

**AT A MEETING of the
NORTH EAST LINDSEY DRAINAGE BOARD
held at the AMETHYST HOTEL, EAST HALTON
on TUESDAY 2nd FEBRUARY 2016
at 2.30pm**

Present *Elected Members* :

Julian Hargreaves (Chairman), Lionel Grooby
(Vice-Chairman),
Martin Archer, John Dodds, John Finch, Philip Hoyes,
Ian Pickersgill, Ted Shepherd and George Turner

Council Appointees :

North East Lincolnshire Council -

Councillors Margaret Cracknell, Iain Colquhoun, Jane Hyldon-King,
Bill Parkinson and Terry Thurogood

North Lincolnshire Council -

Councillor Peter Clark and David Wells.

In Attendance

Andy Smith, Senior Drainage Engineer, North East Lincolnshire
Council

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked everyone for attending this important meeting.

He welcomed Margaret Cracknell to her first meeting and congratulated Jane Hyldon-King on her appointment as Deputy Leader of North East Lincolnshire Council.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Kit Read and Councillors Henry Hudson and Tim Mickleburgh.

3 MINUTES

The Minutes (as circulated) of the Annual Meeting of the Board held on the 3rd November 2015 were approved and signed by the Chairman.

4 RATES AND FINANCE

The Clerk reported that the position as at the 15th January 2016 was as follows :

(a) Collections -

(i) *Rate Income :*

Collections to date total £491,259-39 which represents some 95% of the rate levied.

(ii) *Other Income :*

Greatline	Developments	-	Development	Charge(Paragon)
176,000-00				
Keiger Homes		-	Consent Fee	
50-00				
	HM Customs & Excise	-	¼ VAT Refund to 31/12/14	
1,533-76				
	Northern Electric		-	Wayleave
4-60				

(b) Financial Statement -

General Account	£	1,212-05
Disbursement Account	£	4,728-89
Deposit Account	£	415,198-19
Deposit (Conoco) Account	£	279,697-36

(c) Accounts Paid

The accounts paid net of VAT (22nd October 2015 cheque No. 102838 to 15th

January 2016 cheque No. 102872) together with direct payments totalling £199,862-98 (net of VAT) were considered by the Board. The Clerk's action in drawing orders on the Boards Bankers in respect of the amounts paid was approved.

5 CONISTON CRESCENT

The Chairman introduced Andy Smith, the Senior Drainage Engineer for North East Lincolnshire Council.

Andy distributed plans and drawings showing the proposed scheme. Back in 2007 42 properties suffered internal flooding and another 30 came very close.

The Board's watercourse 1B runs west to east and then becomes a 650mm culverted Anglian Water surface water sewer which in turn outfalls into the Board's next open section which outfalls into Buck Beck. The Board's watercourse has a standard of protection of 1 in 20 years which is very low and the scheme will reduce that risk to around a 1 in 100 year event.

The main source of the 2007 flooding was water coming from the fields and overwhelming the channels and through the properties. With open channels the flood risk was managed but when Coniston Crescent was built in the 60's the culverting of the watercourse increased the risk substantially.

The proposed scheme will include an overflow from the Board's watercourse into the field to the south which will be lowered to provide a storage area. A 5 metre bund would be constructed to the south of the culverted section as a protection to Coniston Crescent.

The original scheme estimate was £250,000 but this has now been reduced to £140,000 as the material will now remain on site and not led away. The Council had received a provisional indication from the Environment Agency that they would contribute to the scheme and the Board had agreed in principle a contribution of £30,000. The main contribution source, however, was Anglian Water who feel that the standard of protection of their system meets the national standard of 1 in 22 years i.e. 1 in 20 years plus 10% factor of safety, this despite not having a model of their system. As a result Anglian Water are now questioning whether there is a good enough business case to justify a contribution.

Without the Anglian Water contribution the scheme would be in jeopardy and the Council would be meeting with them in the near future and presenting a business case and highlighting the contributions offered by the Board and the Environment Agency.

In response to questions from the floor Andy stated that Anglian Water's powers were permissive and they had no statutory duty to carry out any work. Lobbying from all other flood risk authorities and Anglian Water customers was to be encouraged.

Andy envisaged that there would be some kind of definitive agreement by the date of the Board's next meeting in May. If funding arrangements were agreed it was hoped that site works could commence in late summer/early autumn this year.

The Board's contribution of £30,000 agreed at the last meeting was based on a scheme estimate of £250,000 but the Members still considered that based on the information presented today the contribution represented a reasonable reflection of our responsibility even though the scheme estimate had reduced to £140,000. This was, however, conditional on Anglian Water accepting their responsibilities and the Environment Agency carrying out essential maintenance of Buck Beck.

