

NORTH EAST LINDSEY DRAINAGE BOARD

Minutes of a meeting of North East Lindsey Drainage Board, incorporating the Annual Public Meeting, held on Tuesday 20th November 2018 at The Amethyst Hotel, East Halton, North Lincolnshire, DN40 3NS at 2pm.

Present: Mr. S. Bedford
Cllr. P. Clark
Alderman. I. Colquhoun
Cllr. Mrs. M. Cracknell
Mr. J. Finch
Mr. J. Fussey
Mr. L. Grooby
Mr. J. F. D. Hargreaves
Mr. P. J. Hoyes
Alderman P. Mills
Cllr. B. Parkinson
Mr. S. Shepherd.
Cllr. D. Wells.
Mr. P. Wilkins

Vice Chairman
Chairman

In Attendance: Mrs J. Froggatt, Chief Executive
Mr G. Hird, Engineering Services Officer
Mr S. Larter Finance Consultant

1. Apologies

Apologies for absence were received from Mr. M. Archer, Cllr D. Bolton, Cllr. Mrs J. Goodwin and Cllr. R. Hannigan.

2. Declaration of Members' interests.

Members nominated by North Lincolnshire and North East Lincolnshire Councils declared interests relating to their respective Councils.

3. Election of Chairman.

This being the Board's Annual Public Meeting, the Chief Executive invited nominations for the role of Chairman. Mr. Julian Hargreaves was proposed and seconded and, there being no further nominations, elected unanimously for the forthcoming year.

4. Chairman's Announcements.

The Chairman welcomed all members and officers to the November meeting of the Board, the first in the new electoral term of office for directly elected members running from 01st November 2018 to 31st October 2021.

He thanked members for re-electing him as Chairman for a further year.

Members were reminded that following Mr. John Dodds' retirement from the Board, there was initially a vacant seat in the Brocklesby, Habrough, Keelby, Kirmington, North Killingholme and

South Killingholme district. However, the Chairman was delighted to report that Mr. Paul Wilkins had agreed to stand for this electoral district and welcomed him to his first meeting of the Board.

Rodney Clayton who had recently joined the Board did not stand for election. Due to his other commitments he felt unable to give as much attention to the Board as he would have liked. Therefore, the Chairman advised members that the Board held a vacancy for the electoral district of Barnoldby, Bradley, Cleethorpes, Humberston, Irby, Laceby, Riby, Waltham and Weelsby.

He thanked all members for their continued service to the Board, those directly elected members and those nominated by the Councils.

Finally, members were reminded that blank Members' Interest forms for November 2018 were included with Board papers. The Board must hold on record an updated Register of Interests and the Chairman encouraged members to complete and return forms.

5. Election of Vice Chairman.

The Chairman invited nominations for the role of Vice Chairman. Mr Lionel Grooby was proposed, seconded and, there being no further nominations, elected unanimously for the forthcoming year.

The Vice Chairman thanked members for electing him.

6. Election of three members to the Joint Services Committee.

Three members were proposed, seconded and, there being no further proposals, elected to membership of the Joint Services Committee for the forthcoming year. These were the Chairman, the Vice Chairman and Mr Philip Hoyes.

7. Board Meeting Dates for 2019.

Members had received a proposed calendar of meetings for 2019, with Board Meetings to be held at the Amethyst Hotel at 2pm, as follows:

- Tuesday, 22nd January.
- Tuesday, 21st May.
- Tuesday, 17th September.
- Tuesday, 19th November (+Annual Public Meeting).

It was also noted that the four Boards' proposed Joint Summer Inspection 2019 was to be held on Thursday, 19th September.

Members APPROVED the meeting dates, as set out.

8. Register of Members' Interests.

A copy of the Register of Members' Interest form had been sent out with the agenda. Members were requested to complete this, returning it to Witham House, so that an up to date Register is maintained. Members were advised of the importance of this being an accurate record. The information in the register may be subject, for example, to an FOI request and public disclosure.

9. ADA Member Communications Form.

Members were advised that, with the implementation of the new General Data Protection Regulation (GDPR) and Data Protection Act 2018, ADA had launched a new Members' Communication form, which they requested all individuals associated with IDBs to complete, including staff and Board members. ADA needs to receive a completed form from each individual in order for them to continue to receive communications from ADA in 2019. Members were asked to complete the form for submission to ADA.

10. Minutes of the Board Meeting held on 18.09.18.

The minutes of the Board meeting held on Tuesday, 18th September 2018 were proposed, seconded and were APPROVED as a true and accurate record.

