

WITHAM FIRST DISTRICT INTERNAL DRAINAGE BOARD

Minutes of the seventy ninth meeting of Witham First District Internal Drainage Board held on Tuesday, 7th August 2012 at Washingborough Village Hall.

Present:

Mr. R.A. Fletcher	Chairman
Mr. P. Gilbert	Vice-Chairman
Mr. B. Applewhite	
Mr. S. F. Cobb	
Cllr. R. Coupland	
Mr. J. Crust	
Mr. T. Gilbert	
Mr. M.D Harrison	
Cllr. G. Hewson	
Mr. R.A. Hickling	
Mr. B.S. Leggate	
Mr. L. Maplethorpe	
Mr. N. Maplethorpe	
Mr. D.N. Means	
Mr. N. Osborne	
Cllr. C.R Oxby	
Dr. V. Stanton	
Mr. E. Tonge	
Cllr. P. Vaughan	
Mr. A. Whitehead	

In attendance:

Mrs. Jane Froggatt	-	Chief Executive
Mr. Martin Shilling	-	Director of Operations
Mr. Robert Spaight	-	Senior Finance and Ratings Officer
Mrs. Anna Wilson	-	Finance and Rating Assistant

The Chairman welcomed members to the meeting.

1715 Apologies

Apologies for absence were received from Mr. G.W. Chambers, Cllr. D Jackson, Mr. S Leggate and Mr. J. Mair.

1716 Declarations of Interest

Members appointed by City of Lincoln Council and North Kesteven District Council declared interests in matters relating to their respective Councils.

Mr. Len Maplethorpe declared a personal and prejudicial interest in item 17 on the agenda, the additional licence for access for New Cut Access Track, and would take no part in discussion. Cllr. R. Oxby declared an interest in item 12 on the agenda, bridges liability, as a serving member of Lincolnshire County Council.

1717 Chairman's Announcements

Jim Elkington

The Chairman informed the Board of the death of Mr. Jim Elkington, former Clerk to the former Alford, Skegness & Louth IDB, on 14th July 2012.

DEFRA Ministerial letter of 19th July 2012.

The Chairman tabled a copy of a Ministerial letter from Mr. Richard Benyon MP, sent to all Internal Drainage Board Chairmen which acknowledges the role of IDBs and confirms no medium term plan to change their role or accountability but does ask them to modernise and asks Chairmen to respond by 30th November 2012.

New Atlas Machine

The Chairman informed the Board that the new Atlas machine had been delivered on 23rd July and was now in full use.

Dogdyke Pumping Station Preservation Trust & Board's Depot Open Day.

The Chairman informed Members of an open day for the Dogdyke Pumping Station on Sunday, 2nd September 2012. The Board's Thorpe Tilney depot will also be open on this day, showcasing some of the works carried out by the Board's two volunteers. Members were invited to attend at approximately 1pm to see the diesel pumps operating.

Retirements from the Board

The Chairman informed the Board that Mr. G.W. Chambers would not be standing for re-election. Mr. B. Applewhite and Mr. J. Crust informed the Board that they too wished to retire from the Board. Members were thanked for their long service and commitment to the Board by the Chairman.

1718 Minutes of the Board.

The Minutes of the Board meeting held on Wednesday, 27th June 2012 were APPROVED as an accurate record.

MATTERS ARISING

The Board was informed that following approval of the Register of Electors on 27th June 2012 it was advertised in the Lincolnshire Echo on 5th July 2012. The next stage is for nomination papers to be sent out for completion and the Chief Executive reminded Members that the deadline for returning these was noon on the 28th September 2012.

1719 Executive Committee Minutes

The Minutes of the Executive Committee meeting held on Tuesday, 24th July 2012 were APPROVED as an accurate record.

MATTERS ARISING

The Chief Executive informed the Board that as requested, loan figures for transferring bridges liability to Lincolnshire County Council would be available verbally for this agenda item.

The Chief Executive informed Members that the commuted sum from Campbell Construction was being held by Sills and Betteridge and assured the Board that the opinion from Sills & Betteridge was that this remains secure.

The Chief Executive informed Members that a response had been sent to the Land Tribunal Service regarding the Lonsdale v Leek case, seeking to refute the RIDER which Messrs. Roy and Malcolm Leek are requesting which, if accepted, would link the Board to the application.

