

LINDSEY MARSH DRAINAGE BOARD

Minutes of a Meeting of the Board held at Wellington House, Manby Park, on Wednesday, 28th March 2012, 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

1. APOLOGIES

Apologies for absence were received from Messrs W. Cooper, P.W. Pridgeon and Cllr A. Bridges

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2. DECLARATIONS OF INTEREST

Cllr Mrs P.F. Watson – Agenda Item 12 (Planning Applications)

3. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

One matter to be discussed under item 20.

4. BOARD MINUTES (Pages 902 to 913)

RESOLVED

That the minutes of the Meeting of the Board held on 31st January 2012 be confirmed as a correct record.

5. MATTERS ARISING

5:1 Minute 5:3, Page 903 – Operations Report

The Engineer reported that investigations were on-going to see if the syphon under the River into the Witham Fourth District IDB area could be opened.

5:2 Minute 5:4, Page 903 – Tour of Inspection

The Chief Executive reported that the date for the tour of inspection for Board members and guests has been set for Monday 23rd April 2012. The tour would commence at 9 a.m. with lunch at 12 noon and 1 p.m. finish.

With regard to the possible visit to the Italian Drainage Board, the Chief Executive reported that there had been difficulties with obtaining dates mutually suitable in the U.K. and Italy. Discussion took place regarding possible dates in June this year, October 2012 or June 2013.

It was proposed by Mr G. Crust and seconded by Mr G. Billings that the visit to Italy be postponed until 2013.

RESOLVED

That the visit to Italy be postponed until June 2013.

5:3 Minute 12, Page 906 – Leaning Fence at Silver Street, Theddlethorpe

Mr D. R. Tagg enquired if there was an up-date on this item. The Engineer reported that the property owner had been advised of the Board's decision following the last Board meeting but no response had been received.

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5:4 Minute 14:1, Page 908 – Chapel Catchment Culvert Works – Trunch Lane Culvert (C10250)

The Engineer reported that the full cost of this work would be presented at a future meeting.

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6. PLANT AND COMPENSATION COMMITTEE

Mr T. H. Heys presented the attached minutes from the Plant and Compensation Committee meeting held on 5th March 2012.

Regarding the visit to Porters Sluice Pumping Station, Mr R. H. Needham stressed the importance of keeping all levels of the Environment Agency involved in discussions.

Mr T. H. Heys thanked the Board's officers for arranging the visit and suggested that a return visit be made in September/October to view progress.

It was proposed by Mr T.H. Heys and seconded by Cllr E.P. Mossop that the minutes be confirmed as a correct record and approved by the Board.

RESOLVED

That the minutes of the Plant and Compensation Committee held on 5th March 2012 and the resolutions made be approved.

7. STAFFING AND RESOURCES COMMITTEE

7:1 Minutes of the Last Meeting

Mr G. Crust presented the attached minutes of the Staffing and Resources Committee meeting held on 5th March 2012. It was proposed by Mr G. Crust and seconded by Cllr Mrs P.F. Watson that the minutes be confirmed as a correct record and approved by the Board.

RESOLVED

That the minutes of the Staffing and Resources Committee meeting held on 5th March 2012 and the resolutions made be approved.

7:2 Minute 6, Page 2 – Motor Vehicle Allowances

The Chief Executive reported that motor vehicle mileage payments were high. This was discussed in March last year at the Clerks' meeting and needed to be brought into line and reduced down to a reasonable level. The Association of Drainage Authorities produced some guidance and the Director of Finance and the Engineer have looked into the running costs to give it some foundation. Comparisons were also made with the National Survey and payments made across councils.

The Chief Executive met with the Union to try to discuss a suitable scheme of motor vehicle provision with a view to implementation by 1st April 2012.

The attached report was presented to Board members by the Director of Finance and two options were discussed at length.

The Chairman suggested that there could also be a third option where the Board would be required to 'buy out' of the current scheme over a two year period as had been applied by the County Council but this had been a costly option.

Mr D.R. Tagg enquired if an option preference had been expressed by the workforce. The Director of Finance reported that the workforce had unanimously expressed a preference for Option 1.

A vote was conducted by a show of hands on the proposal of Option 1. 16 members voted in favour.

RESOLVED

- (a) That Option 1 – Provision of Board Vans for Workmen be implemented.
- (b) That the Chief Executive be granted delegated authority to negotiate with the staff to introduce reduced payments for Motor Vehicle Allowances.