MATTERS ARISING:

There were no matters arising, everything being covered by the agenda.

11. Chief Executive's Report.

The Chief Executive's report had been circulated with the agenda and issues highlighted included:

11.1 Elections 2018

In keeping with the approved Election Timetable for all four Boards' 2018 Elections, there were not more candidates than available seats in any of the four Boards' Electoral districts and therefore a "Notice of No Poll" for each Board was advertised on Thursday 04th October.

The new term of office for elected members runs from 01st November 2018 to 31st October 2021.

That concluded the 2018 Elections process. Members were asked to note the vacant seat for Barnoldby, Bradley, Cleethorpes, Humberston, Irby, Laceby, Riby, Waltham & Weelsby.

Iain Colquhoun enquired about the placing and cost of elections advertising and it was confirmed that at stages in the Electoral process (e.g. at 'Advertisement of Electoral Register' and 'Notice of No Poll') requisite advertisements had been placed on the Board's website and in two newspapers (Grimsby and Scunthorpe Telegraphs) as agreed by the Board.

11.2 NELDB Depot

The depot and workshop accommodation is now established at Tattershall Castle Court, Morgan Way, New Holland, Barrow on Humber, DN19 7PZ. There is a small site office (four people) for use by all staff when in the drainage district and for small-scale meetings.

The Depot / workshop provides a base for Darren Scott, Works Supervisor, with associated work bench, storage, kitchen, lavatory and drying room facilities.

11.3 **Proposed replacement depot for Upper Witham IDB and joint office accommodation for the four Boards, replacing Witham House.**

Through the Joint Services Committee, it was agreed that Upper Witham would lead a project to redevelop its Meadow Lane depot site and include within the brief not only a replacement UW Depot but also a joint office facility as first floor accommodation above the depot, enabling the sale of Witham House.

Approval was obtained at the September Board meetings for the three Chairmen to have delegated authority to sign up to the implications of the joint office element of the scheme for their individual Boards.

A meeting with all four Chairmen to discuss the Business Case for the scheme took place on Wednesday 17th October, with Martin Shilling, Steve Larter, Garry Winterton and Jane Froggatt. A further meeting was held with NELDB's Chairman and Vice Chairman on Tuesday, 06th November.

The Chairmen of NELDB, Witham Third DIDB and Witham First DIDB were content to agree the implications of the Business Case for their Boards.

On 07.11.18 Upper Witham's Finance & General Purposes committee met to review the Business Case and recommended approval by the Board on 19.11.18 and appointment of the preferred contractor (contractor meeting to be held on 15.11.18) and application via Defra for a Public Works Loan Board loan to finance the scheme, which will be led by Upper Witham IDB. Upper Witham's Board met on 19.11.18 and had now approved the Business Case. The Implications for NELDB were set out in the Briefing Note, later on the agenda.

11.4 **Risk Management Workshop, Wednesday 03.10.18.**

The four Boards' Internal Auditor, Chris Harris of TIAA, hosted a Risk Management Workshop at Riseholme College on Wednesday 03.10.18.

Arising from the workshop, a revised Risk Register will be submitted to the January Board meetings.

11.5 **ADA Lincolnshire Branch's Pay & Conditions Committee, 29.10.18.**

Cllr. Lance Pennell, UW Board member has agreed to now represent all four Boards on the ADA Lincolnshire Branch's Pay & Conditions Committee (supported by the Chief Executive).

The Committee has been re-negotiating 13 areas of the ADA Lincolnshire White Book of Terms and Conditions during 2018/19, with the aim of agreeing and issuing a revised White Book from 01.04.19

Ten of those areas have now been revised and agreed by both parties, staff side are considering proposed revisions to the other three.

On 29.10.18 the Committee's focus was the pay settlement for 2019/20 from 01.04.19.

Staff side tabled a pay claim of 3.3% or 100% of the increase in average weekly earnings (AWE) as will be published in the Sunday Times in the third week of January 2019 (all sectors), whichever is the greater. Staff side also wished the Committee to address the 'historical pay freeze impact' of several years of a 1% pay cap in the public sector, which it was suggested had eroded pay by 8-14% (depending on whether RPI, CPI etc was used).

