

## LINDSEY MARSH DRAINAGE BOARD

Minutes of the 63rd meeting of the Board held at Wellington House, Manby, on Tuesday, 30th March 2010, at 2.00 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                  | * G.M. Gooding                      |
| * J.M. Mowbray               | * A. Howard                         |
| * R.H. Needham               | * R.J. Palmer                       |
| * P.W. Pridgeon              | W. Parkinson                        |
| * D.R. Tagg                  | M. Preen                            |
| * R.A.D. Unsworth            | * 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

Members observed a minute's silence as a mark of respect for Cllr C. Finch who had recently passed away. The Chairman and several members of the Board had attended the funeral.

### 1. APOLOGIES

An apology for absence was received from Cllr W. Parkinson.

### 2. AUDIT OF ACCOUNTS FOR THE YEAR 1ST APRIL 2008 TO 31ST MARCH 2009

The attached Statement of Accounts and the annual report were circulated. On the specific points raised in the report the officers responded as shown in the attached report.

A representative from Grant Thornton attended the meeting to present the findings of the Audit of the 2008/09 accounts. The introduction of a new accounting system had seen all internal drainage boards mandated to move across to Financial Reporting Standard for Smaller Entities (FRSSE) for the first time. The new accounting system meant Grant Thornton would provide an opinion on both the Financial Statements and the Use of Resources.

Grant Thornton's opinion on the Board's Financial Statements was that they gave a true and fair view, in accordance with relevant legal and regulatory requirements, of the financial position of the Board and the Board was given an 'unqualified opinion', i.e. there were no areas of concern on the Board's Financial Statements. With regard to the Use of Resources, Grant Thornton gave an 'Except For' value for money conclusion; this meant that there were some areas for improvement. While this was generally accepted by the Board, the language used throughout the report gave considerable cause for concern.

Some members did not recognise the Board from the report and it appeared that most of the required elements were in place and in use within Lindsey Marsh Drainage Board, but, to satisfy future Audit requirements they needed to be reviewed and brought together into one cohesive plan. It was acknowledged by members that the report used 'accounting language' that in their opinion failed to

convey the true contextual setting and the due diligence that the Board had exercised over the preceding years where external Audit Commission reports had not raised any points of significance, i.e. the Board had discharged its duties in a manner that had previously satisfied the financial propriety and regulatory requirements of the Audit Commission. The current report by Grant Thornton which changed the assessment criteria part way through the financial year, was considered by the Board as often offering a conflicting view throughout and assessing the Board against criteria it had been afforded no time to react to in any meaningful way.

The Clerk reported that the Board minutes would be made available on the website in the future and the risk register would be updated to include the factors highlighted in the Audit Report.

Members reluctantly agreed to accept the report by Grant Thornton.

RESOLVED

- (a) that the attached Statement of Accounts be approved by the Board, and
- (b) that the Audit report be accepted and the recommendations adopted by the Board.

### 3 NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

Notification of two items was given (a) Publicity, and (b) Members' Disbursement Fund.

### 4. BOARD MINUTES (Pages 744 to 756)

RESOLVED

that the minutes of the meeting of the Board held on 26th January 2010 be confirmed as a correct record subject to it being noted that Cllr G. Gooding had attended the meeting and that his name in minute 5, paragraph 3 be substituted with Mr G. Crust.

### 5. MATTERS ARISING

#### 5:1 Minute 8:2, Page 747 - External Borrowing

A review of schemes to be funded by loan in 2010/2011 had been carried out and the Director of Finance was investigating the best way of financing them.

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#### 5:2 Minute 9:2, Page 748 - South Drain Improvements

The Chairman reported that the compensation claim had been investigated and would be paid in accordance with the 2004 rates.

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#### 5:3 Minute 11, Page 748 - Planning Applications

- (a) N110/2543/09 - A. Rose - Erection of two detached dormer bungalows at Land North of Lansdowne Drive, Sutton-on-Sea

This application had been refused by the Council, however, the Board's Engineer had agreed a proposal for appropriate development on the site that would allow the Board's objection to be removed if the application was resubmitted.

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- (b) S020/2413/09 - Mr R. Cannon - Excavation of land to form a private fishing/wildlife lake with embankments at Land rear of The Meadows, Oxlands Lane, Bratoff

This application had been withdrawn on the 5th March 2010.

