

# LINDSEY MARSH DRAINAGE BOARD

Minutes of the 62nd meeting of the Board held at The Old Hall, Sausthorpe, on Tuesday, 26th January 2010, at 3.00 p.m.

* Messrs M. Clark (Chairman)	* Cllrs H. Marfleet (Vice-Chairman)
* G. Billings	* G. Allan
W. Cooper	* D.G. Andrews
* G. Crust	* S.W. Eyre
* T.H. Heys	* C. Finch
* J.M. Mowbray	* G.M. Gooding
* R.H. Needham	A. Howard
* P.W. Pridgeon	R.J. Palmer
* D.R. Tagg	* W. Parkinson
* R.A.D. Unsworth	* M. Preen
	* R.B. Shields

\* Present

\* Messrs A. McGill (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. APOLOGIES

Apologies for absence were received from Mr W. Cooper, Cllrs ~~G.M. Gooding~~, A. Howard, R.J. Palmer and M. Preen.

Members were sad to hear of the death of Mr A.B. Motley (former member of Louth Drainage Board).

## 2. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

Three items of any other business were agreed; Flood and Water Management Bill, meeting dates, and visit from the Bishop of Lincoln.

## 3. BOARD MINUTES (Pages 723 to 739)

RESOLVED

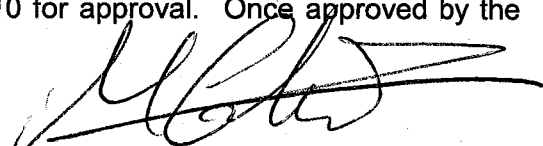
that the minutes of the meeting of the Board held on 24th November 2009 be confirmed as a correct record subject to the deletion of the word "not" in minute 18:2 (b).

## 4. MATTERS ARISING

### 4:1 Minute 7:1, Page 723 - Consortium Arrangements

The chairmen and vice-chairmen of all the boards in the Consortium had been invited to attend a meeting on 14th January 2010. Mr M. Clark had attended on behalf of Lindsey Marsh.

Those present at the meeting had agreed that the consortium agreement should be simplified and resubmitted to the next meeting on 8th February 2010 for approval. Once approved by the



chairmen and vice-chairman, the agreement would be presented to the individual boards for final ratification. The agreement would come into effect on 1st April 2010.

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4:2 Minute 18:4, Page 733 - Maltby le Marsh

The Vice-Chairman suggested that the Board offer to send a representative to the parish council meeting in March to give an update on the situation.

RESOLVED

that the Director of Technical Services attend the next Maltby le Marsh parish council meeting to give an update on the investigations into flooding incidents in the village and to discuss the way forward.

5. ESTIMATES OF INCOME AND EXPENDITURE  
FOR THE YEAR COMMENCING 1ST APRIL 2010

The attached minutes of the estimates meeting held on 8th December 2009 were circulated.

Officers assured the Board that all necessary works could be undertaken without an increase in the rate but this would reduce the balances by £1,995. It was, therefore, proposed by the Chairman and seconded by Cllr R.B. Shields that the Board levy a rate of 13.5 pence in the pound.

The Vice-Chairman expressed concern that if there was no increase in the rate for 2010/11 then a larger increase may be required in 2011/12. He reminded members that the district councils would still be able to recover 82% of the special levy from the Government in 2010/11, however, this may not be possible in future years. It was envisaged that district councils spending would be restricted even further in future years. The Vice-Chairman stated that there was still a lot of work to be undertaken by the Board to increase protection throughout the area and it would only be possible to continue to move forward with adequate funding. He further stated that a small increase each year would be preferable to a large increase for a specific project in a couple of year's time and, with this in mind, the Vice-Chairman proposed that the rate be increased by 2.5%. Cllr G.M. Gooding agreed that if the reimbursement from Government was reduced in 2011/12, there would be more pressure from the district councils to keep any increases in special levies to a minimum. Cllr Gooding, therefore, seconded the Vice-Chairman's proposal. The Chairman stated that this was only speculation; the Board must levy the rate based on the expenditure for the current year and must be seen to be acting responsibly.

Cllr G. Allan stated that any increase in the special levy would have a detrimental effect on East Lindsey District Council and he expected that the Council would be requesting a standstill rate for 2011/12 too. The Chairman emphasised that the Board must try to work with the councils (both district and county) and take into account the pressure that they were under to restrict spending.