7:3 Minute 7, Page 3 – Review of Risk Register

Following recommendations made by the Board's Internal Auditor, the Chief Executive reported that the Risk Register would be amended and presented to the Staffing and Resources Committee and Plant and Compensation Committee for further consideration before being presented to the Board for approval in June.

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8. DRAINAGE RATES AND SPECIAL LEVIES

The Chief Executive reported that all rates had been collected for the year 2011/12.

Mr D.R. Tagg asked the Chief Executive to pass on the thanks of the Board to the Rating Officer, Mrs S. Baker, for her good work.

The Chief Executive presented the attached schedule detailing amendments to the valuation list for consideration by the Board.

RESOLVED

That the attached amendments to the valuation list be approved.

9. FINANCE

9:1 Income and Expenditure

The Director of Finance presented the attached report showing income and expenditure from 1st April 2011 to 29th February 2012 and gave a detailed explanation of any overspends.

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9:2 Investment of Balances

A total of £1,255,559.18 was currently invested with various banks and building societies and the Director of Finance advised members that other banks were being sought for investment purposes to ensure that no more than £250,000 was held with any single financial institution. The Nat West Bank and the Nationwide were currently being considered

It was noted that loans totalling £432,285.61 remained outstanding with the Public Works Loan Board and £45,092 in respect of plant.

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9:3 Financial Regulations

The Director of Finance presented new Financial Regulations for consideration. He explained that this document brought together regulations previously split across several policies and represented current best practice as approved by the Board's Internal Auditor.

RESOLVED

That the attached Financial Regulations be adopted by the Board.

9:4 Pension Policy

The attached Pension Policy was presented to the Board. The Director of Finance confirmed that the Board does not intend to make use of discretionary powers due to the extra costs to the Board.

RESOLVED

That the attached Pension Policy be adopted by the Board.

10. COMPENSATION CLAIMS

One compensation claim in the sum of £666.05 had been paid in accordance with the Board's approved rates since the last Board meeting.

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11. OPERATIONS REPORT

The attached Operations report was presented to the meeting.

Very little rainfall had been recorded during January and February and pumping hours had been low or nil. All pumping stations had been set to summer levels and retention structures had been installed two months early.

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12. PLANNING APPLICATIONS

The Engineer reported that 16 planning applications had been received since the last meeting and appropriate observations had been made by officers under delegated authority. Objection had been made to the following application as the proposed extension would be located three metres from the culvert (see agenda item 13):

N110/0118/12 - extension to existing funeral parlour at Clifton House, High Street, Mablethorpe.

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13. BYELAW APPLICATIONS / CONTRAVENTIONS

13:1 Consents Granted under Delegated Authority

The following consents had been granted under delegated authority since the last Board meeting:

B003-2012 - Installation of temporary access culvert and water main by directional drilling beneath the Board maintained New Drain at national grid reference TF 35442 95630 in the parish of Covenham St Bartholomew.

B004-2012 - Installation of temporary access culvert and water main by directional drilling beneath the Board maintained Treasure Lane Drain at national grid reference TF 35557 94252 in the parish of Covenham St Mary.

B005-2012 - Installation of four land drainage outfalls along New Drain at national grid reference TF 35442 95630 in the parish of Covenham St Bartholomew.

B006-2012 - Installation of four land drainage outfalls along Treasure Lane Drain at national grid reference TF 35557 94252 in the parish of Covenham St Mary.

B012-2012 - Increased flow of surface water to the Board maintained New Drain from a newly constructed menage at national grid reference TF 38483 96757 at Honeysuckle Farm, Main Road in the parish of Grainthorpe.

B013-2012 - Removal of existing overhead electricity supply cables and replacement with an underground supply along the right bank of the Board maintained Caudwells Drain at national grid reference TF 54261 59784 in the parish of Croft.

B014-2012 Temporary discharge of ground water to the Board maintained Green Lane Drain at national grid reference TF 49768 85750 at Golf Road in the parish of Mablethorpe.

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13:2 Green Lane Drain and Heading Drain, Mablethorpe

Application had been made by Anglian Water Services Limited to install a foul water storage system within eight metres of the Board maintained Green Lane Drain and culverted Heading Drain at Golf Road, Mablethorpe. These works were being undertaken to provide much needed relief from flooding at The Fairways and Regent Road at Mablethorpe.

The Engineer reported that the Board's Policy, based on the diameter and depth of the culvert, required new structures to be sited a minimum of 5.0 metres from the outside edge of the pipe.