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- 5:4 Minute 12.2, Page 750 - Retrospective Consent - Mr F.T.M. Casey - Fred Wests Drain, Croft

This matter would be dealt with under item 13.

- 5:5 Minute 17, Page 755 - Flood and Water Management Bill

The Clerk reported that the second reading of the Bill had taken place in the House of Lords on 24th February 2010 when issues such as flood risk management and dealing with floods when they occurred, and powers for the Environment Agency, local authorities and internal drainage boards to carry out flood works for nature conservation or cultural heritage were discussed.

Detailed line by line examination of the clauses and schedules of the Bill was now taking place during the committee stage when every clause of the Bill would have to be agreed or amendments made.

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- 5:6 Visit from the Bishop of Lincoln

S.W. Eyre stated that the Bishop of Lincoln would be retiring early in 2011. Members expressed their disappointment as the Bishop had shown a keen interest in land drainage.

RESOLVED

- (a) that a letter be sent to the Bishop of Lincoln prior to his retirement thanking him for his support to the land drainage industry, and
- (b) that the Clerk make contact with the new Bishop once the appointment had been made.

## 6. PLANT AND COMPENSATION COMMITTEE MINUTES

The attached minutes of the meeting held on 25th January 2010 were circulated.

In response to Mr R.A.D. Unsworth, the Director of Operations confirmed that, after a thorough investigation, he was confident that the reason tenders had not been submitted was because the suppliers had experienced an exceptionally busy first quarter. It was noted that the Land Rover the Board sought to purchase was not a standard model and would have required modifications.

RESOLVED

- (a) that the minutes of the meeting of the Plant and Compensation Committee held on 25th January 2010 be approved, and
- (b) that meetings of the Committee be held on 14th June and 18th October 2010 at 9.00 a.m.

7. STAFFING AND RESOURCES COMMITTEE MINUTES

The attached minutes were circulated. Mr G.A. Crust reported that a 1.44% pay increase had been offered by the employers at the recent pay negotiation meeting. This figure was based on a formula which, if accepted by the Unions, would be the basis for future negotiations.

RESOLVED

- (a) that the minutes of the meeting held on 29th January 2010 be approved, and
- (b) that meetings of the Committee be held on 14th June and 18th October 2010 at 11.00 a.m.

8. DRAINAGE RATES AND SPECIAL LEVIES

8:1 Rate Collection

Drainage rates outstanding at 15th March totalled £3,968.07.

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8:2 Drainage Rates Outstanding

The Clerk reported that £3,949.31 remained outstanding from the estate of a deceased ratepayer. Probate had not yet been granted due to the very complicated nature of the estate. The Board's Rating Officer had been informed by the deceased solicitors, Wilkin Chapman of Louth, that the majority of the estate was tied up in land and that once the probate had been granted it would be necessary for some of the land to be sold before the outstanding drainage rates could be paid.

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8:3 Amendments to the Valuation List

The attached schedule detailing amendments to the valuation list was circulated for approval.

Messrs P.W. Pridgeon and J.M. Mowbray declared an interest.

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that the amendments to the valuation list detailed in the schedules be approved.

9. FINANCE

9:1 Year End Forecast

The attached forecast for the year end income and expenditure account as at 15th March 2010 was circulated for information.

The Director of Finance highlighted the following areas:

Forecast net expenditure for the year of £3.21m was overall on budget.

Drain Maintenance - the forecast expenditure of £546K, was £109k above budget due to overspends in the central area.

Pumping Station Costs - the forecast expenditure of £365k was on budget.

Capital Works and Reforming - the forecast net expenditure of £1.01m was £235k below budget. The postponement of a new office building was offset by the Strubby office renovations. The Louth Canal pumping station improvements and Boygriff storage area were also delayed due to later grant award.

Support Services - the forecast net expenditure of £840k was £91k above budget due to below budget recharge income, unbudgeted pension strain costs and unbudgeted recruitment costs.

Other Income/Interest - on balance this was on budget with extra highland water income offsetting lower deposit interest received.

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9:2 Investment of Balances

Barclays Current	£104,211.36	at 0.10%	
Abbey PLC	£354,587.40	at 3.20%	(12 months from 3rd September)
Beverley Building Society	£301,977.74	at 1.75%	
Alliance and Leicester	£4,079.65	at 0.08%	
Petty cash	£160.46		
<b>TOTAL INVESTED</b>	<b>£765,016.61</b>		

In response to Mr P.W. Pridgeon, the Director of Finance stated that the Board was getting the best interest rates available.

