

## LINDSEY MARSH DRAINAGE BOARD

Minutes of the 67th meeting of the Board held at Southview Park Hotel on Tuesday, 28th September 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	* C. Davie
* T.H. Heys	* S.W. Eyre
* 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)  
\* N. Taylor (Grant Thornton)  
\* P. Winrow (Grant Thornton)

\* In attendance

### 1. APOLOGIES

Apologies for absence were received from Mr R.A.D. Unsworth, Cllrs C. Davie, A. Howard and M. Preen.

### 2. AUDIT OF ACCOUNTS FOR 2009/10

The Chairman introduced Messrs N. Taylor and P. Winrow from Grant Thornton (the Board's external auditors) who had been invited to the meeting to present their report on the accounts for the financial year 2009/10.

Mr Taylor presented the attached report which members were pleased to note gave an 'unqualified' opinion on the Board's financial statements. Regarding the Use of Resources aspect, Grant Thornton had given an 'except for' conclusion as the Board's existing medium term financial plan and risk management strategy were not in the correct format and did not fully meet the expected criteria, however, Mr Taylor was pleased to note that these had already been drafted by the Board's officers for approval by the Board. Mr Roberts confirmed that there were no major issues picked up during the course of the audit.

Mr Roberts referred to appendix C of his report noting unadjusted misstatements which would increase the deficit of the Board for the year by £7. He reported that agreement had been reached with the Board's officers not to adjust the accounts for these items.

In response to Mr R.J. Palmer, the Clerk reported that the cost of the audit for 2009/10 would be £9,972, this figure was calculated using a formula set by the Audit Commission which was based on the size and expenditure of an IDB. Mr W. Cooper enquired what would happen when the Audit

Commission was abolished in 2013. Mr P. Winrow stated that the Board would then be able to appoint its own auditors.

RESOLVED

- (a) that the revisions to the final accounts for the year ending 31st March 2010 as detailed in the attached Auditor's report be approved and the Accounts signed by the Chairman,
- (b) that the decision not to adjust the accounts for the unadjusted misstatements be approved, and
- (c) that the recommendations in the Action Plan (Appendix D) be implemented as detailed.

3. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

It was agreed to discuss the following items under any other business:

4. SPECIAL BOARD MEETING (Pages 784 to 785)

RESOLVED

that the minutes of the Special meeting of the Board held on 27th July 2010 be confirmed as a correct record.

5. BOARD MINUTES (Pages 786 to 799)

RESOLVED

that the minutes of the meeting of the Board held on 27th July 2010 be confirmed as a correct record.

6. MATTERS ARISING

None.

7. STAFFING AND RESOURCES COMMITTEE MINUTES

The Clerk brought two letters (attached) to the attention of the Board and set in context the impact of these from the LMDB Consortium perspective. The letters from Mr R. Benyon, M.P. and Mr G. Horsburgh were similar in many regards, however, Mr Horsburgh's letter removed the requirement for boards to amalgamate by 2013. This letter had adversely impacted on the progress of the amalgamation on the West of Trent where Rivers Idle and Ryton and Everton internal drainage boards chose to reconsider their position on amalgamation. The planned date for amalgamation was 1st April 2011 and considerable work was underway by the Lindsey Marsh Drainage Board's officers to deliver this. Isle of Axholme and Gainsborough internal drainage boards both saw no reason to halt the amalgamation process as they appreciated the wider intent of the letters and the additional future responsibilities that internal drainage boards would have to fulfill; they regarded amalgamation as the way ahead. Rivers Idle and Ryton and Everton internal drainage boards were to deliver their considered position at the next amalgamation meeting.

RESOLVED

that the resolutions made by the Committee at the meetings held on 12th August and 13th September 2010 be approved.

8. DRAINAGE RATES AND SPECIAL LEVIES

8:1 Rate Collection

Drainage rates and special levies outstanding at 9th September 2010 amounted to £1,574,098.58 (51.1% had been collected). Summonses for non-payment of drainage rates had been issued on 10th August 2010 and 13 liability orders had been granted at the Magistrates Court on 8th September 2010.

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9. FINANCE

9:1 Investment of Balances

Barclays Current	£120,647.24	at 0.10%
Beverley Building Society	£550,000.00	at 2.00%
Petty cash	£222.26	
<b>TOTAL INVESTED</b>	<b>£670,869.50</b>	

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9:2 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%	£136,978.85
28th July 1997	£500,000.00	15 years	7.25%	£101,124.76
1st September 2005	£240,000.00	15 years	4.3%	£176,293.98
8th September 2005	£250,000.00	15 years	4.25%	£183,454.17
		<b>TOTAL OUTSTANDING</b>		<b>£597,851.76</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%	£19,517.75
10th May 2010	£18,534.00	two years	0.00%	£18,534.00

In response to Mr W. Cooper who enquired whether the Board had sufficient cash flow, the Director of Finance stated that the next instalment of the special levy was due shortly.