The proposed works would consist of:

- (a) Installation of pipes in Golf Road which would pass above and below the Heading Drain culvert and within 1.35 metres of the Heading Drain manhole.
- (b) Installation of a below ground pumping unit 4.81 metres from the Heading Drain manhole.
- (c) Installation of a pipe alongside Green Lane Drain which would be a minimum of 6.0 metres from the bank top.

The Engineer stated that since the original application was received the Board's officers had been working closely with Anglian Water to improve the proposals and although the application did not fully comply with the Board's policy, officers felt that this was the best that could be achieved given the constraints of the number of utility services in this location.

The Operations Department had been consulted and confirmed that the proposals would not impact upon the Board's machinery access to Green Lane Drain. Furthermore, it was considered that the proposals would not significantly impact upon

the Board's ability to inspect, maintain or carry out improvement works to the Heading Drain culvert if required in the future.

It was proposed by Mr G. Crust and seconded by Mr G. Billings that consent be granted.

RESOLVED

That consent be granted to Anglian Water Services Limited to install a foul water storage system within eight metres of the Board maintained Green Lane Drain and culverted Heading Drain at Golf Road in the parish of Mablethorpe subject to all works being carried out to the specification and satisfaction of the Board's officers.

13:3 Sempers Drain North, Mablethorpe

The Engineer reported that following the Board's objection to Planning Application No. N/110/00118/12, application had been made to erect an extension one metre from the outside edge of the line of the culverted Sempers Drain North in the parish of Mablethorpe.

It was noted that the Board's Planning and Byelaw Policy, based on the diameter and depth of the culvert, would require the new structure to be sited a minimum of 4.0 metres from the outside edge of the culvert. The Engineer stated that part of the existing building is already located 1.6 metres from the outside edge of the culvert, although there was no record of consent being issued by the Board; retrospective enforcement action was not a viable option in this instance due to the length of time the building had been in place and records indicated that the building may predate the original culvert installation.

The Operations Department had been consulted regarding the proximity of the extension to the culvert and, although it was agreed that the foundations for the extension could be designed to prevent loadings being placed on the culvert, the proximity of the extension to the culvert would prevent access for the Board's machinery should replacement be required in the future. The Operations Department confirmed that machinery access would be achievable if the extension was moved back to a minimum of 2.75 metres from the outside edge of the culvert as there was currently ample room within the adjacent supermarket car park from which to work. This was proposed by Mr G. Crust and seconded by Mr D.R. Tagg as long as access could be guaranteed.

RESOLVED

That consent be granted to erect an extension within eight metres but no closer than 2.75 metres of the Board maintained culverted Sempers Drain North in the parish of Mablethorpe subject to:

(a) The applicant securing an agreement on behalf of the Board allowing uninterrupted access on the opposite side of the culvert in perpetuity.

(b) All works being carried out to the specification and satisfaction of the Board's Engineer.

14. SECTION 23 CONSENTS

The following consents had been granted under delegated authority since the last Board meeting:

LM002_2012 - Installation of temporary access culvert immediately east of Covenham Reservoir at national grid reference TF 35036 96426 in the parish of Covenham St Bartholomew.

LM003_2012 - Installation of temporary access culvert along the southern boundary of O.S. field number 4548 at national grid reference TF 35459 95429 in the parish of Covenham St Mary.

LM004_2012 - Installation of temporary access culvert along the northern side of Newbridge Lane at national grid reference TF 35514 94765 in the parish of Covenham St Mary.

LM005_2012 - Eradication of approximately 132.5 metres of watercourse between national grid references TF 51497 64907 and TF 51368 64927 in the parish of Burgh Le Marsh.

LM006_2012 - Installation of temporary access culvert at national grid reference TF 38827 83946 in the parish of North Reston.

LM007_2012 Installation of temporary access culvert at national grid reference TF 38821 - 84008 within the parish of North Reston.

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15. CAPITAL WORKS

15:1 Strategy 2025 Works - Chapel Basin Pumping Station

The Engineer reported that the new control panel and kiosk had been installed at Chapel Basin Pumping Station. The telemetry master station would now be configured to communicate with the new outstation.

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15:2 CCTV Asset Survey 2011/2012 (C11350)

The CCTV and jetting contractor IWJS had commenced work on the piped length of the Mardyke Drain in Saltfleetby St Peter.

The Engineer reported that the Contractor had not been working on site every day due to other contractual commitments and a short time extension of two weeks had been granted without prejudice to the Board's position.

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15:3 Chapel Catchment Culvert Works - Trunch Lane Culvert (C10250)

This scheme had been completed including the permanent highway reinstatement.

