

LINDSEY MARSH DRAINAGE BOARD

Minutes of the 72nd meeting of the Board held at the Board's Offices, Manby, on Tuesday, 26th July 2011, at 9.00 a.m.

* Messrs G. Billings (Vice-Chairman)	* Cllrs H. Marfleet (Chairman)
W. Cooper	* Mrs J.P. Bradley
* G. Crust	* A. Bridges
* J.L. Dodsworth	* A.J. Howard
* T.H. Heys	T.J. Knowles
* J.M. Mowbray	E.P. Mossop
* R.H. Needham	* R.J. Palmer
* P.W. Pridgeon	W. Parkinson
* D.R. Tagg	* M.A. Preen
R.A.D. Unsworth	J. Upsall
	Mrs P.F. Watson

* Present

* Messrs A. McGill (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

The Chairman welcomed Cllr A. Bridges to his first Board meeting.

1. APOLOGIES

Apologies for absence were received from Messrs W. Cooper, R.A.D. Unsworth, Cllrs T.J. Knowles, E.P. Mossop, J. Upsall, and Mrs P.F. Watson.

Cllr R.J. Palmer would be arriving late.

2. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

Gayton Engine and Anderby Museums.

3. BOARD MINUTES (Pages 849 to 859)

RESOLVED

That the minutes of the Meeting of the Board held on 16th June 2011 be confirmed as a correct record.

4. MATTERS ARISING

4:1 Minute 20, Page 858 - Liaison with East Lindsey District Council (ELDC)

The Chairman had discussed this matter with the Chief Executive of ELDC and would be preparing a quarterly report for circulation to full council. Although the Board's officers reported a good relationship with the Strategic Director and Land Drainage Officer at ELDC, members were keen to encourage regular meetings between the Chief Executives of the Board and ELDC.

The Director of Operations confirmed that ELDC's Land Drainage Officer worked closely with the Board's officers regarding any land drainage works in the Board's area and several joint schemes had been undertaken.

RECEIVED

4:2 Minute 22, Page 858 – Members' Disbursement Fund

This matter had been discussed by the Staffing and Resources Committee at its meeting on 27th June 2011 and an item would be included on the agenda for the next Board meeting on this issue.

RECEIVED

5. PLANT AND COMPENSATION COMMITTEE

The minutes of the meeting of the Committee held on 27th June 2011 would be presented to the Board in September. The following key points arose from the meeting:

Following a claim from a landowner for additional compensation via a land agent, and after careful consideration, it had been agreed not to pay any further compensation above the Board's agreed rates; this decision had been unanimous.

A new teleprinter had been purchased and delivered to the depot and the Works Supervisor reported that it was working well.

RECEIVED

6. STAFFING AND RESOURCES COMMITTEE

The minutes of the last meeting of the Committee would be presented to the Board in September.

RECEIVED

7. DRAINAGE RATES AND SPECIAL LEVIES

Drainage rates and special levies outstanding for the year 2011/12 totalled £1,618,754. The collection rate to date was slightly above average.

RECEIVED

8. FINANCE

The attached report was presented by the Director of Finance. He stated that the balance in the current account was £140,000. The account with the Monmouthshire Building Society had been opened and £250,000 deposited.

In response to Mr P.W. Pridgeon, it was reported that no extra staff would be employed to cater for the incoming work from Newark Area IDB (see item 19). Any work undertaken for the other Boards in the Consortium was recharged on an actual time spent basis plus travelling etc. All staff except the Chief Executive and his PA kept timesheets, costs for these two employees were calculated on the individual Boards' expenditure.

There was still no news from the Environment Agency (EA) on their move to the Strubby depot. Offices continued to engage the EA in discussions.

RESOLVED

That the Board's financial position be noted.

9. COMPENSATION CLAIMS

The Chief Executive presented a schedule detailing two compensation claims totalling £571.92 which had been paid in accordance with the Board's approved rates.

RECEIVED

10. OPERATIONS REPORT

The Director of Operations presented the attached report for information. He reported that weedcutting was well underway and although the lack of rainfall and low oxygen levels had caused potential problems with regard to fish kill, these had been dealt with without incident.

Conversely the Director of Operations did not envisage the reforming programme would be completed on target due to the delay caused by the bad winter at the start of the year. Mr P.W. Pridgeon suggested that the Board commence weedcutting in early July to ensure that the watercourses were clear of weed and able to cope with any heavy rainfall. The Director of Operations stated that the earliest the Board could commence work was 15th July due to environmental constraints, however, the Board did have agreement with the Environmental Bodies to undertake work to clear the centre of the watercourse with the weedboat if it was considered that there was excessive weedgrowth. The amount of weedgrowth was monitored by the Works Supervisor and Foreman and environmental surveys were required prior to the work being undertaken. Although the operations department did endeavour to commence work on 15th July, it had not been possible to do so this year as other works required completing, this meant that work had been delayed by a week.