The Clerk confirmed that the Board had to keep sufficient balances for use in an emergency event but if these balances were too high this would invite scrutiny.

Officers assured members that adequate provision had been made for rising fuel costs.

After a vote it was RESOLVED

(a) that the minutes of the meeting of the Board held on 8th December 2009 be confirmed as a correct record and the estimates of expenditure for the year commencing 1st April 2010 be

approved in the total sum of £3,227,191,

(b) that the amounts to be raised by means of drainage rates in respect of agricultural land and agricultural buildings, special levies on the local charging authorities and estimates of the amount from balances, for the year commencing 1st April 2010 be as follows:-

(i) by drainage rates levied in respect of agricultural land and agricultural buildings - £766,677,

(ii) by special levy on East Lindsey District Council - £2,451,390,

(iii) by special levy on North East Lincolnshire Council - £7,129,

(iv) by deduction from balances - £1,996,

(c) that the special levy for the financial year commencing 1st April 2010 on East Lindsey District Council be made and sealed in the sum of £2,451,390,

(d) that the special levy for the financial year commencing 1st April 2010 on North East Lincolnshire Council be made and sealed in the sum of £7,129,

(e) that the statutory record of levies be made up, and

(f) that the drainage rate for the financial year commencing 1st April 2010 be made and sealed in the total sum of 13.50 pence in the pound.

## 6. PLANT AND COMPENSATION COMMITTEE MINUTES

The attached minutes of the meeting held on 13th January 2010 were circulated. It was noted that a further meeting of the Committee had been held on 25th January 2010 to consider the tenders received for the tractor/flail and the Land Rover.

Concern was expressed as only one dealer in the area had submitted a tender for the supply of a new Land Rover. The Clerk stated that he would be investigating the propriety of and regulations governing the tendering process and report back to the Committee.

### RESOLVED

(a) that the minutes of the meeting of the Plant and Compensation Committee held on 13th January 2010 be approved,

(b) that the plant replacement policy be adopted as recommended,

(c) that compensation rates for the next financial year be increased to £110 per ton for crop loss and weedcutting and £4,000 for loss of use of land,

(d) that a cable avoidance tool and Prolec liftwatch device be purchased,

(e) that a John Deere 6930 tractor be purchased at a cost of £59,726 less £32,000 trade in for the New Holland tractor and flail unit,

(f) that a Land Rover Defender be purchased at a cost of £25,757.12 less £3,525 trade in for the existing Land Rover.

7. DRAINAGE RATES AND SPECIAL LEVIES

Rates and special levies outstanding at 18th January totalled £157,089.92. Reminders regarding third instalment payments had been posted on 14th January 2010.

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8. CASH RESERVES AND INVESTMENTS

8:1 Investment of Surplus Moneys

Barclays Current	£92,870.30	at 0.10%	
Abbey PLC	£354,587.40	at 3.20%	12 months from 3rd September
Beverley Building Society	£501,561.10	at 1.75%	
Alliance and Leicester	£4,089.96	at 0.08%	
Petty cash	£306.63		
<b>TOTAL INVESTED</b>	<b>£953,415.39</b>		

It was noted that the Alliance and Leicester account would shortly be closed and the balance outstanding transferred to the Beverley Building Society, the interest rate on which would increase to 2%.

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8:2 External Borrowing

There had been no change to the Public Works Loan Board balances outstanding since the last meeting. £29,217.23 remained outstanding with Caterpillar Finance.

Mr J. Mowbray suggested that any borrowing should be considered before the interest rates increased.

RESOLVED

that the Engineer undertake a review of any schemes planned for the next financial year and instruct the Director of Finance to investigate the best way of financing these.

8:3 Internal Audit Strategy

RESOLVED

that the attached strategy be approved for the 2009/10 internal audit.

9. COMPENSATION CLAIMS

9:1 The Clerk reported that 21 compensation payments totalling £2,456.20 had been paid since the last Board meeting in accordance with the Board's approved rates.

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Mr D.R. Tagg declared an interest and left the meeting whilst the next item was discussed.

9:2 South Drain Improvements

In 2004, as part of the Ingoldmells Pumped Area Improvement Scheme, the Board undertook improvement works on the South Drain which ran through land owned by Mr D.R. Tagg. As Chairman of the Board at that time, Mr D.R. Tagg did not feel it was appropriate to claim compensation.