The Chairman thanked Andy for his presentation and assured him of the Board's support.

At this point in the proceedings Andy Smith vacated the meeting.

6 MANAGEMENT OF THE BOARD

The Chairman referred to the meeting last year when the Board looked at their Risk Management Strategy and our vulnerability of having few staff was exposed should illness or accidents occur.

Arrangements were made with the Witham Group of Boards in Lincoln to provide emergency cover should the need arise.

Since the last meeting, however, Trevor has announced that he would like to retire at the end of June 2017 and continue 2 days a week whilst necessary. This meant that we had to alter the parameters of any recommendation that was put to the Board.

There were two options for the Board to consider and the Chairman presented his report as follows:

1. A like for like replacement for Trevor ; and
2. Enter into an agreement with another Board either in a partnership arrangement or on an administrative basis.

Option 1 - Like for Like

At this stage neither he or the Vice-Chairman are in favour of this option. He had sat on the Board for 30 years and our Clerk had been with us all of that time. We are accustomed to him working diligently and we may not get a suitable like for like replacement. We are living in changing times with drainage boards having a much higher profile and more responsibility. The Environment Agency are looking to de-main watercourses and we continue to have a huge supervisory role on the Humber Bank. There is more legislation, red tape and we now act as Consultants for North Lincolnshire Council on all consents etc. outside of our drainage district. All of this makes it very difficult for one person to deal with. Our technical advisor, Chris Noble, is suitably qualified in dealing with all technical issues but has indicated that he would like to retire, originally in October, but now has agreed to carry on as long as Trevor is in a full time capacity.

Option 2 - Links with another Board

There were three alternatives :

(a) A partnership with the Ancholme Internal Drainage Board was not considered a credible option. They are administered by JBA who are a firm of consulting engineers carrying out the administration and in our opinion this is a flawed policy.

(b) Lindsey Marsh Drainage Board joins the southern boundary of our Board but we feel we may in time lose our identity and this has been discounted as a credible option.

(c) We have already had discussions with the Witham Boards regarding short term cover and we have a tentative agreement with them on that basis. As a result of Trevor's decision we have had further discussions with them and obtained a provisional quotation to undertake our administration which would allow us to plug into their office facilities which are considerable. They have a range of specialist staff including engineers, technical services, digital mapping, legal services and a conservation specialist. On top of this there is the human back up for our pump attendant, Darren Scott. The provisional quotation suggests there will be no increase to the present costs of Trevor (full time) and Chris Noble. The Ulceby office costs are included separately in our budget and the additional costs will be Trevor (2 days) and our Secretary, Gloria (2.5 days) for as long as considered necessary. Within the 2016/17 Estimates it is proposed to transfer £50,000 from the Developer Contributions Account to a new Board Management Account and the temporary additional costs will be met from this account and have no effect on the drainage rate.

That is where we are at present and I realise there are some minuses to this proposal which I am sure Members will raise, the prime concerns being loss of localism and presence. On the plus side, however, there are three Boards within the Witham administration and we would become the 4th. There will be four Boards administered from one office but each completely retaining its own identity which is critical. We would have our own income and own costs ring fenced and be responsible for our budget and rate levy. We will continue to hold our Board Meetings here at the Amethyst and be in total control of our destiny. Within the agreement we may sign up to there is a one year out clause so if the Board felt that the arrangement was not working there will be the option to leave.

So Ladies and Gentlemen this is a huge leap into the dark but we have to make changes. I do not want to dragoon the Members into this but would like to continue our discussions with the Witham Boards in order to finalise the detail and present a full proposal to the Board either at the May or September meeting.

At the moment we are looking for your support to continue down this route.

I now open up my report for general discussion :

In response to a question from Philip Hoyes the Chairman stated that the three Witham Boards all operated separately. The Witham 1st and 3rd have been administered together for many years and when the Upper Witham Clerk retired a few years ago they joined the group. All three Boards hold separate Board meetings.

Philip Hoyes considered that we were a unique area with the opportunity for income generation via the development charge. He would need to be sure that such income would remain with our Board.

The Chairman assured Philip that all our Board's income would remain totally ring fenced.

Martin Archer asked if Trevor would be swallowed in the Witham group if we became the fourth Board. The Chairman stated that the Chief Executive of the Witham group was Jane Froggatt and there were twelve people in the office. Trevor's two days a week would be on our Board alone until the transfer was complete and running smoothly. He accepted that we were bound to lose a degree of localism under the new arrangements.

George Turner said that he took the Chairman's report on board but considered that we could appoint a younger man to replace Trevor with the Witham group providing back up services. The new man would grow into the role just as Trevor has and he would, therefore, prefer to move forward on a like for like basis.