Pumping hours totalled 121 for May and 126 for June. Rainfall at Manby and Strubby had averaged 22.05 mm in May and 66.65mm in June.

RECEIVED

11. PLANNING APPLICATIONS

Mr G. Crust declared an interest and left the meeting for this item.

Officers had been consulted on 37 planning applications since the last Board meeting and appropriate observations had been made.

Objections had been made to two applications; S090/00614/11 which did not comply with the Board's byelaws, and S194/00987/11 which raised concerns about the evacuation of surface water runoff. The Engineer reported that negotiations had commenced with the applicants and he would report further to the Board if necessary.

RECEIVED

12. BYELAW APPLICATIONS

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

B051-2011 The erection of stock proof fencing within eight metres of the South Outmarsh Drain (national grid reference TF 55532 74923) in the parish of Chapel St Leonards.

- B052-2011 To increase the flow of surface water (including the discharge from a biotechnical unit) to the Huttoft Main Drain from development at Woodrow Farm (national grid reference TF 51927 78258) in the parish of Huttoft.
- B053-2011 The installation of a temporary sandbag dam to facilitate a culvert inspection on The Lymn at Lymn Bank crossing (national grid reference TF 46735 61707) in the parish of Thorpe St Peter.
- B055-2011 To increase the flow of surface water to Highgate Drain via a private watercourse from the extension to the play area at Theddlethorpe Primary School, Mill Road (national grid reference TF 47093 87126) in the parish of Theddlethorpe All Saints.
- B057-2011 The construction of a vehicular access above the culverted Alford Road Drain West and the discharge from a package sewage treatment plant into the same watercourse from development at The Cottage, Alford Road (national grid reference TF 50175 80345) in the parish of Sutton on Sea.
- B058-2011 To increase the flow of surface water to the Winthorpe North Drain from re-development of Skegness Seathorne Primary School, Count Alan Road (national grid reference TF 56815 65424) in the parish of Skegness.
- B059-2011 To increase the flow of surface water to The Willows Drain from development at Plot 5, Veronica Close (national grid reference TF 55112 65155) in the parish of Skegness.
- B064-2011 To construct works to facilitate the abstraction of water from the River Steeping Main River into Caudwells Drain (national grid reference TF 52396 59985) in the parish of Croft.

RECEIVED

13. CAPITAL WORKS

13:1 Boygrift/Acre Gap Scheme

The remedial works to the footpaths had been completed and the site was fully accessible, only one or two minor jobs still required completion.

RECEIVED

13:2 Emergency Works - South Fitties Sluice Doors

The asset management system (AMS) had failed to predict the problem with the timber sluice doors on the gravity outfall of the Board maintained South Fitties Drain into the Louth Canal and the Engineer was looking into how this had occurred. An inspection had revealed that the doors were rotten and one had become detached. When functioning, the doors provide protection to approximately 180 hectares of land and about 12 properties. Without the doors the level of protection was estimated to be approximately 1 in 50 years and with the doors in excess of 1 in 100 years.

Design work was in progress and the proposal was to replace the timber doors with a single 1.2m x 1.2m flap unit. The outfall structure masonry was in sound condition but some concrete works

would be necessary to form a suitable face to mount the flap onto. The new design would allow for the passage of eels in low flow conditions.

The Engineer estimated the cost of the works to be £15,000, however, no provision had been made in estimates to undertake this work. He recommended that the work be undertaken during the current financial year and that money be moved from the Thorpe Culvert detailed appraisal (£10,000) and the Telemetry Upgrade (£5,000); these works had been delayed as grant was unavailable.

Cllr R.J. Palmer arrived.

RESOLVED

(a) That the Board replace the timber doors on the gravity outfall of the South Fitties Drain with a flap unit at an estimated cost of £15,000.

(b) That the above works be funded by transferring money allocated to Thorpe Culvert Detailed Appraisal (£10,000) and the Telemetry Upgrade (£5,000).

13:3 2011 Medium Term Plan (MTP) Application for period 2012 - 2016

The attached summary table of the MTP application was circulated for information. Only indicative costs were shown for works beyond 2016.