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15:4 DEFRA Grant Funding Scheme for IDBs

Royal Haskoning was progressing with the study into improving pumping station efficiency. The Engineer reported that manipulation of historic telemetry data had been challenging as the archived data was not in a standard modern format. In spite of these difficulties, however, the interim report was expected by the 30th March 2012, as required by DEFRA Grant conditions.

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16. ENVIRONMENTAL MATTERS

16:1 Strategy for Compliance with "The Eels (England and Wales) Regulations 2009"

The Engineer reported that the Eels (England and Wales) Regulations 2009 came into force on 15th January 2010 and included two measures that would directly affect the Board's operational activities.

Firstly, in relation to the passage for Eels, it was a requirement of the Act that suitable passes for Eels are installed during the construction or alteration of an obstruction such as a sluice or pumping station. The cost for both construction and maintenance falls on the Operating Authority and the Board already complied with these requirements with financial support being provided through Flood Defence Grant in Aid where appropriate.

Secondly, screening to prevent Eel mortality would be required after 1st January 2015 for all abstractions that exceeded 20m³ per day; this would include all the Board's Pumping Stations. The Engineer reported that physical screens with openings small enough to exclude Eels were incompatible with the conveyance of water and behavioural screens such as those planned for Porter's Sluice Pumping Station using strobe lights and/or acoustic measures were the preferred option.

Based on the cost of the equipment that the Environment Agency were proposing to fit at Porters Sluice Pumping Station, the capital cost of installing Eel screening was estimated to exceed £2 million initially across the Board's area; this budget excluded ongoing running costs which were estimated to be around £4,000 per station per annum.

Within current economic circumstances this level of investment would not be achievable by 2015 and officers, therefore, recommended that the Board apply for exemptions under the Eel regulations for all its pumping stations. It was noted that currently no guidance was available on the criteria that the Environment Agency would use in granting exemptions and officers suggested that the most appropriate way to secure exemptions would be within a comprehensive "Strategy for Compliance with the Eel Regulations". This Strategy would propose that Eel screening at pumping stations should be carried out over an extended period beyond 2015 as and when major refurbishment was undertaken.

A DRAFT Strategy was currently being prepared and would be brought back to the Board for approval before being submitted.

RESOLVED

That officers prepare a DRAFT Strategy for Compliance with the Eel Regulations for consideration at a future Board meeting.

16:2 The Wash and North Norfolk Coast European Marine Site Management Scheme

The Board's annual contribution for 2012 to 2015 would remain at £306.

The Engineer reported that a recent assessment by Natural England had reduced the area of the Wash that is in favourable condition to 67.98%. A new Project Manager had been appointed.

16:3 Nitrate Vulnerable Zones Consultation 2011

The Engineer reported that a significant part of the Board's district had already been designated as a Nitrate Vulnerable Zone (NVZ). This above Consultation proposed that a further area stretching from Alford and Trusthorpe in the North to Anderby Creek in the south should become a NVZ on the 1st January 2013.

It was noted that NVZ designation could affect the Board's methods of disposal of dredgings, however, exemptions had been granted by the Environment Agency that allow the historic practices to continue across those parts of the Board's district already designated as an NVZ.

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17. HEALTH AND SAFETY

No matters to report.

18. DROUGHT

Successive months of low rainfall over the last 18 months had led to a situation where drought conditions had been declared.

The Chief Executive reported that officers were looking into ways by which water levels could be managed more sustainably as the climate changes. The Study by Royal Haskoning was already investigating ways that this could be achieved by changes to pumping station operating procedures which may also lead to lower pump costs and maintenance of more constant water levels.

The Engineer confirmed that the pumps had been set to summer levels and although some pumps had been turned off, these were still run occasionally to ensure they remained fully operational.

The Chief Executive reported that everything that can be done to manage the situation is being done.

RESOLVED

That officers keep the Board up to date with the situation.

19. RISK REGISTER

This had been dealt with under Minute 7:3.

20. ANY OTHER BUSINESS

The Chairman reported that he had received a very comprehensive report in the post regarding the current situation with Lincolnshire County Council and Local Lead Flood Authority.

RESOLVED

That a copy of this will be forwarded to all Board Members.

Total Environment and A.D.A.

The Engineer reported that the Board has been approached by Lincolnshire County Council to help provide them with technical support to deliver Section 23 consents and enforcement on ordinary watercourses outside the Board's area for which they will take over responsibility on 6th April 2012.

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CHAIRMAN