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9:3 External Borrowing

The following loans remained 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	£400,000.00	20 years	8.125%	£151,232.73
28th July 1997	£500,000.00	15 years	7.25%	£124,234.34
1st September 2005	£240,000.00	15 years	4.3%	£183,291.47
8th September 2005	£250,000.00	15 years	4.25%	£190,755.86
<b>TOTAL OUTSTANDING</b>				<b>£649,514.40</b>

The following loan remained outstanding with Volvo Finance:

<i>Date Commenced</i>	<i>Amount Borrowed</i>	<i>Period of Loan</i>	<i>Interest Rate</i>	<i>Balance Outstanding</i>
10th February 2009	£38,042.75	three years	3.15	£25,790.12

RECEIVED

10. COMPENSATION CLAIMS

The Clerk reported that 12 compensation payments totalling £5,726.58 had been paid since the last Board meeting in accordance with the Board's approved rates.

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11. OPERATIONS REPORT

11:1 The following report was presented:

Reforming had been undertaken on Rought Drain, Langham Drain and Branch (including Langham Lane Drain), Short Sewer, Aqua Drive Drain, Ings Middle Drain, Mablethorpe Lower Cut and Brickpits Drain; a total of 3,041 metres. 21 access culverts had also been installed and 48 metres of watercourse culverted. The reforming works were £32,000 under budget at the moment.

Pruning using the tree grip cutter had been undertaken alongside Crooked Mile Drain, Mill Hill Drain, Old Fleet Drain East and Mablethorpe Lower Cut.

Timber toe piling had been installed in the Mardyke (235 metres) Southfield Drain (ten metres), Old Highland Drain (ten metres), and Reeds Drain (24 metres) to repair slips. The Director of Operations, together with Lincolnshire County Council, was investigating the possibility of a contribution towards the piling of the Mardyke from Anglian Water as the use of heavy machinery undertaking the new sewerage scheme in the village had contributed towards the damage to the road and the banks of the watercourse.

Constructions works had included replacing concrete pipes in the Mablethorpe Town Lane Drain with larger ones, reconstructing three manholes and creating a temporary access road. An access culvert had been installed in the Crooked Mile Drain and one replaced in the Old Highland Drain.

Pump running hours totalled 5,207 in January and 5,178 in February. It was noted that the Fulbeck pumping station had been used more than usual due to the works in the Mablethorpe Town Lane Drain.

Rainfall averaged 61.10mm in January and 75.00 in February.

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11:2 Working with the Environment Agency (EA)

Desilting works of the Great Eau had been completed and the cost would be recharged to the EA. Regarding the decision of the EA not to desilt the River past the confluence, the Director of Operations stated that he had requested a copy of the EA's survey of the River as the drop in water levels was less than expected during the last heavy rainfall event. Mr T.H. Heys stated that, in his opinion, the River required desilting further downstream.

Regarding the depot facilities at Strubby, officers had met Mr S. Burrell from the EA National Accommodation Unit and everyone had agreed that the sharing of the Board's depot at Strubby was logical. Mr Burrell had, however, stated that the usual time frame for such a venture would be 12 to 18 months but he hoped that in this case the move would be completed within six months.

The Clerk had informed the EA that he would like to see the move completed before the cutting season.

In response to Mr P.W. Pridgeon, the Director of Operations stated that new quotations would have to be sought for the construction of the hanger. Mr Pridgeon stressed that no money should be spent until the EA had signed the lease.

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11:3 Dutch Visit

The Director of Operations reported that an invitation had been received from Mastenbroek/Herder for the Clerk and himself to undertake a pre-delivery inspection of the Board's new tractor/Herder flail unit in Holland on 17th May 2010.

If the Board was agreeable, the officers would like to accept this offer and also visit the Zeeuwse Eilanden Waterschap (a Dutch drainage board) in the town of Middelburg. The cost to the Board would be approximately £369.80 for flights plus £400 for accommodation.

RESOLVED

that the Clerk and Director of Operations undertake a pre-delivery inspection of the new tractor/flail and visit the Zeeuwse Eilanden Waterschap in Middleburg at a cost of approximately £1,000.