Management side accepted the principle that 100% of the increase in AWE be applied, rather than the previous pay formula of 90% of the increase in AWE. However, management proposed that as IDBs are smaller public bodies we should not use the 'whole sector' increase in AWE but use instead the 'public sector' increase in AWE and that we should use the latest published data of 16.10.18 to enable the pay settlement to be agreed and included in January 2019 IDB budget setting for 2019/20. Management also felt it was not within the scope of the Committee to address perceived historical pay erosion and any discretion on this front would be for individual Boards in local pay agreements. Management side rejected the pay claim of 3.3% or 100% of whole sector increase in AWE as per January 2019 and counter offered 100% of the increase in AWE for the public sector, as published on 16.10.18, which was 2.7%.

After discussion, staff side agreed to put the management side offer of 2.7% cost of living pay uplift for 2019/20 (based on 100% of the increase in AWE in the public sector, as published on 16.10.18) to members in a consultative ballot. It is anticipated the Committee will be advised by mid-December 2018 whether or not the proposed pay settlement is agreed.

Should the pay deal as proposed be agreed, this will be the Committee's recommended pay settlement to the ADA Lincolnshire Branch, which individual IDBs then adopt or not at their discretion.

For the purposes of budget setting for 2019/20 (draft budgets are prepared for the four Boards between November and January) it was noted that a cost of living pay uplift of 2.7% will be assumed.

11.6 Local Pay Negotiations.

The Lincolnshire Pay & Conditions Committee has agreed that one of the areas to be removed from the ADA White Book of Terms and Conditions is the current broadbanding structure.

Three of the four Boards' Land Drainage Operatives are currently on the broadbanding structure, as 'Craftsman B' Operatives, and this will no longer exist from 01.04.19 when a new ADA White Book is issued.

Local discussion started on 12.11.18 on arrangements for assimilating those three Boards' Operatives on to ADA White Book spine points (all Lincolnshire IDBs have pledged to do this).

Members received and noted the report and verbal update from the Chief Executive.

12. Financial Performance Report to 31st October 2018, month 7 of 2018/19.

The Finance Consultant presented the summary position as at 31st October 2018, which had been circulated with the agenda. This set out the summary position as follows:

Profiled Budget P7	Actual (Surplus)/Deficit	Variance
£	£	£
(265,161)	(294,837)	(29,676)

The Board had anticipated a surplus of (£265,161) as at 31st October and the actual surplus was (£294,837). Whilst the Board was showing a positive variation of (£29,676) against budget, Members were reminded that this was still early in the financial year and some of the 'high risk' spend areas have not yet been incurred (e.g. electricity during winter months, etc). A summary table by budget area was provided as follows:

	2018/19 Estimate	Profiled Budget	Actual	Variance
	£	£	£	£
Income	(601,795)	(592,198)	(664,934)	(72,736)
Board & General Admin	37,100	20,785	17,756	(3,029)
One Off Schemes	0	0	6,890	6,890
Conservation	2,500	2,500	679	(1,821)
Depot/Office	10,770	7,863	11,495	3,632
Drains	131,420	73,239	69,450	(3,789)
Pumping Stations	57,877	35,716	29,883	(5,833)
Staffing & Joint Admin	64,573	33,664	37,915	4,251
Consents & Enforcement	0	0	0	0
Engineers & Works Supervisor	134,925	71,955	70,092	(1,863)
Contribution to/from Reserves	0	0	(6,890)	(6,890)
PWLB	0	0	0	0
Rechargeable Works	0	0	52,317	52,317
EA Precept	162,630	81,315	80,510	(806)
FRS17 Pension Adjustment (net)				0
Wages & Plant Holding Account				0
(Surplus)/Deficit	0	(265,161)	(294,837)	(29,676)

The main variation was in respect of income at (£72.7k) ahead of profile. Income streams have been posted in terms of Drainage Rates raised (not necessarily paid) and Special Levies actually received (£531k). All Special Levies had been received from the three Councils by the due date. Drainage rates invoiced are (£2k) over budget, however land queries are still being resolved and ongoing action is taking place against unpaid drainage rate accounts.

Discussion followed on the exercise to computerise all drainage rates accounts and it was acknowledged that there are still some land parcels where ownership is unclear and hence drainage rates invoices are in query. Members offered local assistance.

Highland Water claims had been submitted to the Environment Agency for the balance on 2017/18 actual, with a further (£21,566) due and for the 2018/19 Estimate (£57,000). 80% of the estimated claim for 2018/19 (£45,600) was paid on 03rd October 2018 along with the balance on the 2017/18 actual (£21,566), so a total of £67,166 was paid by the EA.