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10. COMPENSATION CLAIMS

The Clerk reported that 51 compensation claims totalling £17,527.04 had been paid since the last Board meeting in accordance with the Board's approved rates.

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11. OPERATIONS REPORT

*Operations*

The attached report was circulated for information. The Director of Operations confirmed that the summer maintenance programme was two thirds of the way through and due to be completed by the end of October. Mr W. Cooper complemented the Board's direct labour organisation on the excellent work done cleaning out the Poulton Drain for the Environment Agency (EA).

*Environment Agency Move to Strubby*

Regarding the proposed move of the EA's depot to the Board's Strubby depot, the Clerk reported that no further progress had been made as restructuring was taking place within the EA. Mr P.W. Pridgeon thought it unlikely that the EA would be in a position to make a decision until after the budget announcements in October.

*Donna Nook Realignment*

Mr R.J. Palmer reported that the Donna Nook realignment scheme had been put back at least two years.

*Fish Preservation*

Cllr R.B. Shields enquired how often the pumps were run during the summer months and enquired whether regular running of the pumps would help to avoid fish kill incidents. The Director of Operations confirmed that the pumps were switched on once a week to ensure that they were working but stated that fish kills were often a result low levels of dissolved oxygen in the water and only rarely related to how often the pumps were run.

*Compensation Rates*

Mr R.H. Needham enquired whether the compensation rates would be adjusted to reflect the 50% increase in wheat prices since the rates were set. He asked the Board to consider this to discourage farmers from employing valuers to negotiate on their behalf. The Chairman of the Plant and Compensation Committee stated that the Board usually set the rate for the whole year but if this changed and the amount of compensation paid was amended as prices rose it must also be amended should prices fall.

RESOLVED

- (a) that the attached report be noted, and
- (b) that the Plant and Compensation Committee consider the mechanism for setting the compensation rates for crop loss at its next meeting.

12. PLANNING APPLICATIONS

The Engineer reported that 29 planning applications had been dealt with under delegated

authority since the last Board meeting. Officers had objected to three of these; N089/1603/10, S153/1181/10 and S194/1344/10 and the applicants had been advised to seek further advice from the officers. Application number N089/1603/10 had since been amended and the officer's objections removed.

*Covenham to Boston Waterpipe*

Mr W. Cooper understood that a new water pipe was to be laid from Covenham to Boston and the Engineer assured members that he would engage with the water company at an early stage.

*Soakaways*

Cllr R.B. Shields expressed concern about the use of soakaways and stated that he was pursuing this with East Lindsey District Council. The Engineer reported that the Board had no jurisdiction over the use of soakaways but did approve soakaway design if asked. The Engineer shared Cllr Shields' concerns, particularly with the introduction of Sustainable Urban Drainage Systems (SUDS) in the future. The Clerk stated that many other IDBs must have a similar problem with the use of soakaways and he suggested that a case be prepared by the Association of Drainage Authorities. Mr P.W. Pridgeon asked the members of the council to put forward a case too.

RESOLVED

that officers prepare a paper on the use of soakaways for consideration at a future meeting.

13. BYELAW APPLICATIONS

13:1 Byelaw Schedule

Mr G. Crust declared an interest in consent number B111-2010.

The Engineer presented the attached schedule detailing consent granted for byelaw applications under delegated authority since the last meeting.

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13:2 Diversion of Burgh Marsh Drain - Mr J.R.M. Mackinder

Application had been made by Mr J.R.M. Mackinder of North Beck Farm, North Beck Lane, Hundleby, to divert a section of the Board maintained Burgh Marsh Drain between national grid references TF 52896 65186 and TF 53134 65239 in the parish of Burgh Le Marsh, as shown on the attached plan.

The Engineer explained that the works were required as part of Mr Mackinder's Environmental Stewardship Scheme to provide an area designated for a core breeding roosting site within an isolated location surrounded by old pasture and arable land. The works involved the filling in of 293 metres of the Board maintained Burgh Marsh Drain and the diversion of flows along a private watercourse to be upgraded to the Board's specification and adopted by the Board upon completion. The new length of watercourse would be 182 metres; a saving of 111 metres to the Board in annual maintenance.

RESOLVED

that consent be granted to Mr J.R.M. Mackinder to fill in 293 metres of the Board maintained Burgh Marsh Drain and divert the flow along a private watercourse to be upgraded to the Board's specification and adopted by the Board upon completion.

14. CAPITAL WORKS

14:1 Boygrift - Acre Gap Flood Storage Scheme

Cllr R.B. Shields declared an interest as a member of the Acre Gap Committee.