Terry Thurogood referred to the twelve people employed by the three Witham Boards and questioned whether they would be able to cope with the additional workload or would additional staff be required.

The Chairman stated that he had been assured that they could comfortably accommodate our Board within the group without the need to employ additional staff.

Bill Parkinson referred to Trevor working two days a week after his retirement and asked if this was included in the Witham costs.

The Chairman said that Trevor would continue working for North East Lindsey as his cost would be additional to the Witham fee. I will be looking for close

interaction between the Witham's expertise and Trevor's knowledge to provide a basis for the future.

George Turner felt that if we appointed a new Clerk, Trevor would be here 2 days a week to assist. It seems like only yesterday that we were under threat of being taken over by another Board and yet here we are asking for it.

The Chairman said he understood the comment but we would certainly not be looking at any amalgamation whilst he was in the Chair. This is why we are in discussion with this particular group because this way we retain our identity as North East Lindsey Drainage Board.

George Turner asked which consultant the Witham group used and do they have anyone like Chris Noble.

Trevor stated that Chris Noble worked for the Environment Agency for many years and on his retirement his role was taken on by Martin Shilling. Martin is now the Director of Operations for the Witham Boards and he and his team will take on Chris's role in our area.

Iain Colquhoun asked for clarification on the Ulceby office. The Vice-Chairman stated that the Ulceby office would remain open as long as the Board considered it necessary. Initially Trevor would be there 2 days a week and Gloria 20 hours per week. Attendance by the Witham group would include the Chief Executive Officer, Accounts Manager and the Director of Operations.

The Chairman added that he couldn't visualise where we will be in 5 years time. We are looking at a new arrangement which will take effect in 18 months and whatever we decide to do is a leap into the dark.

Ian Pickersgill said that he had been on the Board a long time and before Trevor came. In his opinion Option 1 was a non starter and in terms of technical advice we are not going to find another David or Chris Noble. I totally rule out Option 2a and 2b which only leaves the Witham option. I am worried about the lack of localism but we have the safety net of Trevor two days a week and even after that he would always be available to consult.

Ted Shepherd agreed with Ian Pickersgill's comments. We have always been a happy Board and the majority of Councillors have enjoyed their involvement with us. Times are, however, changing and he was very much in favour of the Witham arrangement.

Philip Hoyes said that he had listened to the arguments and now agreed with the Chairman's views on the way forward. Our standard of work is very high and it

was important that we retain as much independence as possible. We could not become part of a super body like the Environment Agency.

The Vice-Chairman totally agreed with Philip's comments and said that the Board's independence would not be put in jeopardy.

The Chairman stated that our mowing contractors would be retiring at the end of the 2016 season and we would be going out to contract later this year. The appointment will be made by this Board and with no input from the Witham Boards. The new contractor will initially require constant supervision by our Works Supervisor, Darren Scott.

The Vice-Chairman then explained as to how this process came about. Members may think that we on the top table have an easy life. I can assure you it is not like that and sometimes I may be involved in 3/4 meetings a week. The Chairman is virtually involved on a daily basis. Trevor's life has become increasingly difficult with ongoing changes in legislation, Environment Agency issues etc. The Witham option is not an easy choice but we still have Trevor for 2 days a week for some time. Gloria will be in the office and Darren on the ground. He like all the other Members was concerned about localism and this would always be in the spotlight and need addressing.

Bill Parkinson stated that he also sits on the Lindsey Marsh Board and there had always been a view that one day we would amalgamate with them. Was there a reason why this option had not been explored further?

The Vice-Chairman said that some people you want to dance with, some not and I will leave it at that. The Chairman added that speaking for himself and the Vice-Chairman we felt very comfortable in the Witham offices and just have a feeling that this move is right. When you have been in business for 50 years you just have a gut feeling. The staff at Witham were pleasant, enthusiastic and committed to their responsibilities and appeared to get on well together as a group. They are keen to have us and give them another challenge. They have specialists in computer mapping, conservation etc. and their job excitement is very important.

Bill Parkinson said he was not talking of amalgamation with Lindsey Marsh but assistance. Was there a rational fear of Lindsey Marsh Drainage Board?

The Chairman said that his impression was that Lindsey Marsh were just not right for us whilst the culture I have experienced with Witham is. We have put a lot of time into this and I don't really want to start the process again. The Vice-Chairman and myself have decided where we want to be but that decision is down to you Members. The discussions we are having are at this stage confidential and I trust that Members will respect that.

Following a proposal by Councillor Peter Clark and Seconded by Martin Archer it was

RESOLVED unanimously that Option 2 (c) - Witham Group Administration be approved in principle and that the Chairman and Vice-Chairman be authorised to negotiate the Board's requirements and arrange for a formal quotation to be submitted at our May/September meeting.