For Drainage Rates collected for 2018/19, including previous years' arrears, as at 31st October 2018 the collection rate stands at 67.8%. This is a slight improvement on the same point last year, which was 62.5%. First reminders were despatched on 01st August 2018 and final reminders were despatched 25th September 2018. A court date has been set for 30th November 2018. However, it was explained that the court at Grimsby has a backlog in issuing summonses and the Board will need to postpone the court date, due to the need to give people 21 days notice (although the court delay is likely to create a similar problem in January).

Rating queries are still being received and resolved and there are still some areas of land which have not had their owner identified. This is an ongoing process and will include site visits as required. It should also be noted that areas of land have been identified which are now subject to Special Levy (ie they are no longer agricultural land or buildings as at 31st December 2018) which will need transferring at the developed land rate to the relevant Council Special Levy at budget setting in January 2019, to take effect from 01st April 2019.

Bank Balances and investments were set out as follows, as at 31st October 2018:

Bank Balances & Investments	
As at 31st October 2018	
Barclays Bank plc	
Payments Account	£ 9,830.80
Receipts Account	£ 288,882.07
General Deposit Account	£ 225,000.00
Developer Contributions Account	£ 131,239.61
Nationwide Instant Access (Dev Cont's)	£ 150,236.71
Total	£ 805,189.19

It was highlighted that bank balances are comparatively high at this point in the year as the Board has received Special Levy income, Highland Water income and drainage rates income. It will be May 2019 before further significant income is received, hence bank balances will reduce over the next few months.

Members noted the financial performance for 01st April to 31st October 2018.

13. Schedule of Expenditure for 01.09.18 to 31.10.18.

Members had received with the agenda the Schedule of Expenditure incurred for the two months, 01st September to 31st October 2018.

Gross expenditure for the period totalled £158,550.06 or, net of £23,982.92 reclaimable VAT from HMRC, £133,611.82. Of this, £9,710.46 was rechargeable to other bodies.

Items highlighted to or raised by members included:

- Item 15: £749.33 (net) to Duckworth Land Rover on the Isuzu FY65 KBZ vehicle for service costs, which included renewal of the front discs and pads. It was noted that this vehicle has now been replaced at three years (the Works Supervisor's truck).
- Items 16,17 & 18: £2,537 (net), £2,537 (net) and £2,100 (net) to Edgar Allen Mining Products Ltd for work at Little Buck Beck PS (investigation and repairs of motor on no.1 pump, motor on no.2 pump and removal of pumps no.1 and no.2 slip ring motors, refitting and testing respectively).
- Items 19 to 54: 36 payments totalling £67,639.57 (net) to Eric Carnaby & Son Ltd, the Board's maintenance contractor. Two of these items, 46 (at £1,210,25 net) and 47 (at £8,500.21 net) were rechargeable to the EA under the PSCA agreement for works being undertaken this year in the EA's main river system. It was confirmed that the Board had requested Eric Carnaby & Son Ltd to undertake additional summer works in 2018, to ensure all Board maintained watercourses were cut.
- Item 55: £2,294.20 to HMRC for August and September. Members queried the accuracy of this figure, given the Board has only one direct employee. (*post meeting note: this is an accurate figure. The figure includes the three elements of PAYE, Employer NI and Employee NI and it amounts to c. £1,100 per month).
- Items 62 & 63: £2,272.56 (net) and £664.80 (net) to Local Worls Ltd for insertion of Election public notices of 'No Poll' and 'Notice of Election' 2018 in the Grimsby & Scunthorpe Telegraph newspapers. It was confirmed that earlier notice advertisements had been in the previous expenditure schedule, which came to the Board in September.
- Item 68: £1,300 (net) to PKF Littlejohn LLP for the external audit fees on the AGAR for the year ending 31st March 2018.

Members received and NOTED the expenditure incurred in the two months to 31st October 2018.

14. Health and Safety Update.

An update on Health and Safety issues across the group of four IDBs had been circulated with the agenda. There were no near misses or issues to report relating to North East Lindsey or its contractor since the last Board meeting.

Cope Health and Safety, the current external contractor was due to visit Witham House on Thursday, 22 November to undertake the Annual Review. Operatives and Contractors were encouraged to report near misses, as good practice and to ensure it was possible to pick up and act on any trends.

Members were advised that training continued with employees from all four Boards and NEL Contractor attending refresher training on Avoidance of Overhead Cables (held on 16.10.18).

New health and safety warning and directional signs highlighting risks have been ordered for North East Lindsey sites (including Rosper Road) and Pumping Stations. These will be erected and installed as soon as received.

Life Jackets were being collected from holders to submit to external contractors for checks and certification.

Members received and noted the report on Health and Safety.

