

Minutes of the 58th meeting of the Lindsey Marsh Drainage Board held at Great Carlton Village Hall on Tuesday, 7th July 2009, at 2.00 p.m.

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| Messrs M. Clark (Chairman) | * | Cllrs H. Marfleet (Vice-Chairman) |
| G. Billings | | G. Allan |
| * W. Cooper | * | D.G. Andrews |
| * G. Crust | | C.J. Davie |
| R.J. Epton | * | S.W. Eyre |
| * T.H. Heys | * | C. Finch |
| * J.M. Mowbray | * | G.M. Gooding |
| * R.H. Needham | * | A. Howard |
| * N. Pike | | P. Leivers |
| P.W. Pridgeon | | R.J. Palmer |
| * D.R. Tagg | | W. Parkinson |
| R.A.D. Unsworth | | N.L. Pimperton |
| vacancy | * | M. Preen |
| | * | R.B. Shields |
- * Present
- * Messrs C. Hinchcliffe (Clerk and Chief Executive)
- * D.J. Sisson (Engineer)
- * M. Mitchell (Director of Technical Services)
- * R.P. Mitchell (Director of Operations)
- S. Thackray (Director of Finance)
- * In attendance

1. RECONSTITUTION OF THE BOARD

The Clerk reported that the Department for Environment, Food and Rural Affairs (DEFRA) had today signed the Order confirming the date of reconstitution as 1st July 2009, however, there was still one parliamentary process to complete before the Board was officially reconstituted.

It was noted that in accordance with the Land Drainage Act 1991, Schedule 2, the Minister would appoint the first members of the Board (other than those appointed by the local charging authorities) and would set the date and time of the first Board meeting. Elected members would be notified directly by the Minister.

DEFRA had suggested that this Board meeting should be postponed until official notification of the reconstitution, however, the Clerk had explained that the meeting had been brought forward to accommodate members who were not available later in the month. DEFRA had, therefore, agreed that this meeting should proceed as planned but that all members should be invited to attend.

A discussion took place on the time and date of the September Board meeting. The Clerk explained that the time and date of the first Board meeting would be set by the Minister.

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2. APOLOGIES

Apologies for absence were received from Messrs G. Allen, M. Clark, C.J. Davie, W. Parkinson and P.W. Pridgeon.



3. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

There were no matters of any other business.

4. BOARD MINUTES (Pages 672 to 691)

RESOLVED

that the minutes of the meeting of the Board held on 26th May 2009 be confirmed as a correct record.

5. MATTERS ARISING

5:1 Minute 4:1, Page 673 - Burgh Sluice Pumping Station - Sea Bank Marathon

The Clerk reported that a letter of thanks had been received from the organisers of the marathon. Unfortunately, the event had been affected by the wind and rain this year.

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5:2 Minute 8, Page 675 - Lincolnshire County Council Superannuation Scheme

The Clerk reported that the superannuation scheme may be changed in the future to an average salary scheme.

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5:3 Minute 13:5, Page 682 - Flooding Problems at Maltby le Marsh

The Clerk reported that the Vice-Chairman and Director of Technical Services had attended several site meetings since the Board last met. The investigations were ongoing and several other minor issues had been identified. It was hoped that these could be dealt with by undertaking minor works with the co-operation of the landowners concerned.

The next stage of the investigations involved raising manholes and possibly CCTV inspections but the Clerk hoped that a detailed report and suggestions would be available for consideration at the September Board meeting.

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5:4 Minute 14:3, Page 683 - Biodiversity Action Plan

The Clerk reported that the biodiversity action plan would require approval prior to the September Board meeting and he asked members to consider granting delegated authority to the Plant and Compensation Committee.

Mr D.R. Tagg suggested that the Board should form an environment committee to deal with such issues.

RESOLVED

that the formation of an environment committee be deferred until after the reconstitution, and

that the biodiversity action plan be approved by the Board in September.

5:5 Minute 14:6, Page 684 - Lincolnshire Environmental Award

The Clerk reported that Look North would be visiting on 15th July 2009 to take some footage of the barn owls.

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5:6 Minute 15, Page 684 - Consortium Arrangements

The Clerk reported that the draft agreement was still awaited from the Association of Drainage Authorities.