Mr Tagg had, however, now submitted a claim for compensation which, based on the rates payable in 2004, was estimated at £4,115.15.

The Chairman suggested that this matter should be referred to the Plant and Compensation Committee.

After discussion it was RESOLVED

- (a) that the Clerk prepare a full report on the compensation claim submitted by Mr D.R. Tagg for consideration by the Plant and Compensation Committee at its next meeting, and
- (b) that the Committee also consider setting a time limit in which compensation claims should be submitted.

10. WORKS SUPERVISOR'S REPORT

Reforming had been undertaken on Long Sewer, Short Sewer, Rought Drain, Middlemarsh Sewage Works Drain, Langham Drain and Branch, and Low Lane Drain; a total length of 4,787 metres. Access culverts had been installed where necessary and 51 metres of watercourse had been culverted past services for health and safety reasons. It had been necessary to install 26 metres of timber toe piling to stabilise the banks.

Pruning using the tree grip cutter had been undertaken alongside Middlemarsh Crossroads Drain, Rutters Drain, Orby Drain, Mablethorpe Upper Cut and Mill Rundle Drain.

Timber toe piling had been installed in the Mardyke (39 metres) and Anderby Main Drain (ten metres) to repair slips and 99 metres of the Lowes Drain had been culverted as the roadside bank had slipped.

Culverting had been undertaken in the North Drain (142 metres) and Howdales Drain (48 metres), and a new headwall constructed on Old Engine Drain. Improvements had been made to the weedraking area in the Trusthorpe Main Drain and 22 metres of perforated land drain had been installed at Mumby to alleviate flooding problems.

Six private jobs had been undertaken and recharged.

Pump running hours totalled 1169 in November and 4753 in December.

Rainfall averaged 95.55mm in November and 70.20 in December.

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11. PLANNING APPLICATIONS

The Engineer reported that 28 planning applications had been dealt with under delegated authority since the last Board meeting.

Mr G. Crust declared an interest in N031/2719/09. Cllrs D.G. Andrews, S.W. Eyre and R.B. Shields declared an interest as members of East Lindsey District Council's Planning Committee.

Objections had been made to planning application N110/2543/09 (two bungalows at Lansdowne Drive, Sutton-on-Sea) because of concerns regarding the possible effect on adjacent properties from the increased run-off but also because of the possible effect on the Board's proposed flood storage area at Acre Gap. The Engineer was confident that any concerns could be resolved and confirmed that the Board's officers were already in discussion with the applicant, A. Rose.

Objections had also been made to planning application S020/2413/09 (private fishing/wildlife lake, Oxlands Lane, Bratoft). The Engineer stated that there could be severe flood risk implications if the application was approved and he had requested that the applicant addressed these issues with the Board. Members of the Board on the Planning Committee were asked to bear this in mind and ensure that adequate conditions were attached if consent was granted. The Engineer stated that he would do all he could to ensure that an appropriate scheme was put forward to ensure the protection of the drainage system in that area.

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## 12. BYELAW APPLICATIONS

### 12:1 Consents Granted Under Delegated Authority

Mr G. Crust declared an interest in B078-2009.

The Engineer reported that consent had been granted for the following under delegated authority:

B071-2009 Ms L. Canfield and Mr J. Newens - increased flow of surface water to the Board maintained Old Fleet Drain West from development at the Sycamores, Fleetway, North Cotes (national grid reference TA 34880 00449).

B072-2009 Lincolnshire County Council - increased flow of surface water to the Board maintained Old Mill Rundle Drain from development at Alford Primary School, Hanby Lane, Alford (national grid reference TF 45670 75522).

B073-2009 Ellis Bros (Contractors) Ltd - construction of a surface water connection to the Board maintained culverted Cocking Pit Drain Branch No. 2 from development at 57 St Leonards Drive, Chapel St Leonards (national grid reference TF 55652 72728).

B077-2009 Mr P. Massey - increased flow of surface water to the Board maintained Winthorpe Drain North from development at 36 St Andrews Drive, Skegness (national grid reference 57006 64279).

B078-2009 Buckleys of Manchester Holdings - increased flow of surface water to the Board maintained Ingoldmells North Branch Drain from development at Small Grove Caravan Site, Sea Lane, Ingoldmells (national grid reference TF 56775 68877).