7 TO LEVY RATE FOR 2016/17

The Clerk presented his estimates of Income and Expenditure for the year ending 31st March 2017 (See Appendix 'A') and asked for the Board to approve a rate of 3.71p in the £, the same as last year.

After due consideration it was **RESOLVED** unanimously.

- (a) that a rate of 3.71pence in the £ be levied.**
- (b) that the proportion of their expenditure to be raised by the drainage**

rates in respect of agricultural land and Special Levies on local authorities are 4.9% and 95.1% respectively.

- (c) that the proportion between local charging authorities and the amounts received by the Special Levies are set out against the Special Levies for each charging authority.
- (d) to transfer £50,000 from the Developer Contributions Account into a new Board Management Account ; and
- (e) to make the Drainage Rates and Special Levies set out below and that the Common Seal of the Board be affixed to the Drainage Rates and Special Levies Certificate.

DRAINAGE RATES	£	
New Works and Improvements	-	
Precept - Environment Agency	163,000	(1.23p)
Maintenance Works	227,705	(1.71p)
Administration and Other Expenses	<u>102,982</u>	(0.77p)
	£	<u>493,687</u>
(3.71p)		

SPECIAL LEVIES

North East Lincolnshire Council (71.68%)	£	353,665-32
North Lincolnshire Council (23.21%)	£	114,485-99
West Lindsey District Council (1.21%)	£	1,028-93

8 KILLINGHOLME MARSHES

The Clerk reported as follows:

A meeting was held at Pitwood House, Scunthorpe on the 13th November 2015 and the notes are as follows:

“Meeting re Able Marine Energy Park - 13th November 2015 (1.30pm.)

North Lincolnshire Council - Pitwood House, Scunthorpe

Present: Marcus Walker - Regeneration Manager - NLC
Rod Chapman - Flood Risk Manager - NLC
Billy Green - Asst Flood Risk Manager - NLC
Chris Barwell - NLC
Julian Hargreaves - Chairman NELDB
Trevor Vessey - Clerk NELDB

Trevor Vessey outlined the Board's concerns as follows:

1. Supervisory Role

The Marine Energy Park lies within the drainage district of the Board and as such the Land Drainage Act 1991 puts a responsibility on us to ensure that new developments make suitable arrangements for surface water disposal. These arrangements must be approved by the Board and a written consent issued prior to site works commencing.

North Lincs Council became involved as a result of the 2007 floods and the Pit Review that followed. Local Authorities became the Lead Flood Authority replacing the duties previously with the Environment Agency. We will look to NLC for support in ensuring that adequate arrangements are made and that adjoining industrial complexes are protected. In particular we need to be working together in reaching an agreement with Able for the infrastructure to be in place 18 months in advance of the site development. This timescale is required for pump ordering, tendering process and construction. It is vital that Peter Stephenson accepts the importance of the consenting procedure.

Rod Chapman said that his department work very closely with the Board on the issue of consents and rely on us for expertise. He added that in the case of the Marine Energy Park they would support the Board throughout the process.

2 Enabling Works

Able are importing stone over large areas of the site raising ground levels by about one metre. The surface water disposal arrangements agreed 18 months ago have not been adhered to and as a result we are having to ensure that bunding is put in place to protect adjoining areas. Our Technical Advisor is liaising direct with Able regarding the temporary arrangements.

If the drainage scheme proceeds in the immediate future then the temporary requirements do not have such importance. The site, however, cannot be left in its present state for any length of time and it is essential, therefore, that the way

forward/timescale is set out and agreed.

3. Drainage Scheme

No progress has been made with Able regarding the re-design of the pumping station at the new location and we are very concerned that infrastructure will not be in place when development takes place. There is also the possibility that Able may go it alone with the drainage scheme and if that is the case then their scheme must be approved by the Board in advance of works. This is an area that we will be looking to North Lincs Council for support.

4. Contributions

European Grant ?

Humber Sea Terminal - contribution of £401,159 agreed in 2005

There are no other contributors although Peter Stephenson is of the opinion that both Total and Conoco should contribute. We have tried to convince him that existing developers have a right of discharge and are not involved as contributors to the scheme.

We may be able to consider entering into an agreement whereby any new developments within the scheme catchment will be subject to the payment of the Board's development charge (£20,000 per impermeable hectare) for a direct discharge. If after any grant, Able fund the scheme any charge collected from new developments would be paid over to them.

5. Pumping Station Maintenance

The Board will only adopt the pumping station if designed to our specification and Able pay a commuted sum for long term maintenance. The commuted sum cannot be determined until the design works are complete.