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5:7 Minute 16, Page 685 - Provision of Services to the Association of Drainage Authorities (ADA)

The Clerk reported that the basis of the agreement with ADA for the provision of services would be changed to one where the two members of staff (David Sisson and Louise Quickfall) were seconded to ADA for a period of 12 months effective from 1st November 2008. This secondment would provide career development for these two members of staff. The Clerk confirmed that all other costs would be met directly by ADA.

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5:8 Minute 17, Page 686 - Environment Agency Policy on the Withdrawal of Maintenance for Uneconomical Fluvial Defences in England

The Clerk reported that he would be writing to the Environment Agency shortly and hoped to be able to report further to the next Board meeting.

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6. PLANT AND COMPENSATION COMMITTEE MINUTES

The Director of Operations confirmed that he would be meeting the Environment Agency again to discuss joint working on summer maintenance works. Regarding the size of workshop required, he confirmed that he was awaiting details from the Environment Agency and would then seek tenders. It was noted that the Plant and Compensation Committee were meeting at Strubby depot on Monday 13th July 2009 to view the works.

Regarding the purchase of the excavator, the Chairman of the Plant Committee explained that the tenders had been opened on 5th June 2009 and the Director of Operations had contacted all the members of the Committee to ensure that they were satisfied with the decision to purchase a new machine in the financial year 2010/11.

Cllr C. Finch suggested that it would be a good time to borrow money if the Board required any additional plant and equipment. The Clerk confirmed that the Plant and Compensation Committee had a five year replacement programme and there was no additional plant required at present. Mr T.H. Heys stated that the Committee had expected extremely good finance packages but this had not been the case.

RESOLVED

- (a) that the attached minutes of the meeting held on 1st June 2009 be approved, and
- (b) that the recommendations of the Plant and Compensation Committee be adopted.

7. STAFFING AND RESOURCES COMMITTEE MINUTES

The Clerk reported that the closing date for receipt of applications for the post of Clerk/Chief Executive was 17th July 2009 and the selection process would commence on 21st July 2009. The Clerk stated that the Board's personnel advisors (MHL Support) would be providing advice with the selection and interview processes.

Members were all invited to attend the meeting on 21st July to view the applications received.

RESOLVED

- (a) that the attached minutes of the meetings of the Committee held on 1st June and 30th June 2009 be approved, and
- (b) the actions taken regarding the appointment of Clerk/Chief Executive be approved.

8. DRAINAGE RATES AND SPECIAL LEVIES

The Clerk reported that drainage rates and special levies outstanding at 24th June 2009 totalled £2,266,893.89.

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9. CASH RESERVES AND INVESTMENTS

9:1 Investment of Surplus Moneys

The Clerk reported the Board's financial position as follows:

Barclays current - £202,625.56 at 0.10%.
Abbey - £350,000 at 2.62%.
Alliance and Leicester - £4,091.44 at 0.08%.

It was noted that a further £600,000 had been received from East Lindsey District Council in respect of the quarterly special levy payment.

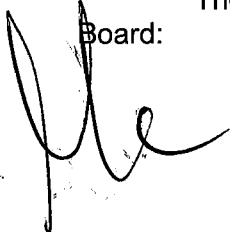
The Director of Finance had suggested that the Board deposit surplus funds in the Beverley Building Society Business Online account which offered 1.75% interest and immediate access. This was proposed by Mr W. Cooper and seconded by Cllr R.B. Shields.

RESOLVED

that the financial position of the Board be noted and that a maximum of £500,000 be deposited in the Beverley Building Society Business Online account.

9:2 External Borrowing

The Clerk reported that the following loans were outstanding with the Public Works Loan Board:



<i>Date commenced</i>	<i>Amount borrowed</i>	<i>Period of loan</i>	<i>Interest rate</i>	<i>Balance outstanding</i>
13th April 1994	£400,000	20 years	8.125%	£164,930.15
28th July 1997	£500,000	15 years	7.25%	£146,535.50
1st September 2005	£240,000	15 years	4.3%	£190,141.68
8th September 2005	£250,000	15 years	4.25%	£197,905.62

The Clerk further reported the following loans outstanding with Caterpillar Finance and Volvo finance respectively:

<i>Date commenced</i>	<i>Amount borrowed</i>	<i>Period of loan</i>	<i>Interest rate</i>	<i>Balance outstanding</i>
31st July 2008	£54,300.00	one year	0%	£9,050.00
10th February 2009	£38,042.75	three years	3.15%	£34,001.28

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9:3 Internal Borrowing

The Clerk reported that the loans pool balance outstanding at 31st March 2009 totalled £1,088,001.02. This included the public works loan pool balance outstanding.