*Footbridge Protection*

As requested by the Staffing and Resources Committee the Director of Technical Services presented a report detailing the options for a protective coating on the footbridge at Acre Gap. He had compared the cost of painting with that of galvanising the structure. It was noted that the cost of protective painting was the same as galvanising as the paint had to be of a very high quality to be suitable for the marine environment. The cost of aesthetic painting of the structure once galvanised would be £2,930, however, the Director of Technical Services suggested that the structure be left to weather for a year before this was undertaken.

*Tender Award*

Mr T.H. Heys enquired why the tender had not been awarded to the lowest tenderer. The Engineer confirmed that once a full adjudication had been carried out Robert Howell Ltd was the lowest tenderer. The Vice-Chairman enquired why the tender submitted by the Board's direct labour organisation (DLO) had been so high. The Engineer reported that it was a very close contract but Robert Howell Ltd was based very close to the site and this was reflected in the price. The Director of Operations reported that the Board's DLO was usually very competitive on tender prices. The Engineer also reported that had the DLO been awarded the contract some works would have had to have been contracted out as provision had not been made in the works programme.

RESOLVED

that the Board proceed with the purchase of a galvanised footbridge for Acre Gap at a cost of £11,870 but that painting of the structure be postponed for 12 months.

14:2 Biergate Pumping Station - Flood Proofing

The flood proofing works had been fully completed and included a removable ramp to the door and the re-establishment of a telemetry link.

RECEIVED

14:3 Strategy 2025 - Pumping Station Works

The grant application submitted in July had not yet been determined, however, the Director of Technical Services had met with the Environment Agency to discuss the scheme. The Director of Technical Services stated that the element covering the refurbishment of the Covenham pumps could not be justified in terms of properties protected from flooding as the flooding threat was from the Poulton Drain, an Environment Agency main river.

Shoebridge Engineering had been instructed to proceed with the refurbishment works to the two pumps at Wyche and the single outside pump at Theddlethorpe. The value of this work (£19,800) equated to approximately 55% of the scheme and matched the contribution budgeted for by the Board.

The total scheme budget including 45% grant, had been set at £36,000. The actual breakdown of cost as tendered by Shoebridge Engineering was £33,501 and can be broken down as follows:

<i>Pumping Station</i>	<i>Size</i>	<i>Contract Price</i>	<i>Provisional Extras</i>
Fulbeck	Two 600mm submersible Bedford pumps	£11,984	£2,130
Theddlethorpe	One 800mm submersible NEI-APE pumps	£8,875	£2,980
Wyche	Two 450mm submersible Bedford pumps	£9,842	£1,990
Covenham	Two 100mm submersible Sykes pumps	£2,800	£290
	<i>Total</i>	£33,501	£7,390

Should all the provisional extras (internal items dependant on condition when pump dismantled) are required then the total scheme cost would rise to £40,891; to complete the scheme an additional £4,081 would be required. If grant aid was not forthcoming, the Board would be required to find an additional £21,091.

The Engineer reported that the financial resource required to cover this risk could be found from £30,000 revenue budget for the Donna Nook contribution to Porters Sluice Pumping Station upgrade as the refusal of planning consent meant this was unlikely to proceed during the financial year.

#### RESOLVED

that the Board proceed with the refurbishment of the pumps at Fulbeck, Theddlethorpe, Wyche and Covenham at a total cost of £40,891, and that the additional funding be vired from the Donna Nook contribution to the Porters Sluice Pumping Station upgrade should grant aid not be received.

#### 14:4 North Cotes Flood Defence Scheme

The Board's Direct Labour Organisation had completed the flood defence bank works, watercourse improvements and the installation of the culverts. Two precast headwalls with flap valves had been delivered and were due to be installed in the next few weeks.

#### RECEIVED

#### 14:5 Chapel Detailed Appraisal

A report was awaited from AECOM on the modelling of the Board's urban pipe systems in Chapel St Leonards. The report would identify issues and improvement options. A Project Appraisal Report (PAR) for the grant application would be prepared should works be necessary. The Director of Technical Services had booked a provisional slot with the Environment Agency's Project Appraisal Board (PAB) in December.

£250,000 had been allocated in the 2010/11 estimates for a grant aided scheme financed by public loan.

#### RECEIVED

#### 14:6 Theddlethorpe Strategy Study

Modelling of the existing catchment system had now been completed by JA Services Ltd. The model indicated that agricultural land would flood (standing water) in a 1 in 10 year event and that properties would flood in a 1 in 100 year event. Additional modelling had been carried out to include external water overtopping from the Environment Agency main rivers and this showed more extensive flooding and loss of freeboard.

The Engineer stated that options for improvement were being developed and modelled and an increase in pumping capacity had been investigated but ruled out as the water flowed back into the catchment from the main river. At the moment flood storage options appeared to be the most likely solution but a full report would be presented to the Board for consideration at a future meeting.