6. Response by Marcus Walker

Funding - The application for grant from the European Regional Development Fund (£2.4 million) was applied for in 2009 and the project remained live until early 2015. In view of the delays in compulsory purchase of the triangular piece of land from ABP with the judicial review etc. that grant application expired.

A full business case had now been submitted for grant aid to the Humber European Investment Fund with the possibility of match funding up to £3.4 million. A decision will be made by the end of this year but the signs were very positive. In view of the events at Tata the Government have been asked to support the Marine Energy Park and fast track the application.

Re-design of Pumping Station - As far as Marcus is aware the scheme will be designed and carried out by the Board but he will seek confirmation of that from Able. He will arrange an all party meeting including the Board's Consultants as soon as possible, to discuss the design/construction, adoption of pumping station and timescale.

Abe UK - The Council have carried out an audit of Able's accounts and they were in no doubt that the company were financially capable of promoting the full scheme."

(b) Able UK Ltd

On the 11th December Peter Stephenson telephoned and stated that it was just a courtesy call as it had been some time since we spoke. He then went on to say that there would be a reduction in the impermeable area of the site and that in his opinion pump capacity could be reduced.

He asked if Simon Darch of Peter Brett Associates (formerly Hannah Reed) could provide a fee for carrying out the investigation and I confirmed that subject to Simon's approval we were happy for this to proceed.

Peter then made a comment that Able had appointed NIRAS of Cambridge to undertake the design of the quay and the pumping station. I must admit that I didn't really grasp at this point the implications of what he was saying and made no comment.

On the 15th December Richard Cram of Able emailed Simon Darch stating that "we have now appointed NIRAS to undertake the design of the quay and the pumping station."

I emailed Marcus Walker and Rod Chapman of North Lincolnshire Council on the 15th December, as follows:

"Good Afternoon Marcus"

It has come to our attention today that Able have appointed NIRAS to undertake

the design of the Marine Park quay and the pumping station, and as North Lincolnshire Council are the Lead Flood Risk Management Authority the Chairman and I feel that we should set out our position on what is now a significant change in their strategic approach of the Board managing delivery.

Under the Land Drainage Act 1991 all works will require a written consent from the Board for all matters relating to the pumping station and drain designs. The Board have a duty to protect existing major developments within the catchment and their right of drainage with no additional risk of flooding. The consequences of any inadequacies in the design could be disastrous.

The other issue relates to the adoption of the pumping station by the Board on completion and this can only be considered if the design and construction is overseen by our Consultants.

I felt we had a very useful meeting at your office on the 13th November and we expressed our concerns if Able decided to engage design consultants direct and the responsibilities that the Board and North Lincolnshire Council would face in their respective supervisory roles.

Our fears have now materialised and we are looking for your support as the Lead Flood Risk Management Authority in ensuring that Able accept the need and the costs involved in appointing Peter Brett Associates (formerly Hannah Reed) to oversee design/construction on the Board's behalf in order to ensure that existing infrastructure is protected, the necessary consents are able to be issued and the pumping station is considered for adoption.

We did discuss an all party meeting when the outcome of the grant application is known probably at the end of this year and I suggest that as the two drainage authorities we have a united approach at that meeting in ensuring that Able accept these requirements as a condition before any works are allowed to proceed."

Marcus did not reply but very disappointingly forwarded the email to Peter Stephenson for comment on the 17th December.

Peter rang me on the 17th and we had a heated discussion on my email (not something he should have seen). He replied to Marcus copying in a number of people, as follows:

"Marcus

With regards to the email that you forwarded to me from Trevor please note the following:

I am very surprised at Trevor's comments because I phoned Trevor last week and I gave him an update on the AMEP development and where I understood the grant application position was. I also discussed us liaising with Hannah Reed regarding the following:-

- 1. updating the calculations for the amount of water to be discharged by the pumps by updating the types of ground over the area to be drained as when we had questioned them regarding the very large capacity of pumping required they informed us that they had assumed that all of the land was going to be impermeable and that is not the case.*
- 2. that we had placed the contract for the design of the marine works with NIRAS using the OJEU process and that we had told them to prioritise the pumping station as we would like to get it constructed if possible in 2016 with the objective of being able to claim the grant assistance monies by March 2017.*
- 3. I agreed with him that as soon as we received confirmation of the grant funding we would hold a meeting between NLC, NELDB and ourselves to close out the outstanding issues.*
- 4. I have telephoned Trevor this morning and stressed my surprise and disappointment at his email in particular regarding his comment. "Our Fears have now materialised".*
- 5. I suggest a meeting is held in the New Year to close out all matters in particular the outstanding items such as contributions from other parties etc."*

I emailed Marcus on the 18th December referring to Peter's reply and said that I totally agreed that a meeting is necessary to resolve outstanding issues and the Boards concerns. If the grant position is clearer early in the new year then we will be able to discuss all the issues at one meeting. If this is not the case, however, and a meeting will be necessary to address the points raised by both Peter and myself.