1720 Director of Operation's Report

The Director of Operations referred to his report that had been circulated. In particular, he brought to the Board's attention to the following:

- the winter de-silting programme was now being planned. Mr. Osborne asked if members could have a copy of this circulated for their reference. It was AGREED to circulate this.
- the Board's older Bomford flail was now working reliably after extensive repairs by Bomfords.
- the Board's pumping stations had been working very long hours over the recent period of wet weather. The rainfall figures, by pumping station, in the recent high rainfall periods were presented to members.
- the recent wet weather had highlighted the need to occasionally access drains where there are laying crops. The Board would in due course need to consider whether a solution could be either to leave the crops and wait, trample crops and pay compensation or rent access strips.
- the Board has been asked to consider adoption of Timberland Fen Dyke to help alleviate future flooding problems. The Director of Operations would be looking at this over winter 2012/13 and invited members to highlight to him any other areas of concern.

1721 Nocton Fen Pumping Station Refurbishment

The Director of Operations' recommendation in the sum of £29,685 was AGREED and the contract will be awarded to Lincoln Electrical Services following a procurement process and receipt of tenders. This was within the Board's £30,000 budget for the refurbishment.

1722 Finance Performance Report, Quarter One 2012/13,

The Chief Executive informed the Board that due to two unexpected pump repair bills for Timberland and Metheringham Pumping Stations, the £20,000 budget for pump repairs had already been exceeded and a total of £35,731.80 expenditure incurred. A later paper on the agenda would identify a total required budget of £71,429.90 to undertake necessary works and a means of viring monies from within the existing approved budget. Otherwise, there was nothing of note to highlight to the Board in income or expenditure for the first three months. The Board NOTED the finance report.

1723 Schedule of Expenditure

The Chief Executive gave an overview of the Schedule of Expenditure that the Board has incurred for the 3 months from 1st April 2012 to 30th June 2012.

A question was asked about the precept payment to the Environment Agency of £41,515.50 and it was confirmed that this was payment one of two payments in 2012/13 and therefore reflects a sum paid for six months. Work is underway to flex the Board's budgets, which are currently phased in monthly equal sums, to take account of such payments.

1724 Transfer of Liability for Bridges & Culverts.

A paper prepared by the Board's Engineer was presented. This set out the offer made on 20th December 2011 by LCC to take over 18 bridges & culvert structures for a sum of £405,646.79. The Engineer had subsequently undertaken a site review of all structures and discussed his findings with LCC officers and by a combination of revised inflation allowances upwards, residual life of structures being adjusted and agreement on reduced nature of future replacement structures needed, both parties agreed a revised transfer liability sum of £354,480.39 at 2012 prices.

There then followed discussion as to the financing options to effect such a transfer with an option of a loan for the full sum from the Public Works Loan Board of 4.5 years at 1.17% meaning an annual cost of £73,197.24 and a total of £365,986.20 repayable; 9.5 years at 1.65% meaning an annual cost of £38,598.66 and a total of £385,986.60 repayable or 14.5 years at 2.23% meaning an annual cost of £27,934.76 and a total of £419,021.40 repayable. Alternatively, the Board might seek to finance such a transfer by contributing from reserves, for illustrative purposes only, say £100,000. With this contribution and a loan of £254,480.93 over 4.5 years at 1.17% the annual repayment would be £52,545.10 and a total cost of £262,740.50; over 9.5 years at 1.65% the annual repayment would be £27,709.88 and a total cost of £277,098.80 or 14.5 years at 2.23% meaning an annual repayment of £20,054.30 and a total cost of £300,814.50.

The Board was keen to maintain a healthy cashflow, not depleting reserves too much and thereby increasing financial risks.

After discussion it was RESOLVED to AGREE the transfer of Bridges and Culverts liability to Lincolnshire County Council and to pursue an application to the Public Works Loan Board, noting this would take several months to progress, whilst receiving a further report to the Board on financing options and the impact on cashflow, including an option of funding a £50,000 contribution from the Board and taking a loan for the remainder.

1725 Five Mile Lane, Washingborough

The Chief Executive gave the Board a verbal overview of the Engineer's report previously distributed and the Board noted that the system was deemed operational on 20th June 2012 with remaining works as follows:

- complete MH4 (just downstream of lagoon).
- remove shuttering to lagoon inlet headwall.
- place further stone in south east corner of lagoon.
- construct plant access into lagoon.
- reinstatement of road at pipe crossing by outfall.
- CCTV survey (in circa June 2013).
- install shut off valve (after CCTV survey).

Only at the point of a satisfactory CCTV result would the Board accept the maintenance responsibility and the £12.8k commuted sum. The Board NOTED the current position.

1726 Schedule of Planning Applications

The Schedule was examined and the actions taken were noted.

1727 Consents and Enforcements

The Board was updated on the case currently on-going in the extended catchment involving a culvert on Fen Road, Ruskington which was reported by N.K.D.C. for action.

The Chief Executive reiterated to the Board that all expenditure incurred on the issue of consents and enforcements outside the drainage district, in the extended catchment, was being recorded.

