

# LINDSEY MARSH DRAINAGE BOARD

Minutes of the a Meeting of the Board held at Wellington House, Manby, on Wednesday, 29th June 2016, at 9.00 a.m.

* Messrs	P.W. Pridgeon (Chairman)	* Cllrs	T. Aldridge
*	G. Crust (Vice-Chairman)	*	D. Andrews
*	G. Billings	*	D. Buckley
*	W. Cooper	*	S. Dennis
	J.L. Dodsworth	*	C. Green
*	T.H. Heys	*	A.J. Howard
*	J.M. Mowbray	*	T.J. Knowles
*	R.H. Needham		R.J. Palmer
*	D.R. Tagg	*	W. Parkinson
*	R.A.D. Unsworth	*	J. Swanson
			Mrs P.F. Watson

\* *Present*

\* Messrs A. McGill (Chief Executive)  
\* D.J. Sisson (Engineer)  
\* N. Campling (Works Supervisor)  
\* S. Thackray (Director of Finance)  
\* N. Campling (Works Supervisor)

\* *In attendance*

The Chairman welcomed the Internal Auditor, Mr D. Gowing, to the meeting.

## 1. APOLOGIES

Apologies for absence were received from Mr J.L. Dodsworth and Cllr Mrs P.F. Watson.

## 2. DECLARATIONS OF INTEREST

None.

## 3. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

None.

## 4. BOARD MINUTES (Pages 1215 to 1229)

RESOLVED

That the minutes of the meeting of the Board held on 30th March 2016 be confirmed as a correct record.

## 5. CONSORTIUM COMMITTEE MINUTES

RESOLVED

That the minutes of the meeting of the Consortium Committee held on 27th April 2016 be confirmed as a correct record and adopted by the Board.

6. MATTERS ARISING

6:1 Minute 9, Page - Operations Report

In response to Mr D.R. Tagg, the Works Manager confirmed that where necessary, trees and bushes were removed from drain banks to ensure continued access for the Board's machinery.

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6:2 Minute 23, Page 1228 - Wages and Salaries Pay Increase

The Chairman stated that the members of the Union had expressed a vote of no confidence in the current Pay and Conditions Committee. The Committee had put forward a proposal to the Union for an annual pay award of 1.4% and to review the existing pay scales to ensure these accurately reflected the skills of the workforce and to keep pace with similar industries. The Vice-Chairman stated that he had not supported any increase above the 1% recommended by Government but the offer had still been made to the Unions and a decision was awaited. He stated that legal advice obtained indicated that internal drainage boards were classified as a government body in relation to pay. The Chief Executive clarified that the additional 0.4% offered related to a contribution towards the additional employees' national insurance contribution but was concerned about how this could be justified. It was understood that the Board's employees seemed keen to break away from the existing arrangement and to negotiate directly with the Board regarding terms and conditions. Officers reported that the majority of the Lincolnshire boards employed different terms and conditions to those detailed in the white book.

The Chief Executive read a letter received recently from East Lindsey District Council which asked for a freeze on the special levy. The Chief Executive would arrange to meet with the Council and would report back to the next meeting.

RESOLVED

That the Board proceed with an independent review of pay scales and that the 1% pay increase remain extant.

6:3 Minute 25, Page 1214 - FloodEx

FloodEx, the annual conference and trade exhibition organised by the Association of Drainage Authorities (ADA), had taken place in Peterborough on 18th and 19th May 2016. This year the exhibition had made a modest profit which would be re-invested in enhancing the profile of ADA and its work and that of its member organisations. Officers reported that the event was regarded a success from the point of view of those attending and those exhibiting. The Board's Chief Executive had given a presentation on Partnership Working.

Next year's exhibition would be held on 17th and 18th May.

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6:4 Consortium Committee Minute 6, Page 2 - Staffing Update

The Chief Executive reported that the following appointments had been made:

Operations Director - Mrs Joanne Watson

Admin Assistant - Mrs Tracey Richardson

Planning and Byelaw Officer - appointment to be made shortly.

It was noted that the Works Supervisor, Mr N. Campling, would be retiring at the end of the week and interviews had been held for his replacement. The Chief Executive reported that after careful consideration, it had been agreed that the Engineering Manager would take on the role of Works Manager for both the Lindsey Marsh and Isle of Axholme areas on a trial basis for six months. A deputy would be appointed to assist the Foreman in the Lindsey Marsh area.

Members joined the Chairman in thanking Mr Campling for his dedicated and loyal service to Board over the last 30 years and wished him well in his retirement. Mr Campling stated that he had enjoyed his time with the Board and thanked the Board and the staff for their support.