A meeting has now been preliminary arranged for the 22nd January.

Incidentally Peter Brett's estimated the cost of carrying out the work requested at £12,250. This information was sent to Able on the 18th December but no order has been received.

(c) Meeting : 22nd January 2016

A meeting was held on the 22nd January at Pitwood House, Scunthorpe and

attended by the following:

Able UK	-Peter	Stephenson,	Neil
Etherington			
North Lincs Council	-Marcus Walker		
North East Lindsey Drainage Bd	-	Julian Hargreaves, Trevor Vessey	

Able confirmed that they had appointed NIRUS to design the quay and pumping station and they agreed to pay for checking and supervision by Peter Brett's in order that the Board would be in a position to issue the necessary formal consents.

Other actions from the meeting were:

- Marcus Walker to circulate minutes for approval
- Peter Stephenson to confirm in writing that Able accept Peter Brett's reasonable fees for checking supervision
- Humber Sea Terminal to decide on contributing to the scheme
- Board to consider levying development charge of £20,000 per impermeable hectare on all future developments in the catchment and repay to Able
- Marcus Walker to set up meeting with Able, NELDB, NIRAS and Peter Brett's
- If design etc is approved, agreed in principle that the Board will adopt the pumping station

RESOLVED that the present position be noted.

9 MAIN RIVER REVIEW - Environment Agency

The Clerk referred to the report presented at our last meeting and stated that the Environment Agency arranged a workshop in Boston on the 1st December to discuss the way forward for 'Unfunded Watercourse Maintenance'.

The workshop was attended by all the Lincolnshire Boards, Lincs County Council, DEFRA and eleven representatives from the EA.

There was no clear indication from the EA on the way forward and no timescales are in place.

The conclusions were

- (1) The EA will look at what funding is available for maintenance.
- (2) A list of actions will be presented to the County Council/IDB Management Group.

- (3) The EA's Asset Performance Team will visit each Board and discuss de-maining options.

The Chairman was convinced that de-maining would happen and providing we were reimbursed costs this had to be a positive for drainage boards who will undoubtedly do a more thorough job for a fraction of the cost.

RESOLVED that the present position be noted.

10 HILLY PITS, THORNTON CURTIS

The Clerk stated that the original 2013 planning application was refused and the applicant lodged an appeal.

A meeting was held in the Council Chamber on the 3rd December and our Technical Advisor (Chris Noble) and myself attended. The Inspector asked a number of questions on the Board's concerns and Chris Noble responded accordingly.

It was anticipated that it would be some eight weeks before the Inspector gave a decision but to date nothing had been heard.

11 REMOTE SENSORS

The Clerk reported that remote sensors had now been satisfactorily installed at the agreed sites detailed at the last meeting. The only outstanding works are the installation of a security camera and rain gauge at Immingham Pumping Station.

The Board were asked to approve an additional sensor on Midby Drain, Barrow at a cost of some £2,000.

RESOLVED that an additional sensor be installed on Midby Drain, Barrow.

12

IMMINGHAM MOTORCYCLE TRACK

The Clerk stated that the Board own the 4.8 acres of land formerly a lagoon for the now demolished Immingham No. 1 Pumping Station.

Back in 2000 we received a request from North East Lincolnshire Council to allow the site to be used as a young persons motorcycle park under the Council's Community Youth Programme.

Before considering the request we researched the possibility of planning permission for the site but as the land was not included in the Immingham Local Plan we were advised the planning permission for the site would be refused.

On that basis the Board agreed to lease the land to North East Lincolnshire Council for a three year period from the 1st April 2001. The project was a great success with over 100 young riders signed up. With the agreement of the Board two portacabins were erected and a track constructed.

The project ran out of funding in 2006 but the lease continued with the Council who sub-let to an outside party.

The current lease expired on the 31st March 2014 and as the planning permission expired the Council were submitting a new application.

The tenants of the track have left the site and there are a large number of tyres remaining.

I have contacted the Council regarding the current position and they are looking into the issue and their intentions with regard to the lease .

RESOLVED that the present position be noted.

13 MIDDLE DRAIN PUMPING STATION

(a) Pump Repairs

The Clerk referred to the last meeting when it was reported that repairs were to be carried out to the large unit which had seized and was not working.

Unfortunately it had not been possible to free the pump on site and it was, therefore, removed and taken to Perry's Pumps at Lincoln for repair and service.