The Engineer explained that grant aid rules had significantly changed and all authorities were now treated equally, this meant that the Board could potentially obtain 100% funding if a scheme had sufficient benefits. In the past IDB schemes had received a maximum of 45% grant but grant payments would now be based on the value of damage avoided or benefit provided. If the calculated grant payment was greater than the cost of the scheme then it would be 100% funded, if it was less, then the authority would have to fund the shortfall. It was noted that as there was only a fixed amount of grant funds, schemes would be prioritised.

There was, however, a caveat that unless there was evidence that benefits had not been double counted, the maximum grant funding would only be 45% (for all authorities). The Engineer stated that, as most IDB areas benefited from other defences (river and tidal), the 45% rule would generally apply.

The Engineer reported that the Grainthorpe Flood Alleviation Scheme would address the problems highlighted in Grainthorpe in 2007 and confirmed by the Louth Canal Catchment Modelling. He stated that further capital works on the Louth Canal System such as interconnections could not be justified by the benefit calculation methods; the interconnections would be operationally beneficial and could be considered in future for revenue funding.

The Mablethorpe Town Lane Drain Culvert Refurbishment identified via the CCTV asset surveys had again been included for 2013/2014 and should receive 100% grant as benefits had been reduced to avoid double counting.

The Thorpe Culvert Catchment Scheme (included in previous applications) had not been included in this application as the Strategy Study indicated that the Board's system on its own met the Board's standards and that standards only failed due to Environment Agency (EA) overtopping. The EA had carried out bank raising works and the effect of this would need to be assessed. In addition, discussions were ongoing with the Witham Fourth District IDB and the EA to allow, under certain flood conditions, the re-opening of the Thorpe Culvert syphon into the Witham Fourth District IDB's district.

It was expected that 100% grant should be forthcoming for the health and safety works on the trash screens around culverts.

The Engineer hoped to receive confirmation before the estimates were prepared on what grants would be available.

RECEIVED

13:4 Harps Drain, Mablethorpe - Leaning Fence

The Engineer had received a number of complaints regarding fences falling into the Board maintained Harps Drain at Mablethorpe. The Board's response stated that it was not responsible and recommended that the owners move the fence back from the edge of the watercourse, however, one resident had a very small garden and did not accept this response; he believed that the Board should carry out works to stabilise the bank.

The fence was originally erected when the estate was built in the 1980's, and the complainants claimed it had been possible to walk alongside the fence on the drain side at that time. The Engineer confirmed that this was no longer the case but also stated that no records existed of any consent being given for fencing.

The situation had been monitored by the Board's officers over the last two years and cross sectional surveys undertaken over that period showed no significant change, however, comparison to a cross sectional survey undertaken in the 1980's indicated that the watercourse had been deepened and widened at some time. The complainants had stated that the fence had only significantly moved since 2007.

The fence line was now on the bank edge of the watercourse and, therefore, did not have much support on the bank side.

The following solutions were considered:

- (a) To reform ten metres of the bank with two rows of gabion baskets at an estimated cost of £10,000 (excluding new fence).
- (b) To move the fence one metre back from the edge of the watercourse.
- (c) To install longer heavy duty fence posts at an estimated cost of £500 (including fence).
- (d) Continue to monitor the situation.
- (e) Do nothing.

The Engineer did not believe that the Board had been negligent in carrying out its duties, however, the Board had been asked to consider whether it would assist in resolving the problem.

In response to Mr P.W. Pridgeon, the Engineer reported that there were approximately 20 properties with fences adjacent to this watercourse.

The Engineer reported that Guidance for Developers was currently being prepared and this would include a section on fences. He further reported that there was a proposal to develop the site on the other side of the watercourse and, if this went ahead, it may be necessary to undertake works on the watercourse.

In response to Cllr Palmer, the Engineer stated that culverting of the watercourse was inappropriate in this area as it was likely that, if developed, the adjacent site would be higher and the watercourse would, therefore, be essential to deal with any cross-land flooding.

RESOLVED

That the Board continue to monitor the situation with regard to the fences and report back to the Board once a decision had been made regarding development of the adjacent site.

14. RELINQUISHMENT OF SECTION OF BOARD MAINTAINED TETNEY INGS DRAIN

A request had been made for the Board to relinquish control of 105 metres of Tetney Ings Drain as shown on the attached drawing. The applicant owned land adjoining both banks of the Board maintained Drain and was already responsible for the maintenance of private watercourses within this ownership boundary. These private watercourses provided other landowners a drainage route to Tetney Ings Drain.

The Board's Engineer had written to the ten landowners who may be affected by the proposal requesting their comments or objections. To date only one response had been received by telephone from a landowner affected by the proposal who had stated that he may object. This landowner already relied on a private watercourse through the applicants' land to drain his property. The Engineer had outlined the process and discussed the proposal in general and advised him to put his objection in writing to the Board. To date no letter had been received.