15. Reprovision of Upper Witham IDB Depot and Joint office facility for the four IDBs.

A report had been circulated with the agenda which summarised the impact of the Business Case for a new Upper Witham IDB Depot and joint Office for NELDB and the three other IDBs.

As discussed at the last Board meeting, Upper Witham IDB is progressing a major project to provide a new depot facility at the Board's Meadow Lane site to replace the current depot facility, which is no longer fit for purpose. As part of the project brief, it was agreed by the Joint Services Committee that Upper Witham should consider incorporating a joint office facility, to be utilised by the four Boards via the Joint Services Agreement, enabling Upper Witham to sell its current office asset of Witham House.

Whilst the replacement of the depot is a matter solely for Upper Witham IDB, the incorporation of the office facility is a consideration for this Board due to the impact it will have on the recharges relating to the office provision via the Joint Services Agreement.

Delegated authority was given to the Chairman at the September Board meeting to consider the financial impact upon this Board from any revised arrangement in order that UWIDB could be provided with some level of comfort that should the scheme proceed, the three other Boards are willing to accept the impact on them too and will support the scheme.

Members were reminded that previously the Board rented offices at Ulceby. Since joining the group, these offices have been vacated and since July 2018 a small unit has been rented at New Holland to provide the Works Supervisor with an operational base including work benches, secure storage, office and welfare facilities. The main management and engineering facilities are provided from the joint central office at Witham House, Lincoln.

A meeting of the four Chairmen was held on 17th October 2018 to discuss the outline business case for the proposal and the potential financial impact upon the four Boards. The business case is based upon a 'worst case' scenario of a total scheme cost of £1.43m (including a 10% contingency) with a broad allocation of one third of the build costs being related to the office accommodation and two thirds to the operational depot element (this latter element being fully charged to Upper Witham IDB). The scheme would be funded by borrowing from the Public Works Loans Board (PWLB) via an Annuity Loan over a 30 year period at an indicative rate of just over 3%.

Legal advice received suggested that in order to fairly service the debt repayments, a 'rental' charge should be made by Upper Witham IDB into a holding account, along with the running costs of the office element only. The total of this holding account should then be recharged on the agreed percentages as per the Joint Services Agreement.

Four options were considered for this 'rental charge' as follows:

- Option 1 As a minimum, the rental value must cover the additional interest cost that UWIDB will incur from borrowing the amount for the office element. Based on current rates this will be around 3%.

- Option 2 This option covers the interest and principal repayments for the office element. Based on current rates this will be just over 5%. Whilst this option recoups UWIDB for the total borrowing costs (principal and interest) of the office element it should be remembered that the asset will be wholly owned by UWIDB and therefore they will receive any future benefit. This was the Officer recommended option as discussed with the 4 Boards' Chairmen on 16.10.18.
- Option 3 3.5% - this is based on the 'nominal asset value' used in Local Government for recharging assets to services.
- Option 4 6% - this is based on a more commercial market return.

Option two was the recommend option and agreed by UW's Board yesterday (19.11.18). The impact for the four Boards is set out in the following table (this also includes some minor budget adjustments for running costs):

<u>Impact on Recharges</u>		<u>Current</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
Recharged to NEL	16.5%	£ 3,934	£ 7,101	£ 8,752	£ 7,487	£ 9,453
Recharged to W1st	20.9%	£ 4,983	£ 8,995	£ 11,085	£ 9,483	£ 11,974
Recharged to W3rd	29.2%	£ 6,961	£ 12,567	£ 15,488	£ 13,249	£ 16,729
Recharged to UW	33.4%	£ 7,962	£ 14,375	£ 17,715	£ 15,154	£ 19,134
		23,840	43,038	53,040	45,373	57,290
<u>Cash Increase per Board</u>						
Recharged to NEL			£ 3,167	£ 4,818	£ 3,553	£ 5,519
Recharged to W1st			£ 4,012	£ 6,102	£ 4,500	£ 6,991
Recharged to W3rd			£ 5,606	£ 8,527	£ 6,288	£ 9,768
Recharged to UW			£ 6,413	£ 9,753	£ 7,192	£ 11,172
Total			£ 19,198	£ 29,200	£ 21,533	£ 33,450

A further meeting took place on 06th November 2018 between the Chair and Vice Chair of the Board, to be briefed upon the latest position regarding the proposed scheme and the financial impact.