1728 Land at Blankney Farm

The Chief Executive informed the Board that an approach had been made by the householders of Blankney Farm to purchase approximately 1/3 acre of the Board's land adjacent to their property as additional grazing land.

The Director of Operations was content for the land to be sold providing the Board maintains the ownership of 9 metres strip, to be staked by the Board, in order to maintain access for maintenance and also thereby avoiding future consents issues for the purchasers.

The Board AGREED to declare the parcel of land as surplus to requirements and that providing the potential purchasers meet the Board's legal fees and the cost of an independent valuation to confirm that the £4,500 purchase price offered is indeed a fair and reasonable offer.

1729 New Cut Access Track, Digby Pumping Station.

Mr. Len Maplethorpe reiterated his personal and prejudicial interest in this issue and took no part in discussion.

The Board has a longstanding access licence in place (dating to 10/08/1961) to enable the now Environment Agency to access its land at Dorrington Dyke Clay Pits via the Board's New Cut Access Track, adjacent to Digby Pumping Station. Smiths Gore, agents for the Environment Agency in the potential sale of Dorrington Dyke Clay Pits, met with the Chief Executive and Director of Operations on 12th July 2012 to request the Board grants an additional licence to the new owners of the Clay Pits to enable access via New Cut Access Track.

There followed discussion about the need to protect the Board's track from increased usage and maintenance costs and the privacy of Digby Pumping Station. The Chairman read out a letter received on behalf of Maple Farms, The potential new owners of Dorrington Clay Pits, which confirmed that the intended use of the Pits was as family use, not as a commercial venture.

The Chief Executive confirmed that Smiths Gore had made a telephone offer on 06th August 2012 of either £100-£200 per annum or a one-off commuted sum of £3,000 on behalf of their client, the Environment Agency.

The Board AGREED the granting of an additional access licence in the sum of £3,000. The Chief Executive was tasked with asking Sills & Betteridge, Solicitors, to agree an access licence which would take into account potential future change of use or ownership of the Clay Pits and, should that happen, this would trigger a review of the access licence.

1730 Memorandum of Understanding between the Board and Lincolnshire's Lead Local Flood Authority

Members received the final Memorandum of Understanding between Lincolnshire County Council, as Lead Local Flood Authority, and the Board for the provision of a Consenting and Enforcement service on ordinary watercourses in the extended catchment area on a trial basis from 06th April 2012 to 31st March 2013.

The Chief Executive confirmed that it incorporated the amendments requested. As discussed earlier, officers have started to pick up cases outside the drainage district and the detail of work undertaken (and costs incurred) are being recorded.

The Memorandum of Understanding was APPROVED by the Board.

1731 Aquatic Weed Control Research Project

At the ADA Lincolnshire Branch meeting on 28th June 2012 it was agreed in principle that the Lincolnshire IDBs would support a research study into the Control of Aquatic Weed by Dr. Jonathan Newman of the Centre for Ecology and Hydrology.

The Board AGREED to ratify the Chairman's action to contribute £500 in 2012/13 and to commit a further £500 in both 2013/14 and 2014/15 to the research study (which would then attract matched funding and a total of £20,000).

1732 Digby Parish Council's Request that the Board adopts 'Greendykes' watercourse, Digby.

The Board considered a briefing paper on a request from Digby Parish Council that the Board adopts Greendykes drainage ditch, following the recent flood events of 29th April and 28th June 2012.

The Board's Engineer, Alan Gardner, had been working closely with John Fry, Parish Clerk, since the end of March when he brought to the Board's attention the Parish Council's concern that residents whose properties backed on to Greendykes were generally not keeping it clear. The area was inspected by the Engineer and representatives of the Parish Council on 03rd April 2012 and it was a concern that no outfall was evident. Letters were subsequently sent to residents of the Hurn and Chestnut Close. In addition, on a without prejudice basis, the Board deployed two operatives (Richard Marshall and Dave Tempest) to locate the outfall which they did and then cleared the 150mm pipe (and the water level in the ditch rapidly lowered). This undoubtedly reduced the impact of Greendykes overflowing again on 28th June.

The Board had now been requested to adopt the watercourse and the Chairman of the Parish Council, David Hart, had on 06th August asked the Chief Executive to make additional information available to the Board, which was read out as follows:-

" ... the Parish Council of Digby wish you to adopt the drain known as Greendykes for the following reasons:

- 1. serious internal flooding caused recently to houses and flood damage to residents' gardens, garages and out-buildings.*
- 2. there are significant enforcement issues which need to be resolved,*
 - a) the non-approved narrow piping of the drain at the Station Road end which is a major cause of the flooding.*
 - b) the non-approved in-filling of the drain at the North Street end causing major flooding.*
 - c) the various non-approved small pipes interfering with the drainage of the drain along its length.*
- 3. the inability of the Drainage Board to enforce the riparian maintenance of the dyke. The dyke maintenance is clearly beyond the scope and ability of normal householders, many of whom are elderly".*

Members then viewed a slide show of the floods in Digby, as submitted by the Parish Council.