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10. AUDIT OF ACCOUNTS FOR THE YEAR ENDED 31ST MARCH 2009

Members were circulated with the attached annual accounts (approved by the Staffing and Resources Committee) and report from the internal auditor. It was noted that the internal auditor had no matters he wished to report to the Board and that he was satisfied with the financial controls and procedures that were in place.

Cllr C. Finch enquired whether the offices would now be remaining at Manby. The Clerk stated that a decision had not yet been made but provision had been made in the estimates for alterations if necessary.

Mr T.H. Heys requested a full report on pension provisions (in plain English) for consideration at the September Board meeting.

RESOLVED

- (a) that the attached accounts for the year ended 31st March 2009 be approved,
- (b) that the report of the internal auditor be noted, and
- (c) that the Director of Finance prepare a report on pensions for the September Board meeting.



11. DELEGATED AUTHORITY

The Clerk reported that at the present time only the Clerk and Engineer were authorised to sign cheques and recently this had caused some inconvenience when they were out of the office at the same time and payments needed to be made. He further reported that the Clerk and Engineer were also the only members of staff authorised to approve petty cash payments.

The Clerk stated that a full report on delegated authority would be presented to the Board for review at the annual general meeting. He did, however, ask members to consider granting authority to the Director of Operations and the Director of Technical Services to sign cheques and approve petty cash payments in the meantime.

RESOLVED

that as a temporary measure until the November annual general meeting, authority be granted to the Director of Technical Services and the Director of Operations to approve petty cash payments up to £100 and to sign cheques up to £10,000 in the absence of the Clerk and Engineer subject to:

- (a) all cheque stubbs being countersigned by the Engineer/Clerk upon their return to the office,
- (b) the Director of Technical Services and Director of Operations not signing cheques if they had signed the purchase order.

12. COMPENSATION CLAIMS

The Clerk reported that ten compensation claims totaling £5,087.53 had been paid in accordance with the Board's approved rates since the last meeting.

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13. OPERATIONS REPORT

The Clerk gave the following update on works undertaken by the direct labour organisation since the last Board meeting:

- (a) Reforming works had been undertaken on West Lane Drain East, Mill and Harps Drain, Willoughby High Drain, North Drain, Plains Holt Drain, Middle Drain (South Somercotes) and Middle Drain (Trusthorpe), a total of 3,992 metres, seven access culverts, 168 metres of culverting and two manholes and one penstock installed.
- (b) Construction works - access culverts had been replaced on Saddleback Drain East, Huttoft Main Drain and Poor House Drain. An access culvert had been extended past a badger set on the Millfield Drain. The access roads to Austen Fen pumping stations had been reinstated and an area concreted at Strubby depot to site the new containers.
- (c) Flailing mitigation works had been undertaken on 11,873 metres.
- (d) The weedboat had cut 6,390 metres of the Boygriff Drain, 3,380 metres of the Trusthorpe Pumping Drain and 3,200 metres of the Anderby Main Drain.
- (e) Slips had been repaired on Boygriff Drain with the installation of 52 metres of timber toe piling and Irby School Drain with 12 metres of culverting.

- (f) One private job had been undertaken for Ms Slater who had hired the Aebi mower and driver to cut grass at Skegness.
- (g) The new Massey Ferguson 6485 tractor and multi pro flail has been delivered and is being used to undertake mitigation works.
- (h) A further meeting had been held with the Environment Agency (EA) to discuss joint working and it had been agreed that the EA would undertake weedcutting of some of the Board maintained watercourses where they joined or were adjacent to EA drains. The Board's workforce would be undertaking weedcutting on the Woldgrift. Members were assured that the work undertaken by the EA would be undertaken to a standard acceptable to the Board. It was also noted that the Board would be able to undertake works on the EA watercourses to a higher standard than the EA. The EA would be undertaking works on the Straits Drain and Grange Beck among others. The EA had received a £60,000 budget cut and would, therefore, only be cutting the Woldgrift once. The Board would monitor the effect this had on the Beesby Tributary and Saleby as well as at Trusthorpe pumping station and could cut the watercourse again if it was having a detrimental effect on the Board's system. The cost implications would be considered at that time. The Clerk had also met with Mr H. Benn (Secretary of State) to discuss partnership working and the meeting had confirmed how well this was going in Lincolnshire.
- (i) Alterations at Strubby depot were progressing. The storage containers had been fitted with electricity and heating. Work on the old building was going well. Work on the roof had been completed and all the electrics stripped. The lift would be fitted shortly and work on the partitioning for the meeting room had commenced. The floors would require replacing upstairs and new windows were needed throughout the building.
- (j) Rainfall averaged 56.5mm in May and 45.4mm in June.
- (k) Pump run hours for May totalled 369 and for June 205.