Over the last few weeks the tenders have been evaluated to ensure a comparable 'like for like' basis. Based upon this evaluation, a recommendation was made to UW's Board yesterday (19.11.18) of approval and the Board did indeed approve the Business Case. Pleasingly, the recommended value is lower than that assumed in the business case and therefore it is stressed the above impact is 'worst case' scenario.

A comparison of the costs relating to office and depot is:

NEL Office & Depot Budgets				
	2016/17	2017/18	2018/19	<i>Indicative</i> 2019/20
	£	£	£	£
Rent (& Running Costs)	10,615	9,500	8,380	5,000
Phones & Broadband	3,900	3,500	1,000	500
Wheelie Bin	300	320	350	
Repairs & Maintenance			90	90
Electricity			750	750
Water			200	200
Witham House		3,934	3,934	8,752
Insurance	700			
	15,515	17,254	14,704	15,292

Whilst there will be a modest increase in the cost to the Board, the table shows that the combination of costs of the new depot facility at New Holland and the proposed new joint office accommodation combined are broadly the same as the previous office accommodation at Ulceby. In return for which, NELDB has a dedicated depot facility and improved office accommodation.

The financial impact was assessed in the context of the Board's overall budget. A comparison of the Budget 2016/17 (i.e. the year preceding joining the JSA) and the latest approved budget 2018/19 was provided. This shows additional resources of over (£70k) per annum being generated for the Board as well as efficiency savings particularly in administrative functions of (£40k) per annum and how these are being deployed into 'front line' service delivery.

Examples include:

- Increased mowing contract £28k
- Winter Works budget £7k
- Pump lift budget increased by £15k
- Increased Engineering support £65k for dealing with drains and pumping stations engineering issues (including pump lifts), planning applications, and enforcement.
- Provision of new operational base at New Holland.
- Improved office facilities.

Following discussion, the Board:

- Noted the updated position regarding the reprovision of the Upper Witham Depot and a joint office facility for the four IDBs at Meadow Lane, North Hykeham and incorporating the financial impact into future budgets.
- Ratified Chairman's action to support the impact on the Board of the joint office element of the Upper Witham IDB depot/office scheme.

16. Director of Operations & Engineering Services' Report.

A report had been circulated with the agenda and in the Director's absence, the Engineering Services Officer presented the report along with a verbal update.

- **Planned Maintenance**

The Board's contractors, E. Carnaby & Son Ltd, continued with the summer programme of maintenance to the maintained channels around the district. They had been instructed to maintain all scheduled channels this season rather than adhere to the original 2017 three year

contract whereby some channels are maintained in alternate years. The vast majority of the programme was completed by the end of October. The contractor has invested in more plant which was used on the Board's maintenance contract.

- Public Sector Co-operation Agreement

Work identified under this agreement was substantially completed by the Board's contractor by the end of October as requested. This is the first year that the PSCA works have been undertaken for the Environment Agency and this is a significant amount of maintenance on main river systems, with an anticipated value in 2018/19 of £94,300.

- Environment Agency

The Director of Operations & Engineering met with officers of the Environment Agency on 18th October to discuss a number of issues raised by the Board, relating primarily, to the various outfalls from the district into the Humber Estuary. The meeting took place at the outfall to the Barton Drain maintained system, where the Board relies on an outfall whose maintenance responsibilities are unclear. There is doubt over the parties responsible for the operation and maintenance of the outfall structure itself.

The EA were advised to investigate details held within the minutes of the Lincolnshire Local Flood Defence Committee which contain details of past schemes and often clearly list responsibilities for structures and defences.

- Middle Drain Pumping Station

The Board's consultant engineers, Peter Brett Associates, have commenced work on the construction of a computer based catchment model of this system. This is a continuation of work begun several years ago and will allow the Board's officers to better assess and respond to developer enquiries concerning the development of land within the catchment. Initially, this work will be funded by the commuted sums received by the Board, but developers may wish to purchase a copy of it, or its output, in the future to allow them to design their surface water outfall systems.

Some of the bushing work required on the system has been undertaken. This work has cleared an area around the large water main crossings upstream of the railway crossing.

An order has been placed with Paktronic Ltd., a company based in Grantham, to construct and commission a new pump control panel for this station. This work will be funded from developer contributions received by the Board and will be planned for installation in early 2019, as and when conditions allow.

The values [excluding contingencies and VAT] of the tenders received from the four tenderers were as follows:

<u>Company Name</u>	<u>Tender Value</u>
Paktronic	£ 64,557.35
Interlec	£ 78,945.00
CEMA Ltd	£ 85,141.00
ESS Ltd	£ 110,100.00

The award of the contract followed evaluation of the tenders submitted based upon cost and compliance with the specification required. The new panel will be commissioned early in the New Year.