There then followed lengthy discussion as to the basis of the Board adopting the watercourse. There should be good reasons to adopt a drain and normally the dyke in question would outfall into another Board maintained watercourse, which Greendykes

does not. Setting aside the Parish Council's comments about the age of residents, the drain is the clear responsibility of residents and is small, requiring only hand tools for adequate maintenance. The Board also had regard to the potential precedent adoption of this watercourse may set. There was also discussion as to whether adoption of this one watercourse would solve the problems experienced in Digby, eg. the Hurn is at a higher level than Greendykes but flooding occurred.

The Board RESOLVED NOT to adopt the Greendykes watercourse, as requested by Digby Parish Council, but asked that the Board's officers continue to work closely with the Parish Council and other flood and Water management authorities (like LCC, the EA and AWS) to review what happened in Digby and why and to develop improvement schemes as appropriate.

1733 Board's insurances

The Board received a Briefing Note on the Board's insurances from June 2012 to June 2013, compared with last year. The Board has in place a range of 9 policies and a cost comparison for each against last year was considered. The total cost of insurances is £20,377.92 to June 2013, compared with £19,622.96 last year (i.e. an increase in premium costs of £714.96).

In many cases the policies represent a like-for-like renewal but the Board noted that the Motor Vehicles policy has been renewed to provide comprehensive cover for vehicles at an increased cost of £1,602.16 but this resulted in a corresponding reduction in Engineering insurance costs of £2,007.51. Other increased insurances were in relation to the 2 bowsers, clerical wages and the level of Board income insured. The Board NOTED changes to the Board's insurances.

1734 Pumping Station Equipment Electric Motors

The Board received a Briefing Note on the state of the Board's pumping equipment electric motors and a recommendation that urgent maintenance works be approved.

The Board has a budget of £20,000 in 2012/13 for pump repairs, uplifted from £5,000 in 2011/12. However, this budget has been exceeded already due to two major pump repairs and, because of these, a necessary pump condition survey was undertaken to understand the state of the Electric motors. Costs incurred to date are:

• Timberland Pump No.1 failure and repair.	£22,551
• Metheringham Pump repair.	£ 9,557.75
• Shoebridge Engineering Pumps condition survey.	£ 2,250
• Routine & miscellaneous pump maintenance.	<u>£1,373.05</u>
Total costs incurred to date.	<u>£35,731.80</u>

The Director of Operations outlined the necessity to undertake preventive refurbishment at a number of pumping stations (the pump Electric Motors), at an estimated total further cost of £35,698, in an attempt to avoid likely and more costly pump repairs. If the Board authorised this additional expenditure, the total budget required in 2012/13 is £71,429.80 (ie. there is therefore a budget shortfall of £51,429.80).

Members considered how to resource the pump repairs from within the existing budget, through virement, as follows:-

• Delay Telemetry project to 2013/14 & contribute to pump repairs.	£25,000
• Contribution from £80k electricity budget (based on averaging £6k costs per month).	£ 8,000
• Contribution from EA Precept Budget of £84k (actual precept is £83,034).	£ 900
• Contribution from plant & equipment budget for replacement PS Van (budget £21k 2012/13) if willing to delay 4 x 4 purchase.	<u>£17,530</u>
Total virement within 2012/13 budget to meet additional pump repair costs.	<u>£51,430</u>

Members discussed the need to undertake the pump repairs, across 7 pumping stations now that the condition survey had shown the poor state of some of the electrical motors and the risk of failures. Equally, this was balanced with discussion of the risk of delaying purchase of a 4 x 4 vehicle for the Pump man, given a previous commitment to replace the current van with a vehicle more suitable to emergency response in a flood event.

The Board AGREED that the pump repairs identified in the condition survey were additional works necessary in 2012/13. The Director of Operations would make the arrangements for pump repairs, noting each might be out of commission for 3-4 weeks, taking into account the appropriate order in which to remove pumps for repair. The Board further AGREED to fund the repairs by viring the budget as set out to find an additional £51,430 to meet the total cost of £71,429.80.

1735 Election timetable

Members were reminded to return their completed nomination forms by 12 noon on Friday, 28th September 2012. Nomination papers would be sent out to members shortly for completion, ahead of the Elections timetable (13th September) to cover the possibility of holiday absence of members.

1736 Any other business

There were no further items of business.

1737 Date, time & place of next meeting.

The Board's next meeting was confirmed for Tuesday, 06th November 2012 at Washingborough Village Hall commencing at 2pm.

.....
Chairman.

.....
Date