If the application was approved, the Engineer explained that the Board would cease maintenance of the relinquished section and responsibility to maintain the flow of water would transfer to the riparian owners who at this time was the applicant. Should the land be sold in the future the riparian responsibilities would pass to the new landowner.

It was noted that if the flow of water was not maintained, the Board had powers under Section 25 of the Land Drainage Act 1991 to take enforcement action.

RESOLVED

That the Board relinquish control of 105 metres at the upstream end of Tetney Ings Drain between national grid references TA 29898 00856 and TA 29805 00834 subject to no formal objections being received.

15. ENVIRONMENTAL MATTERS

The Engineer presented the following environmental update.

15:1 Catchment Sensitive Farming

The Catchment Sensitive Farming initiative helped to deliver the requirements of the Water Framework Directive by reducing levels of diffuse pollution in rivers, ground water and other aquatic habitats that may result from farming activity.

The Lincolnshire Coastal Rivers catchment which covered the Board's area had recently been amalgamated with the South Humber area and a Catchment Sensitive Farming Officer had been appointed. This post was funded by the Environment Agency and Natural England.

RECEIVED

15:2 Grassland and Great Eau – Lincolnshire Naturalists' Union Field Meeting

A field meeting of the Lincolnshire Naturalists' Union facilitated by the Board's Environmental Officer had been held in June on land adjacent to the Great Eau. Although within the Lincolnshire Coastal Grazing Marsh target area, this land had not previously been surveyed. The results of the survey have been entered onto the Lincolnshire Environmental Records Centre database.

RECEIVED

15:3 Lincolnshire Biodiversity Action Plan (BAP)

The DRAFT 3rd Edition of the Lincolnshire BAP was open for consultation until the end of July 2011. This had been updated to include the aspirations of the Government's white paper 'The Natural Choice: securing the value of nature' and the national eco-system assessment. Members were reminded that the Lincolnshire BAP provided much of the overarching framework for the Board's BAP.

The Board had contributed significantly to the Rivers and Wetlands and the Water Vole Action Plans. A Freshwater Fish Action Plan had also been included in the DRAFT although the Board's own BAP already included actions required for eels; the other species included in the DRAFT were not present in the Board's watercourses.

A full review of the DRAFT had been undertaken and comments submitted. There would be no substantive changes to the Board's operations. The Lincolnshire BAP would be presented to the Board for approval in September but the following points within the DRAFT were noted:

- (a) The environmental work of Lincolnshire Internal Drainage Boards was positively recognised.
- (b) The Eel and Fish Workshop organised by the Lincolnshire Branch of the Association of Drainage Authorities in October 2010 was mentioned in the new Freshwater Fish Action Plan.
- (c) Lincolnshire's water vole population was 'significant to the persistence of the water vole nationally, with a regional key area for the species in the Lincolnshire coastal grazing marshes.'
- (d) Publications by the Association of Drainage Authorities and Natural England were mentioned.
- (e) Lindsey Marsh Drainage Board was specifically thanked for supporting the work on the Greater Water-parsnip.

RECEIVED

15:4 Wash Estuary Strategy Group

The Wash Estuary Strategy Group (comprising local authorities, Natural England, National Farmers' Union and the Water Management Alliance) had recently published a Biodiversity Action Plan which encompassed a small part in the south of the Board's area. The document was non-statutory but would be used for information and guidance by the Board's officers.

The aim of the Group was to ensure sustainable development and protection of the wildlife rich area surrounding the Wash from which local communities benefitted.

RECEIVED

15:5 Funding

The National Environment Bill had changed the way in which funding was delivered to a whole landscape approach. Funding for biodiversity action plans would come under the new Bill and the Lincolnshire Natural Area Partnership had been formed to seek funding.

RECEIVED

16. HEALTH AND SAFETY

A safety issue regarding the weedraking grids had been raised at the last meeting of the Health and Safety Committee. The Director of Operations confirmed that there was no significant risk at the moment as Safe Systems of Work had been put in place. An application for grant aid had been made for health and safety work to 23 grids at an estimated cost of £120,000.

RECEIVED

17. TOTAL ENVIRONMENT

The Chief Executive reported that a meeting had been held with Lincolnshire County Council (LCC), the Environment Agency (EA) and Lincolnshire Internal Drainage Boards (IDBs) to discuss the submission from the Association of Drainage Authorities Lincolnshire Branch. The strength of the partnership had enabled a very detailed and frank discussion to take place. On the whole, the submission by the Branch had been well received and LCC looked favourably upon the concept of IDBs becoming contractors of choice and advisors for Sustainable Urban Drainage Systems (SUDS) based on IDBs' track record of cost effective delivery of flood risk management. The EA was amenable to the proposals and undertook to give them due consideration.

