

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14:3 Cash and Bank Reserves as at 31st January 2023

It was reported that the Board currently had five accounts with a total balance of £1,583,772.03.

The Board had one loan with a balance outstanding of £528,246.04.

The Finance Manager presented a list of potential savings providers and accounts for the Board's attention and confirmed that a proposal would be brought to the June meeting for their consideration.

RECEIVED

14:4 Payments over £500

A schedule of payments over £500 totalling £307,866.87 was presented for Board approval.

RESOLVED

- (a) That the Management Accounts for the period ending 31st January 2023 be approved.
- (b) That cash balances and borrowings be noted.
- (c) That the schedule of payments over £500 totalling £307,866.87 be approved.

15. DRAINAGE RATES AND SEPCIAL LEVIES

The Finance Manager reported that drainage rates and special levies collected to date totalled 99.55%.

A table of proposed write offs/irrecoverable amounts was presented to the Board for approval totalling £1,483.07. The Chairman congratulated the Rating Officer on her efforts to collect outstanding debt and on collections for the current year which were higher than previously.

RESOLVED

That the write offs totalling £1,483.07 be approved.

16. ENVIRONMENT AGENCY AND PARTNERSHIP MATTERS

The Chief Executive updated the Board on a discussion which had taken place at the Consortium Committee meeting on the 7th March 2023, in respect of the Environment Agency and the frustrations felt by members in respect of lack of maintenance. A recommendation had been made by the Consortium Committee for all the Boards to withhold the payment of the EA precept (£185,000 for Trent Valley) and to prepare a letter evidencing the reasons why and asking for a schedule of where the monies would be spent.

Mr T.H. Farr confirmed that historically the EA would issue a programme of works (agreed by both parties) showing where they intended to spend the monies, however, over the years this had fallen by the wayside. He confirmed that this was something they should do under existing legislation and hoped there would be a positive response. ADA supported the Board's decision. The Chairman emphasised that the Board had a duty of care to ensure value for money.

Mr T.H. Farr reported that the PSCA had not been as successful of late and the EA seemed to be taking a more contractual approach rather than a partnership one. The Chief Executive emphasised that the Board could undertake a lot of work under PSCA if allowed to use the precept money.

After a discussion the Chairman asked members to vote on withholding the EA precept payment.

Mr W.J. Staunton abstained from voting.

RESOLVED



That the Board withhold payment of the precept to the Environment Agency until such time as a schedule of works had been agreed.

## 17. ENVIRONMENTAL REPORT

The new Eel Regulation Process had been adopted the Principal of Best Achievable Eel Protection. This meant that fish friendly pumps were the go-to option for Internal Drainage Board and Environment Agency pumping stations. Research partly funded by ADA and the Boards had demonstrated that these pumps provided safe eel passage and that costs were similar to conventional pumps. Where it is not practical to install fish friendly pumps due to the larger pipe work necessitating a complete rebuild of the station, Cost Benefit Analysis can be used to justify conventional pumps.

The Environment Act 2021 had amended section 40 of the Natural Environment and Rural Communities Act 2006. Public authorities must:

- (a) Not only conserve but also “enhance” biodiversity.
- (b) From time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective (unless it concludes there is no new action it can properly take).
- (c) Determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective, and
- (d) Take such action as it considers appropriate, in the light of those policies and objectives, to further that objective.

The Environmental Impact Assessment (Land Drainage Improvement Works) Regulations 1999 requiring the publication of works in the local newspaper were to be replaced with Environmental Outcome Reports, guidance on these was still awaited from Government.

The legislation had recently been changed in respect of Beavers which were now additionally protected under the Conservation of Habitats and Species Regulations 2017. It was now an offence to; deliberately capture, injure or kill a beaver, disturb a beaver, damage or destroy a beaver breeding site or resting place. The Wildlife and Countryside Act 1981 had also been amended, Beavers had been moved from Part 1B (animals no longer present) to Schedule 9, Part 1A (native animals). A series of licenses to enable drainage authorities to manage risk caused by Beavers were now available.