Mr D.R. Tagg stated that he would welcome the review referred to in paragraph 4, page 2 (review of Board maintained watercourses). A review had been undertaken in the Lindsey Marsh area some ten years ago and all watercourses would continue to be reviewed taking into account any changes in land ownership, development etc. to ensure that all essential watercourses were maintained by the Board.

Mr W. Cooper asked for confirmation on the set up of the Consortium. The Chief Executive explained that the three boards did and always would be separate, with very distinct areas requiring individual operational services and local knowledge of the different geographical areas, however, the majority of administration and engineering support was being undertaken very successfully from the Manby office. He reported that the three Chairmen were very much in step with their thinking and this strength was extremely useful when dealing with matters that affected all three boards such as EA maintenance etc. The arrangement seemed to be working well for all three boards and efficiencies continued to be made.

#### RESOLVED

That the post of Works Manager be filled by the Engineering Manager for a trial period of six months and that a deputy Foreman be appointed.

#### 7. DRAINAGE RATES AND SPECIAL LEVIES

A total of £913.47 remained outstanding in respect of drainage rates at 31st March 2016 and this had been carried over to 2016/17. Of the £3,558,973.40, a total of £2,485,663.96 remained outstanding at 23rd June 2016 (a collection rate of 30.2% to date for 2016/17).

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#### 8. FINANCE

The Director of Finance presented the attached report.

The Internal Auditor presented his report and the management action plan which had already been implemented. It was noted that as from next year the accounts may need to be approved before the end of May.

*The Internal Auditor and Cllr D. Buckley left the meeting.*

RESOLVED

- (a) That the Internal Auditor's report for the year ended 31st March 2016 be noted and the recommendations in the Management Action Plan be adopted.
- (b) That Mr D. Gowing be reappointed as Internal Auditor for 2016/17.
- (c) That the Annual Governance Statement be approved and signed by the Chairman.
- (d) That the attached Finance report be noted.
- (e) That the Accounting Statements for the year ended 31st March 2016 be approved.
- (f) That the Board's cash reserves and borrowings be noted.
- (g) That the attached schedule of payments over £500 be approved.

9. RISK REGISTER

The attached Risk Register was presented for consideration. This had been reviewed and updated by Officers but no significant changes were required. The Chief Executive reported that the document would be considered again by the Staffing and Resources Committee in November.

It was noted that an update on health and safety was required for all volunteers and this would be undertaken later in the year.

RESOLVED

That the attached Risk Register be approved.

10. WELLINGTON HOUSE REFURBISHMENT

The Chief Executive reported that the surround on the front entrance had been dropped from the refurbishment as it would be over budget, however, the planners would not sign off the building until this was completed. Negotiations continued with the contractors regarding resurfacing of the car park and it was hoped that this would come in within budget. The overall cost of the refurbishment had come in 1.5% over budget.

Additional items that required funding were the provision of CCTV, window blinds and a new projector and screen for the Board room; a total estimated cost of £10,435.

RESOLVED

That the Board proceed with the purchase of the additional items listed above at an estimated cost of £10,435.

11. OPERATIONS REPORT

The attached report was circulated for information. It was noted that there was quite a lot of weed already in the watercourses and work had already commenced with the weedboat to clear the centre of the channel where essential for the flow; this would continue to be monitored.

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12. COMPENSATION CLAIMS

Officers reported on ten compensation claims totalling £4,493.85 which had been paid in accordance with the Board's approved rates since the last Board meeting.

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13. ASSET RENEWAL AND REFURBISHMENT PROJECTS

13:1 Sea Road Drain Branch Nos. 2, 4 and 10 Refurbishment - Ancaster Avenue, Chapel St Leonards (C15353)

Work was now complete with a predicted out-turn cost of £45,800 against a budget of £100,000. It had originally been anticipated that the whole of the Sea Road Drain Branch No. 2 pipeline would need to be relaid, however, Officers reported that it had only been necessary to repair the damaged sections of the pipeline resulting in a saving to the Board of £54,200.

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13:2 Trusthorpe Middle Drain (C14352)

Work was now complete and taking into account compensation payments still outstanding, Officers predicted an out-turn cost of £51,000 against a budget of £75,000. It was agreed that the remaining budget would be used to improve access for the Board's machinery on a further length of Trusthorpe Middle Drain, east of the main road.

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13:3 Church Lane Drain Culvert Repairs (C15352)

Work was now complete with an out-turn cost of £12,079 against a revised budget of £12,000 (approved at the March Board meeting).

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That the overspend of £79 be approved.