## 12. PLANNING APPLICATIONS

*Mr G. Crust left the meeting.*

The Engineer reported that 23 planning applications had been dealt with under delegated authority since the last Board meeting.

Officers had objected to planning application S090/0035/10 as it did not comply with the Board's Code of Practice for Protecting Board Maintained Watercourses and Culverts. The applicant had been advised to seek further advice from the Board. Cllr R.B. Shields expressed concern about the use of soakaways, stating that in a few years time when the property had been sold, flooding could be a problem. The Engineer reported that, unfortunately, as the Board was not a statutory consultee conditions could not be imposed, however, he stated that officers were investigating ways of monitoring the actions taken by the planning committee.

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## 13. BYELAW APPLICATIONS

13:1 Consents Granted Under Delegated Authority

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

B004-2010 Bourne Leisure Ltd - construction of culvert within the Board maintained Heading Drain with a carriageway and footpath over, between the existing Golden Sands Holiday Park and O.S. field number 3230 at national grid reference TF 49454 86423 in the parish of Mablethorpe.

B005-2010 Bourne Leisure Ltd - increase the flow of surface water to the Board maintained Heading Drain from the proposed access road from Golden Sands Holiday Park through part of O.S. field number 3230 at national grid reference TF 49459 86363 in the

parish of Mablethorpe.

B006-2010 Lincolnshire County Council - construction of a replacement road culvert within the Board maintained Fleet Drain at North End Lane, national grid reference TF 42900 89600 in the parish of Saltfleetby St Peter.

B010-2010 Mr F.T.M. Casey - retention of replacement building on the site of former outbuildings within eight metres of the Board maintained Fred Wests Drain at The Smithy, Croft Road - national grid reference TF 50619 60525 in the parish of Croft.

B011-2010 Lincolnshire County Council - carry out strengthening works to Trusthorpe Gowt Bridge over the Board maintained Trusthorpe Main Drain at Sutton Road national grid reference TF 51394 84023 in the parish of Trusthorpe.

B014-2010 Anglian Water Services Limited - increase flows to the Board maintained Fleet Drain from the sewage treatment lagoon off Long Gate Road, national grid reference TF 42973 90271 in the parish of Saltfleetby St Peter.

B015-2010 Lincolnshire County Council - erection of a temporary footbridge to be used during the strengthening works to Trusthorpe Gowt Bridge over the Board maintained Trusthorpe Main Drain at Sutton Road, national grid reference TF 51394 84023 in the parish of Trusthorpe.

B018-2010 Mr and Mrs Hall - construction of surface water outfall to the Board maintained Rumbold Lane Drain from development of land adjacent to Two Jays, Rumbold Lane, national grid reference TF 50272 59044 in the parish of Wainfleet All Saints.

B019-2010 Garden City Limited - increase flow of surface water to the Board maintained Royal Oak Drain from development at Royal Oak Caravan Site, Winthorpe Way at national grid reference TF 56659 - 66009 in the parish of Skegness.

B020-2010 Mr N. Frith - increase flow of surface water to the Board maintained Everards Branch Drain from a drainage system at The Meadows, Oxlands Lane at national grid reference TF 47715 63356 in the parish of Bratoft.

B021-2010 Graham Sykes Builders Ltd - increase flow of surface water to the Board maintained Maltby Fen Drain from development at Eastfield Farm, Main Road at national grid reference TF 47115 72506 in the parish of Maltby Le Marsh.

### 13:2 Orby South Drain Branch No. 1 - Skegness Stadium

Application was made by Skegness Stadium, Marsh Lane, Orby, Skegness, to culvert 260 metres of the Board maintained Orby South Drain Branch No. 1 between national grid references TF 52464 67755 and TF 52718 67871 at Skegness Stadium in the parish of Orby.

The Engineer reported that the main flows had been diverted several years ago as part of improvement works undertaken in the area and this was now a low priority watercourse. He further reported that the watercourse required cleaning each year prior to maintenance as debris from the stadium was frequently found within the channel. A full environmental impact assessment had been carried out and, if culverting was permitted, mitigation works in the form of a berm would be required.

RESOLVED

that consent be granted to Skegness Stadium to culvert a 260 metre section of the Board maintained Orby South Drain Branch No. 1 subject to all works being carried out to the specification and