The Board's Engineer had also attended a Strategic Framework meeting and was leading a small group to look at the works programme for Lincolnshire in respect of land drainage, ground water, surface water and flood risk management. The Local Flood Risk Management Strategy would cover all work necessary to sustain the whole of Lincolnshire. The Chief Executive reported that the core activity (i.e. maintenance of watercourses and maintenance/refurbishment of pumping stations) would continue from this location but there would be a multi-agency approach to locations such as Louth.

The Engineer reported that if IDBs were based on catchment areas their areas would increase between 20% and 300%.

Mr J.L. Dodsworth advised caution, stating that other IDBs may have higher administration costs than Lindsey Marsh. Mr Pridgeon agreed with the philosophy but advised caution and stated that the Board must maintain or improve its own efficiency; the Board must be competitive if it was to bid for work, particularly against contractors. He stated that the Board must keep its charges competitive. The Chief Executive agreed and reported that sharing of equipment with other IDBs was being considered. Administration costs had already been reviewed this year and some savings made but these would be kept under constant review.

The Director of Operations stated that productivity and output must also be taken into account; the Board may be more expensive but carried out the work quicker and to an exceptional standard. The Board was also able to respond very quickly.

RESOLVED

That the Plant and Compensation Committee consider improvements to the efficiency of operations.

18. THE EUROPEAN CENTRE OF EMPLOYERS AND ENTERPRISES PROVIDING PUBLIC SERVICES (CEEP)

The Chairman had attended a CEEP meeting in Vienna. CEEP is one of three social partners at European level with the ability to negotiate agreements which then become Directives. Engagement in policy formation at this level enabled the Board to influence the outcome and damage limit legislative impact on behalf of Public Service. The Vienna meeting enabled the Chairman to meet key personnel and influencers in CEEP and to gain a greater understanding of the mechanisms that underpin the CEEP organisation. The Chairman would represent the Partnership of Public Employers (PPE) water and environment sectors at a CEEP meeting in October.

RECEIVED

19. CONSORTIUM WORKING

The Chief Executive reported that he had been approached by the Chairman of Newark Area Internal Drainage Board (NAIDB) regarding Consortium working. A presentation had been given to the NAIDB members and the Chief Executive was pleased to report that NAIDB had now joined the Consortium.

The NAIDB was due to amalgamate with Fairham Brook, Kingston Brook and Laneham IDBs in April 2011 to form the Trent Valley IDB and a review of the service provided by Lindsey Marsh would be undertaken in December. NAIDB currently had a turnover of around £1.1m, the Trent Valley IDB would have a turnover of £1.5m; a similar size to the Isle of Axholme and North Nottinghamshire Water Level Management Board. The NAIDB had an office in Newark, administrative staff and workforce.

Members were pleased with the new arrangements which would benefit all the Boards within the Consortium by reducing overheads whilst retaining in-house expertise.

The Chief Executive reported that he was undertaking a review of training needs for the Lindsey Marsh staff to ascertain if and what further training was required, particularly with regard to leadership and management as very little formal training had been undertaken for some time.

It was noted that Ancholme IDB was inviting tenders for support services and members were asked whether they wished to consider tendering for the work.

RESOLVED

- (a) That the addition of NAIDB to the Consortium be noted.
- (b) That a formal tender be submitted to provide support services to Ancholme IDB.
- (c) That formal Leadership and Management training be provided for the staff.

20. VISIT TO DEFRA

The Chief Executive reported that he would be visiting Mr R. Benyon, M.P., Minister for Natural Environment and Fisheries at the Department for Environment, Food and Rural Affairs to brief him on the work of IDBs. The Chairman and Engineer would also be attending together with Mr R. Belfield of Lincolnshire County Council to demonstrate the success of the partnership arrangements.

RECEIVED

21. MUSEUMS

Members were pleased to hear that grant applications submitted by Gayton Engine Preservation Society and the Friends of Anderby Drainage Museum had both been successful. This would enable them to update facilities and improve the visitor experience.

Mr T.H. Heys, on behalf of Gayton Engine Preservation Society, thanked the Board for its help in completing the grant application as this would enable the Society to carry out much needed repairs to the building, i.e. pointing and repainting. He stated that the next open day would be on 7th August and hoped that members would attend.

Mr Mowbray, Chairman of the Friends of Anderby Museum, also thanked the Board for its support.

RECEIVED

CHAIRMAN