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14. PLANNING APPLICATIONS

Cllrs D. Andrews, S.W. Eyre, G. Gooding and A. Howard declared an interest.

The Engineer reported that the Board had been consulted on 26 applications for planning permission since the last meeting. Officers had objected to one of these; N110/0451/09, residential development of up to 210 dwellings in the parish of Sutton-on-Sea by Interfrigo Ltd. The Engineer stated that officers would liaise directly with the applicant regarding the run-off from the site to ensure that adequate provision was made to protect the new properties as well as existing adjacent properties. Any issues regarding the Board's byelaws or culverting of private watercourses would also be discussed directly with the applicant.

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15. BYELAW APPLICATIONS/CONTRAVENTIONS

Cllr G. Gooding declared an interest.

The Engineer reported that officers had granted consent under delegated authority to the following applications since the last Board meeting:

B020-2009 Lincolnshire County Council - extension of the Board maintained culverted Four Hundred Acre Drain at Bracken Lane in the parish of Hogsthorpe (national grid reference TF 53058 72502).

B022-2009 Mr S. Hutchinson - increased flow of surface water to the Board maintained Winthorpe Drain North from development of land at 2 Gleneagles Drive in the parish of Skegness (national grid reference TF 56609 64913).

B024-2009 Mr D.I. Shucksmith - increased flow of surface water including discharge from bio-technical unit to the Board maintained East Field Drain from development at Poplar Grove in the parish of Alvingham (national grid reference TF 37049 92435).

B026-2009 E. Robinson (Mablethorpe) Ltd - increased flow of surface water to the Board maintained Poor House Drain Branch Number 2 from plots 47, 48, 49 and 50 Henshaw Avenue in the parish of Sutton-on-Sea (national grid reference TF 52289 81015).

B031-2009 Lincolnshire County Council - construction of 1200mm wooden footbridge over the Board maintained Mawthorpe Main Drain between O.S. field numbers 6954 and 0427 in the parish of Willoughby with Sloothby (national grid reference TF 46896 72380).

B036-2009 Mr and Mrs N. Forster - increased flow of surface water to the Board maintained Donkey Bank Drain from development at 3 The Green in the parish of Skegness (national grid reference TF 56411 61790).

B037-2009 Mr and Mrs I. Hankin - increased flow of surface water to include discharge from bio-technical unit into the Board maintained Hannah Relief Drain from development at Hannah House, Sutton Road in the parish of Hannah cum Hagnaby (national grid reference TF 50075 79070).

B038-2009 Mr R. Shaw - increased flow of surface water to the Board maintained Town Lane Drain Branch from development at Plot 2, Brickyard Cottages, Church Road in the parish of Mablethorpe (national grid reference TF 50011 84718).

B039-2009 Mr C.E. Nicholson - construction of an 80mm diameter land drainage outfall into the Board maintained South Apple Drain and the installation of a replacement headwall into the same watercourse in O.S. field numbers 2900 and 6549, off Three Bridges in the parish of Saltfleetby St. Peter (national grid reference TF 43637 88545).

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Mr D.R. Tagg left the meeting.

16. CAPITAL WORKS

16:1 Forward Capital Programme

The attached summary of medium term plan applications for 2010/2011 and subsequent years was circulated to members. This had been submitted to the Environment Agency on 30th June 2009.

The Engineer explained that the column highlighted in yellow indicated the schemes scheduled for 2010/11; the figures for subsequent years were an indication of the longer term capital expenditure.