The pump was returned on the 14th January and is now fully operational.

The estimate, approved at the last meeting was £9,600 but the actual cost was £8,595.

(b) Tyres/Rubbish

Over a number of years the Middle Drain Compound has been used as a site to store tyres and rubbish collected. We have recently had the 600 tyres taken away by Energy Pyrolysis of Great Coates at a cost of approximately £1,000.

The site has also been cleared of most of the remaining rubbish by Biffa Waste at a cost of £1,500.

There now only remains a few fridges and gas bottles and we are sourcing a suitable means of disposal for these items.

The above costs would be met from the Developer Contributions Account

RESOLVED that the action taken be approved and confirmed.

(c) Sludging

Philip Hoyes referred to the improvements being carried out at Middle Drain but was concerned that the watercourse was silted up and required dredging.

The Clerk stated that sludging Middle Drain was a major operation but is part of the Middle Drain Improvement Programme. Our first priority is to resolve the issue of the leaking sea doors with the Environment Agency. We have again been in contact with them and requested a meeting to inspect the problem as a matter of urgency.

14 ROSPER ROAD PITS - Associated British Ports

Back in 2013 Tom Jeynes of Associated British Ports approached the Board regarding a joint management project for the Pits. They required mitigation land for development and were prepared to fund the project over a ten year period. ABP were prepared to provide funding of £20,000 per annum for year 1 and 2, £5,000 per annum for year 3 and 4 and £2,000 for every subsequent year.

The land was still under the ownership of the Environment Agency but after protracted discussions we completed the transfer to the Board last year.

In January 2014 ABP made an initial contribution of £15,000 and Roger Wardle Consultancy were engaged to design the project requested at a cost of £3,971. The balance remaining is, therefore, £11,029.

A meeting was held with Tom Jeynes in October 2015 when he indicated that as a result of a challenging trading year ahead ABP's contribution to the project was now likely to be in the region of £5,000 per annum.

On the 4th January an email was received from Tom as follows:

"Morning Trevor,

Happy New Year!

We've talked a lot about this, as you know we have a challenging trading year ahead of us in the Humber ports, and in particular at Immingham. However I have secured some funding here to carry out some works at Rosper Road Pits – this will be £2500 in 2016 and £2500 in 2017 although you can of course spend the full £5000 during the course of this year and bill us for the final £2500 first thing next year.

There are several further thoughts I've had on this:

- Ideally we'd like to see if ongoing management of the site could add value to roosting opportunities for SPA birds i.e. could ABP's ongoing involvement in the project in the longer term be used in part to potentially demonstrate future mitigation under the Habitats Regulations*
- It might be useful to get some baseline bird data so we can accurately measure the benefits that the works will have*
- Some monitoring once works are complete would be useful in order to act as a comparison to the baseline data*
- We would like to be involved along the way as this is a good way of achieving some of our wider biodiversity objectives as a statutory authority (we are as you know a statutory harbour authority and as such therefore have biodiversity promotion obligations under the Countryside and Rights of Way Act and the Natural Environment and Rural Communities Act).*
- Lastly we would like to generate some positive publicity on this both internally within ABP's own publications and with the external media as well. With this in mind I've copied in our Corporate Comms specialist, Louise Thackwray.*

Whilst we have the Roger Wardle plan, our aspirations now are necessarily a little more constrained. Have you any thoughts in mind as to how the work will progress?

Hopefully speak to you soon and many thanks for your help during 2015.

Very best regards,

Tom"

I replied to Tom on the 11th January stating that the scale of the project was not now as originally envisaged and that the matter would be discussed at our next Board Meeting.

The Vice-Chairman stated that the loss of land to Able and the redundancies at

ABP Immingham had affected their financial commitment to the project.

Members still considered this to be a very worthwhile project to which the Board could contribute and become an equal partner. The publicity and commitment would tick boxes in the Board's conservation enhancement responsibilities and raise our profile.

**RESOLVED (1) that a meeting be arranged with Associated British Ports with a view to progressing a joint project ; and
(2) that a contribution of £2,000 be allocated to the project and reviewed annually.**

15 WORKS VEHICLE - Signwriting

The Clerk stated that the Board's Isuzu Truck had been fitted with suitable magnetic signs fitted to both doors by Carl Preston of Laceby at a cost of £220.

16 CONSERVATION MATTERS

The Vice-Chairman reported that our Works Supervisor had been assisting the Lincolnshire Wildlife Trust at Killingholme Wader Pits.

The Board's Barn Owl Project to which we add three new boxes a year, has a 60% success rate which is very good.