RECEIVED

15. ENVIRONMENTAL MATTERS

15:1 Biodiversity Action Plan (BAP)

The Board's BAP had been entered onto the national Biodiversity Action Reporting System (BARS) and was available to view online.

15:2 Internal Drainage Board Biodiversity Competition 2010

The Clerk reported that entries had been submitted in the small scale and large scale categories for the Board's work with the Marsh Water Vole Project (which won first prize) and the Lincolnshire Coastal Grazing Marshes (which came runner up). Prizes were presented at the recent Association of Drainage Authorities Conference in Peterborough.

As a result of winning the competition, representatives of the Board had been invited to meet with Natural England to learn from and share experiences.

RESOLVED

that the Vice-Chairman, Messrs T.H. Heys, R.B. Shields, D.R. Tagg and Cllr R.J. Palmer attend the meeting with Natural England.

15:3 Eel and Fish Workshop

An eel and fish workshop was being organised by the Association of Drainage Authorities Lincolnshire Branch Environment Committee to provide a forum for internal drainage board members and staff to consider the requirements of new UK legislation. The Board's Environmental Officer would be undertaking the administration of the event and all costs would be recharged.

RESOLVED

that the Vice-Chairman, Messrs T.H. Heys, R.B. Shields, D.R. Tagg and Cllr R.J. Palmer attend the Workshop at a cost of £37 per head.

15:4 Thorpe Culvert Lincolnshire Naturalists' Union Field Meeting

The Board's Environmental Officer hosted a field meeting with local landowners on 8th August 2010 in the Steeping River area.

RECEIVED

16. HEALTH AND SAFETY

The Clerk reported that trials of the possible enhancement of the 'buddy' system were still ongoing and a report would be made once they had been completed.

There was no new legislation affecting the Board's activities.

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17. ELECTION

The Clerk reported that nine nomination papers had been received before the closing date on 20th September 2010. No new candidates had applied and the existing members had been duly re-elected. He further reported that the imminent retirement of the Chairman would leave one vacancy in the Burgh Sluice/Thorpe Culvert/Wainfleet/Croft; two notes of interest had been received to date.

RECEIVED

18. ASSOCIATION OF DRAINAGE AUTHORITIES (ADA) - FLOOD RISK MANAGEMENT (FROM) 2010 EXHIBITION AND ANNUAL CONFERENCE

The Clerk thanked the Engineer and his PA for their efforts in organising the above event on behalf of ADA. He stated that support was critical to bond the industry together.

The Engineer reported that the Conference and Exhibition had been a great success with a record number of exhibitors this year. He expressed disappointment that the event had not been better supported by the Environment Agency and districts councils but understood that cut backs had made this inevitable. On behalf of ADA, the Engineer also thanked the Board for organising the Lincolnshire ADA stand and the display for the foyer.

RESOLVED

that the Board's thanks be passed on to Mrs L.S. Quickfall for her hard work and support in organising the recent FRM exhibition.

19. RISK MANAGEMENT

The Clerk presented the attached Risk Management Statement, Strategy and Policy for adoption by the Board. The documents had already been reviewed by the Staffing and Resources Committee.

RESOLVED

- (a) that the attached Risk Management Statement, Strategy and Policy be approved, and
- (b) that the documents be reviewed quarterly by the Staffing and Resources Committee; any amendments to be reported to the Board.

20. PUMPING STATIONS

Mr D.R. Tagg enquired what standing charge the Board currently paid for electricity and suggested the Board could use inverter type starters. The Engineer stated that starting arrangements were taken into consideration when pumping stations were built but he had not considered changing them.

RESOLVED

that the Board's Director of Technical Services undertake an investigation into the starting arrangements at all the Board's pumping stations and prepare a report on any cost savings that could be made.

21. TOUR OF INSPECTION

The Chairman read a letter received from Mr R. Benyon, MP, who had been invited to the Board's tour of inspection. Unfortunately, Mr Benyon was unable to attend but had stated that he would like to visit when he was next in the area.

RESOLVED

that the Board continue to liaise with Mr Benyon regarding a visit to Lindsey Marsh in the future.

22. CONSORTIUM WORKING ARRANGEMENTS

The Engineer confirmed that following Royal Assent of the Flood and Water Management Act, with effect from 10th October 2010 consortium working arrangements would be legal.

RECEIVED

23. RETIREMENT OF THE CHAIRMAN

The Chairman thanked the Board members and particularly the Vice-Chairman for their support during his term of office. Although he would miss serving on the Board, the Chairman stated that he had decided not to stand for election in order to spend more time with his family. The Chairman agreed to continue on the Board until the November Annual General Meeting when a new member for the area would be appointed.

RECEIVED

CHAIRMAN