- Immingham Pumping Station

Pumps no.5 and no.1 have been refurbished and recommissioned along with their syphon breakers as part of a planned maintenance programme. It was confirmed that pump no.1 had

not been removed since installation by the need to break out some of the concrete within the intake sump wall to allow its removal.

Members received and noted the report and presentation.

17. Consents and Enforcements Report.

A report had been circulated with the agenda and was presented to the meeting by the Engineering Services Officer.

A date is shown only when the consent has been given, or an enforcement issue closed.

Byelaw Consent Applications

Reference	Location	Applicant	Details	Date
ND-4235-2018-CON	Mawmbridge Drain Humber Link Road	NELC	3.0m x 4.2m concrete box culvert	

Section 23 Land Drainage Act Consent Applications – District

Reference	Location	Applicant	Details	Date
ND-4236-2018-CON	North Killingholme	Able UK Ltd	Ditch improvement over 470m length	20-09-18
ND-4260-2018-CON	200m East of Barton on Humber station	Network Rail	UV liner for 600mm dia, 19m long culvert	20-09-18

Section 23 Land Drainage Act Consent Applications – Extended Area

Reference	Location	Applicant	Details	Date

Enforcement Issues – District

Reference	Location	Description / Comments	Actions

Enforcement Issues – Extended District

Reference	Location	Description / Comments	Actions
NE-4307-2018-ENF	Iona Drive, Humberston	culverting in of watercourse	Culverted over 20 years ago no obstruction. Case closed 2-11-18

Members received and NOTED the report.

18. Engineering Services Report.

A report had been circulated with the agenda and was presented by the Engineering Services Officer. The report provided information on the planning applications received by the Board and detail of the comments submitted to the relevant Local Planning Authority (LPA).

General Planning Matters

- ND-4251-2018-PLN Prosperity Plans for North Lincolnshire

“Thank you for the opportunity to comment on documents for the Prosperity Plan. Part of North East Lindsey Drainage Board is within the Council District, on the low laying land adjacent to the Humber between South Ferriby and Grimsby.

These are high level documents that contain appropriate text and reference to policies with regard to flood risk and water management. Development within the flood plain should be avoided whenever possible, any development remains at risk from the Humber flood banks being over topped or breached. Rising sea levels as a result of climate change dictates that the Humber flood banks will have to be raised in the future. Substantial funding is required for this and the Board has a major concern that development post March 2012 is excluded from the benefit calculations for Flood and Coastal Erosion Risk Management grant in aid funding from DEFRA.

Through the planning process the Board will continue to comment on the individual planning applications, as and when they are submitted”.

Planning Applications

The Board received consultations and has commented on various planning applications to the various planning authorities. A summary of these comments is shown below. A full schedule is shown where responses included no objections or minor standard comments referring to soakaways the requirement for consents etc.

The following observations were highlighted on responses submitted to the appropriate authority:

- DM/0728/18/OUT

ND-4269-2018-PLN Outline planning application for the development of up to 525 residential dwellings together with an extra care facility for the elderly. Highfield House Stallingborough Road Immingham North East Lincolnshire DN40 1SW.

“Thank you for the opportunity to comment on the above application. The site is partly within the North East Lindsey Drainage Board area.

The Board has no objection to the proposed development provided it is constructed in accordance with the submitted details and Flood Risk Assessment which is appropriate for outline planning permission. However, should anything change in relation to the method of surface water disposal and/or in relation to the flood risk assessment etc then this Board would wish to be reconsulted. It is noted the proposed surface water discharge rate is 19.62l/s for the 22.3ha site. Further investigation and design is required, notably establishing flow into and off the proposed site.

No development should be commenced until the Local Planning Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

Within the Board's district under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority".

- PA/SCR/2018/14

ND-4274-2018-PLNEIA screening request for permanent construction & operation of car storage & distribution facility. Area J Station Road, South Killingholme.

"Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area adjacent to the Board maintained Marsh Drain Branch 1 (10A) and Marsh Drain Branch 1 (10B).

Whilst the Board has no comment on the need for an Environmental Impact Assessment the applicant is reminded that:

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (7m) of the top of the bank of a Board maintained watercourse.

Under the terms of the Land Drainage Act 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion".

ND-4321-2018-PLN

ND-3267-2017-PRO Consultation and publicity statement in connection with the non-material change application of 17 September 2018

"Thank you for the opportunity to comment on the above change to relocate mitigation area from Area A to Halton Marshes to allow additional development on the Marine Energy Park. Both sites are within the North East Lindsey Drainage Board area.