13:4 Porters Sluice Pumping Station (C07148)

The Engineer reported that the outstanding issues from the Environment Agency (EA) refurbishment works, i.e. pump refurbishment and pipework painting, were due to be completed by 8th July 2016. These works had been fully funded by the EA. It was noted that the structural repair works to the inlet and sump structure would then be undertaken; this work would be funded by the Board.

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13:5 Burgh Sluice Pumping Station - Flood Wall Raising (C15304)

The Engineer reported on four tenders received for the design works to raise the flood wall at Burgh Sluice Pumping Station which ranged from £17,000 to £21,000.

Following a full adjudication the contract had been awarded to BWB Consulting Ltd under delegated authority.

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13:6 Boygriff Pumping Station - Replacement Automatic Weedscreen Cleaner (C15305)

The new weedscreen cleaner was due to be installed at Boygriff Pumping Station on the 11th July 2016. It was noted that the existing columns were being retained but the track would be renewed.

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13:7 Trusthorpe Main Drain Culverting (Phase 1) - (C16502)

Work on Phase 1 of a three year programme to improve access to Trusthorpe Main Drain had commenced with the installation of a culvert through the Radio St. Peters site, downstream of St. Peters Lane. The silt had been removed, dried and would be used for backfill elsewhere.

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13:8 Reforming Works

The attached schedule detailing the reforming works programme was circulated for information.

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14. TRITTON KNOLL ON SHORE ELECTRICAL SYSTEM

As requested at the last Board meeting, the Engineer had enquired why the Barrister's fees incurred during the Triton Knoll hearings, were unrecoverable. He explained that the RWE had agreed to cover costs relating to legal representation associated with objecting to the development but did not regard the requirement for a barrister to be engaged on or behalf of the Board as reasonable costs. It was noted that the Barrister's fees would be split equally between the board's involved at £3,000 each.

Mr D.R. Tagg saw the Barrister's fees as a legitimate expense that should be reimbursed by RWE. The Chief Executive agreed but thought that it was unlikely that the Board would be successful in recovering these costs and did not consider it worth pursuing.

RESOLVED

That the Board approve the £3,000 spent on negotiating the Development Consent Order with RWE.

**15. BYELAW APPLICATION - MOWBRAYS DRAIN**

Application had been made to culvert approximately 335 metres of the Board maintained Mowbrays Drain as part of a development for 208 static caravans and associated works. A further application had been made to fill approximately 395 metres of private watercourse on the site and this would be dealt with under delegated authority.

**RESOLVED**

That the Board agree in principle to the culverting of approximately 335 metres of Mowbrays Drain between national grid references TF 54943 64359 and 54741 64228 off Burgh Road in the parish of Skegness subject to:

- (a) all technical and environmental mitigation issues proving feasible,
- (b) all costs in determining the application being met by the applicant, e.g. surveys/designs etc., and
- (c) the applicant meeting all costs of the agreed final solution.

**16. WATER TOWER DRAIN BRANCH CULVERTING**

Following the March Board meeting when a scheme had been agreed to culvert and fill the remaining section of the Water Tower Drain Branch, notice of entry had been served on all landowners adjacent to the watercourse. Several of these residential property owners had since requested that the area of land created by the culverting be incorporated into their gardens.

Officers had advised the property owners that existing fences should remain on the same line and that the Board would maintain the grass strip created by the culverting. Discussions had also taken place with the property owners and they had agreed to this arrangement.

**RESOLVED**

That the Officers' actions be approved and the Board maintain the grass strip created by the new culvert.

**17. ENVIRONMENTAL REPORT**

The attached report was circulated for information.

**RECEIVED**

**18. DELEGATED MATTERS - PLANNING, BYELAWS AND SUPERVISORY ROLE**

**18:1 Byelaw Applications**

The Engineer reported on the following Byelaw applications that had been dealt with under delegated authority since the last Board meeting:

LMDB/LDC/2016/013 Erection of garden boundary fences within eight metres of the Board maintained Sea Road Branch Drain Diversion at land at Sidney Close, national grid reference TF 55902 71895 in the parish of Chapel St Leonards.

LMDB/LDC/2016/014 Construction of up to six linear metres of dropped kerb vehicular access within eight metres of the Board maintained Jolly Common Drain culvert at national grid reference TF 51336 76408, 5 Mumby Road in the parish of Huttoft.

LMDB/LDC/2016/025 Construction of a ball fence within eight metres of the Board maintained Seacroft Railway Drain culvert at national grid reference TF 55373 63039, Wainfleet Road, in the parish of Skegness.

LMDB/LDC/2016/010 Construction of a 12 metre extension to an existing culvert on the Board maintained Porters Bank Sewer at national grid reference TF 41217 98439 in the parish of North Somercotes.