B001-2010 Lincolnshire County Council - laying of revised kerb line and widening of carriageway within eight metres of the Board maintained North Drain at Roach Farm Park, Skegness (national grid reference TF 53993 64487).

B002-2010 Blue Anchor Leisure Ltd - increased flow of surface water to the Board maintained Bell Bank Drain from development at Golden Anchor Caravan Park, Trunch Lane,

Chapel St Leonards (national grid reference TF 56499 71007).

B003-2010 Mr A. Ward - increased flow of surface water to the Board maintained Wold Drain from a bio-technical unit at land adjacent and west of Coupland Cottage, Lymn Bank, Thorpe St Peter (national grid reference TF 47106 61678).

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12:2 Retrospective Application - Mr F.T.M. Casey, Fred Wests Drain, Croft

Application for retrospective consent had been made by Sills and Betteridge solicitors on behalf of Mr F.T.M. Casey of The Smithy, Croft Road, Croft, to retain an art studio within eight metres of the Board maintained Fred Wests Drain at Croft.

The art studio, constructed out of brick and breeze block, had been erected three metres from the drain bank top.

The Engineer stated that further investigations were required as the studio may have been built on existing foundations. If this was the case, consent would be issued under delegated authority. A report would be presented to the next Board meeting.

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12:3 Grange Farm Leisure - West Bank Drain, Mablethorpe

A complaint had been received regarding the gating of the track alongside the West Bank Drain by Grange Farm Leisure. The gates had been erected to provide extra security for the caravan site.

The Clerk reported that he had made enquiries with the Land Registry and confirmed that the Board did not own the land. The only interest the Board had in the matter was that the gateposts had been placed on the bank top. The Engineer confirmed that these would not impede the Board's maintenance works.

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13. CAPITAL WORKS

13:1 Asset Renewals 2009

*Golf Road Drain (D268900) - Mablethorpe and Winthorpe Drain Branch No. 2 (D032802) - Skegness*

Two lengths of collapsed pipe in Golf Road had been excavated and replaced by J.E. Spence and Son Limited in August 2009. The cost of this work including the manhole access work on Winthorpe Drain Branch No. 2 in Dutton Avenue, Skegness was £6,750.

*Vine Drain (D030900) - Richmond Drive, Skegness*

384 metres of contaminated silt had been removed from the piped watercourse in September 2009 by IWJS of Lincoln and suitably disposed of. The cost of this work was £11,710. The Environment Agency had been informed and had undertaken investigations but had not been able to find the source of the contamination.

*North Marsh Drain (D211700) - Ingoldmells*

A blockage caused by tree roots in the pipeline between Fantasy Island and the pumping station had been removed by IWJS using a high pressure root cutter. The work was carried out in November at a cost of £4,380. The landowner without formal notice responded to the Board's concerns and had cut down the offending trees.

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13:2 Theddlethorpe Pumped Catchment Strategy Study

Formal approval had been received from the Environment Agency to proceed with the strategy study at an estimated total cost of £20,000. Grant would be payable at 45%.

Surveying of watercourses had already commenced.

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13:3 Saltfleet Catchment Strategy Study

The above strategy required reviewing to take into account newly available Lidar data and the additional effect of Environment Agency main river overtopping data which had now been provided.

Some work had already been undertaken in conjunction with looking at alternative outfalls for the Porters Sluice Catchment. The addition of Lidar data indicated that the Board's standard was being met over a far greater area than originally modelled.

An estimated £5,000 was required to complete the review but, as the scheme had not been closed with the Environment Agency, a request for additional grant aid could be made. No provision had been made in the Board's estimates for 2010/2011.

The Engineer reported that Lidar data was currently only available for the coastal strip.

RESOLVED

- (a) that the Board proceed with the review of the Saltfleet Catchment Strategy Study within the financial year 2010/11 at a maximum cost of £5,000,
- (b) that application for grant aid be made, and
- (c) that the cost of the review be met from balances.

13:4 Thorpe Culvert Strategy Study

This study had been delayed while waiting for the Environment Agency main river overtopping data which had now been received. The current Strategy Study report was being completed based on internal water only and when available would be presented to the Board.

The implications from the main river overtopping water and solutions would be dealt with through a detailed appraisal. Grant aid has been sanctioned during 2009/10 for the detailed appraisal. In order to secure grant aid, the Engineer reported that an application would be made and the appraisal commenced. The cost of the appraisal had been split over the 2009/2010 and 2010/2011 financial years.