The Board has no objection in principle to the change provided:

1. the change in the permeability of the surfacing/ground levels is taken into account in the final design of the proposed Killingholme Marshes Pumping Station scheme.
2. there is no overall loss in mitigation area for the full duration of development. It is noted that parts of Halton Marshes shown in the documents are also subject to planning permission (PA/2009/0600)".

Schedule of Planning Applications that have been commented on.

- North East Lincolnshire Council
DM/0329/18/FUL & DM/0195/17/FUL

Great Coates Energy Ltd. / TNEI Erection of industrial building and adjoined two storey office/control room to create power plant. Vireol Plc, Energy Park Way, Grimsby, North East Lincolnshire, David Robinson, Investment Manager, Economy & Growth, PortLink 180 Site - Investor Query.

DM/0703/18/FUL Mr. P Hoyes Erection of a 612m² shed (lean-to) for the purpose of storing agricultural machinery. P & J Hoyes & Son, Brickfield House, South Marsh Lane, Stallingborough.

DM/0717/18/FUL Mr D Shape Demolish single storey side extension to include alterations and erect one detached dwelling. 39 Princess Street Immingham North East Lincolnshire DN40 1LH

DM/0728/18/OUT Brocklesby Estate Outline planning application for the development of up to 525 residential dwellings together with an extra care facility for the elderly. Highfield House Stallingborough Road Immingham North East Lincolnshire DN40 1SW

- North Lincolnshire Council

PA/2018/114 Able Humber Ports Ltd / Hendeca Ltd. Planning permission to change the use of land for car storage and distribution for a temporary period, including a new junction with Rosper Road. Land East of Rosper Road, South Killingholme.

PA/SCR/2018/14 Able Humber Ports Ltd / Hendeca Ltd EIA screening request for permanent construction and operation of car storage and distribution facility. Area J, Station Road, South Killingholme. Able Humber Ports Ltd. Consultation and publicity statement in connection with the non-material change application of 17 September 2018

- West Lindsey District Council

Pre Application Brocklesby Estate Proposed development site off Stallingborough Road, Keelby.

- Lincolnshire County Council

No applications were considered from Lincolnshire County Council.

Members discussed the content, received and NOTED the report.

19. **Environmental Update.**

A report prepared by Fiona Scott, Environment & GIS Officer, had been circulated with the agenda and was presented by the Engineering Services Officer.

11 of the 14 owl boxes checked had Barn Owls present, and 2018 was one of the most successful years for NELDB. In a first for Alan Ball of the Wildlife Conservation Partnership, who is a seasoned owl box checker, and for the Drainage Board, a Mallard was found in the top section of a pole owl box (usually 'aimed' at kestrels) at North Beck, Keelby with a clutch of nine eggs. Usually, Mallards will nest in dense vegetation or low holes in trees, so in an owl box is rare.

A wildflower meadow was planted at Mawmbridge Pumping Station in Spring 2018. In July, the first signs of establishment were shown with Common poppy (*Papaver rhoeas*) and Cornflower (*Centaurea cyanus*) flowering. Due to this early success, it is hopeful that by next summer the meadow will have fully established and a larger variety of species will have germinated.

Rosper Road Pits remains an important site within NELDB. Since May, the bird species present have been recorded once a month and we have seen numbers of Lapwing (*Vanellus vanellus*), Curlew (*Numenius arquata*) and Black-tailed godwit (*Limosa limosa*), amongst many others.

Members noted the update.

17. Any other Business.

There were no further items of business.

17.1 Midby Drain, Barrow on Humber.

Cllr. Peter Clark alerted members to an issue at Midby Drain in Barrow on Humber. This was an enforcement case for North East Lindsey Council, being dealt with by Andrew Taylor. Guy Hird undertook to make contact and investigate further.

17.2 ADA Annual Conference, London, 14.11.18.

Mr. Lionel Grooby and Alderman Peter Mills provided feedback on this year's ADA Annual Conference held in London on 14.11.18 and attended by themselves and Alderman Iain Colquhoun (plus officers).

18. Date, Time and Place of Next Meeting.

The next meeting of the Board was confirmed for Tuesday, 22nd January 2019 at The Amethyst Hotel, East Halton. It will commence at 2.00pm.

The meeting closed at 4.00pm.



.....Chairman.. 22ND JANUARY 2019 Date

NEL BM 20.11.18.