LMDB/LDC/2016/011 Temporary and permanent works associated with the refurbishment of the existing A52 Cow Bank Drain road bridge on the Board maintained Cow Bank Drain at national grid reference TF 53999 62463 in the parish of Croft.

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18:2 Section 23 Applications

The Engineer reported that the following Section 23 consents had been granted under delegated authority since the last meeting:

LMDB/LDC/2016/016 Installation of a 12 linear metre culvert within a riparian watercourse to the north of Willow Bank Farm at national grid reference TF 42901 88050 in the parish of Saltfleetby St Peter.

LMDB/LDC/2016/017 Installation of a 12 linear metre culvert within a riparian watercourse to the north of Willow Bank Farm at national grid reference TF 42836 88021 in the parish of Saltfleetby.

LMDB/LDC/2016/018 Installation of a twin access culvert 12 metres long x 600mm internal diameter pipes within a private watercourse at national grid reference TA 32370 03837 in the parish of Tetney.

LMDB/LDC/2016/019 Installation of a single culvert extension two metres long x 450mm internal diameter pipes within a private watercourse at national grid reference TA 32666 03961 in the parish of Tetney.

LMDB/LDC/2016/020 Installation of a twin access culvert 13.5 metres long x 600mm internal diameter pipes within a private watercourse at national grid reference TA 32624 03469 in the parish of Tetney.

LMDB/LDC/2016/021 Re-building of headwalls on an existing culvert at national grid reference TA 32892 04065 in the parish of Tetney.

LMDB/LDC/2016/022 Installation of a single access culvert 18 metres long x 600mm internal diameter pipes within a riparian watercourse at national grid reference TA 33009 04103 in the parish of Tetney.

LMDB/LDC/2016/023 Installation of a single access culvert 12.5 metres long x 600mm internal diameter pipes within a riparian watercourse at national grid reference TA 33230 04266 in the parish of Tetney.

LMDB/LDC/2016/024 Installation of a twin access culvert 11 metres long x 600mm internal diameter pipes within a riparian watercourse at national grid reference TA 33319 03650 in the parish of Tetney.

LMDB/LDC/2016/008 Installation of a single culvert extension 7.5 metres long x 450mm internal diameter pipes within a riparian watercourse at national grid reference TA 32286 03822 in the parish of Tetney.

No applications had been received on behalf of the Lead Local Flood Authority since the last Board meeting.

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18:3 Planning Applications

Officers had consulted on 45 planning applications since the last Board meeting. Comments had been made but no objections raised.

Cllr C. Green referred to planning application number N105/00001/15 (development off Fulmar Drive, Louth) stating that a further 500 houses were planned for the future and public consultation was already underway. The Engineer stated that although this was not in the Board's area comments would be submitted regarding how the proposals would affect the Board's systems. He stated that Multi-Agency Group consisting of representatives from Lincolnshire County Council, Environment Agency, local internal drainage boards and East Lindsey District Council had been formed to deal with large scale sites once application had been made.

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19. ENVIRONMENT AGENCY MATTERS

The Chief Executive reported that he had recently met with Mrs A. Baptiste (Executive Director, Flood and Coastal Risk Management) and Mr J. Curtin (Director of Strategy and Investment, Flood and Coastal Risk Management) to discuss the Isle of Axholme Strategy, however, he had also suggested that a way forward would be to pool all the various funding streams and prioritising the work to see what could be delivered. Although there were obstacles to doing this, Mrs Baptiste was encouraging and seemed keen to take this forward. Regarding the Steeping River, the Chief Executive stated that if the Environment Agency would agree that maintenance was necessary, he hoped that a business case could be established and funding could be obtained based on the principle of spend to save.

Regarding devolution, the Engineer reported that there seemed to be support for increasing IDBs area to cover the whole catchment although the issue of funding still needed to be addressed; e.g. the general drainage charge could be abolished and the IDBs issue drainage rates.

The Engineer reported that the Environment Agency's five-year maintenance programme was in place and the de-maining project was ongoing.

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20. HEALTH AND SAFETY

There were no matters to report.

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21. TOUR OF INSPECTION

Members were reminded of the tour of inspection which was to be held on Friday, 8th July 2016.

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22. ELECTION OF MEMBERS

In accordance with the Land Drainage Act 1991, the Land Drainage (Election of Drainage Boards) Regulations 1938 and the Land Drainage (Election of Internal Drainage Boards)(Amendment) Regulations 1977, Registers of Electors had been prepared for the five electoral districts.

Notice that the Registers were open for inspection was published in local newspapers on 27th April 2016 and no claims or objections were received. Members were therefore asked to approve the Registers in accordance with the Regulations.

RESOLVED

That the Registers of Electors for the five electoral districts be approved by the Boards.

CHAIRMAN