Finally he was asked to give a talk and presentation to the ADA Lincs Environment Committee in Boston on the 9th December on North East Lindsey's environmental works. The talk appeared to be well received and incidentally the Secretary of the Committee is Samantha Ireland who is the Environmental Officer for the Witham Boards.

The Vice-Chairman report is as follows:

“This Conference held in London on the 11th November was attended by Board Members Julian Hargreaves (Chairman), Lionel Grooby (Vice Chairman), Ian Colquhoun, and the CEO Trevor Vessey.

Opening Address

The Conference began with a speech by Rory Stewart MP, the newly appointed Under Secretary of State for Environment and Rural Affairs. He recounted tours of his own constituency in Cumbria and also in Cambridgeshire and how he had been struck by the creation of great tracks of productive farmland which had been won by centuries of drainage work.

He went on to illustrate, with examples, the diverse challenges faced by modern drainage authorities. Somerset had a vast complex, agricultural drainage system; the Bedford Levels IDBs were challenged by the demands of urbanization; and in Essex sea defences were the main concern. He felt the best solutions to local problems was the efforts of local people: “Local people know more, can do more and care more than distant officials”.

He did think there was still a role for the government and the Environment Agency. He pointed out that the Government had committed £2.3 Billion to a six year capital flood defence programme. He asked the conference for their views which he was keen to listen to. Several members of the audience insisted that money for maintenance over and above capital spending is what is needed. Mr Stewart said that it was difficult to get such funding out of the Treasury. He asked the conference if the IDBs would be willing to take more responsibility for the

national drainage and flood defence assets if they were given the money that the Environment Agency currently spends? The conference reacted positively to this suggestion with the caveat that watercourses would need to be brought up to scratch first.

Keynote Address

This was delivered by Sir Phillip Dilley, Chairman of the Environment Agency.

He said that he was very pleased by the way the EA and the IDBs were continuing to evolve their working relationship, notably through Public Sector Cooperation Agreements. River maintenance pilots across England had also allowed for greater involvement in the EA's decision making, citing the example of Bottesford Beck. He looked forward to future collaborative work between the EA and other drainage authorities long into the future.

Technical Speaker

Emyr Roberts, Chief Executive of Natural Resources Wales explained recent changes to the organization of drainage in Wales. NRW comprised the former Welsh Environment Agency, the Forestry Commission and Countryside Council. During the past 12 months it had also absorbed the IDBs following "governance issues". District advisory bodies were being set up for each of the former IDBs. All of these changes had gone smoothly so far.

Guest Speaker

Ross Murray, President of the Country Land & Business Association spoke of the unglamorous but essential work of ADA and his own experience in the Usk valley. He said that the centralized management within Wales had led to challenges in making sense of some decisions. He favoured Rory Stewart's idea of more local control. Mr Murray urged that there should be more collaboration between ADA and the Rivers Trust. He recounted the costs of flooding to business in 2013/14 and said that the CLA were arguing for more incentives for farmers to invest in capital flood defences and maintenance.

Question Time

The Panel consisted of Emry Roberts (NRW), Neil Hornby (DEFRA), Innes Thompson (ADA), David Hickman (LCC), and Alison Baptiste (EA).

Some delegates raised the issue of IDBs becoming statutory consultees in the planning system. Some thought this would be a good thing, others that it would be too burdensome. The issue of Public Sector Cooperation Agreements with the EA was raised with one delegate strongly urging IDBs to take them up. The possibility of Local Enterprise Partnership funding being used for water level management was also discussed.

There was much debate at the conference about changing the name of the Association of Drainage Boards to something else.”

Iain Colquhoun stated that he had attended the Conference for a number of years and it had gradually got better. The content was far less technical than it was allowing the opportunity for more people to get involved.

18

PLANNING APPLICATIONS

A schedule of planning applications and replies were circulated to all Members and approved.

In response to a question from David Wells the Clerk confirmed receipt of Dong Energy’s proposal and that meetings with them had already been held to discuss the surface water requirements at the Hornsea Project One Onshore Substation and watercourse crossings.

Martin Archer referred to a recent outline application for 400 houses opposite Toll Bar School, Waltham. The Clerk confirmed receipt and stated that appropriate comments and concerns had been submitted to the Council.

19

DATE OF NEXT MEETING

The next meeting was fixed for Tuesday the 17th May 2016 (2.30 pm) at the Amethyst Hotel, East Halton.

20

ANY OTHER BUSINESS

Terry Thurogood announced that he would not be standing for re-election in May and was retiring as a Councillor. As such he would not be eligible to serve on the Board and in effect, therefore, this would be his last meeting.

The Chairman thanked Terry for his valuable input as a member which would be sadly missed.

There being no further business the meeting closed at 4.25pm.

Chairman