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## 18. DELEGATED MATTERS – PLANNING, BYELAWS AND SUPERVISORY ROLE

### 18:1 Byelaw Applications

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

TVIDB/LDC/2022/020 Installation of a pump inlet chamber within 9 metres but no closer than 6 metres and installation of a headwall and outfall structure within the Board maintained Collingham Fleet at site adjacent Besthorpe Quarry at national grid reference 482411-363202 in the parish of Collingham.

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18:2 Section 23 Applications

There had been no Section 23 consents granted since the last meeting.

No applications had been dealt with on behalf of the Lead Local Flood Authority.

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18:3 Planning Applications

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

The Engineer reported that 20 planning applications had been reviewed by Officers since the last Board meeting and appropriate comments made.

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19. ASSOCIATION OF DRAINAGE AUTHORITIES

The Chief Executive updated the Board on concerns expressed about the delay in ADA picking up issues which were of concern to the IDBs, e.g. red diesel and energy costs. A comment at a recent Branch meeting that ADA would be rebranding away from drainage and towards water resources and be more attractive to other bodies, had also increased concern. Although he understood the need to look forward, the Chief Executive highlighted that there were still many issues pertaining to IDBs (which contributed more than half the cost of ADA) that needed to be resolved. The Consortium paid £21,091 plus VAT in ADA membership fees. He confirmed that at the request of Consortium Committee a liaison meeting was held with the four Chairmen and Mr I. Thompson (Chief Executive) and Mr R. Caudwell (Chairman) from ADA on Thursday 23rd March. Mr W.J. Staunton had also attended the meeting.

Mr T.H. Farr felt that the rebrand had been overstated. He confirmed that ADA had contacted and met DEFRA in November regarding the electricity issue but they were unwilling to engage. He reported that ADA was looking at the broader picture and not just drainage including abstraction, licencing, net zero, water storage and water movement etc.

The Chief Executive stated that he understood the wider issues but it was important for ADA not to back off areas of special need and get lost in the other issues.

Mr W.J. Staunton commented that ADA could do both, look at the wider picture and represent internal drainage boards.

Officers reported the Annual General meeting of the Association of Drainage Authorities Trent Branch would be held on the 14th June 2023 and would include a tour/site visit.

ADA was looking for candidates interested in joining their Policy and Finance Committee or the Technical and Environment Committee. Full details could be found on their web-site and expressions of interest should be submitted to ADA by Friday 31st March 2023.

Flood and Coast 2023 would be held on the 6-8th of June 2023 at Telford International Centre and they were a little number of free spaces available for IDB's and Local councils. Details were available on their website.

The Flood and Water Live 2023 working demonstration would be held on the 5-6th July 2023 at Carrington, Nr Boston. Registration for the even was open and there was no charge for entrance.

RECEIVED

20. REGISTER OF MEMBERS INTERESTS

The Corporate Services Manager reminded members to complete and return their Declaration of Interest Forms, commenting that this was an audit requirement. She confirmed that there were eleven outstanding.

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21. STAFFING

The Corporate Services Manager reported that the new terms and conditions for the DLO had been introduced and negotiations were taking place with the Foreman. Currently the Consortium had two vacancies, an Environmental Officer to shadow the existing officer who would be taking flexible retirement dropping to three days a week in June before retiring next year, and an Operations Manager for the Isle Axholme area.

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22. ANY OTHER BUSINESS

The Chairman expressed his thanks to Cllrs I. Walker, K. Walker and Mrs C. Jeffreys who had all decided not to stand for re-election in the for coming local elections. He thanked them for their service to the Board over many years.

Cllr Mrs C. Jeffreys stated that her time on the Board had been an absolute joy and it had been a pleasure to work with the staff and members.

CHAIRMAN