

## **NORTH EAST LINDSEY DRAINAGE BOARD**

### **Minutes of a meeting of North East Lindsey Drainage Board, held on Tuesday 23<sup>rd</sup> June 2020 via video conference at 2pm.**

Present: Mr. S. Bedford  
Cllr. P. Clark  
Alderman I. Colquhoun  
Cllr. M. Green  
Mr. L. Grooby **Vice Chairman**  
Cllr. S Harness  
Mr. J. F. D. Hargreaves  
Mr. P. J. Hoyes **Chairman**  
Cllr. G. Sheridan  
Cllr. D. Wells.

In Attendance: Miss J. Flower, Executive Assistant  
Mrs. J. Froggatt, Chief Executive  
Mr. Chris Harris, Internal Auditor, TIAA  
Mr. Guy Hird, Engineering Services Officer  
Mr. S. Larter Director of Finance & Governance  
Mr. M. Shilling, Director of Operations & Engineering

#### **1. Apologies**

Apologies for absence were received from Mr. M. Archer, Mr. J. Finch, Mr J. Fussey, Cllr. R. Hannigan, Mr. R. Kirk, Alderman P. Mills, Cllr. L. Nici MP, Cllr. B. Parkinson, Cllr. M. Patrick, Mr. S. Shepherd and Mr. P. Wilkins.

#### **2. Declaration of Members' interests.**

Members nominated by North Lincolnshire and North East Lincolnshire Councils declared interests relating to their respective Councils. Mr Sam Bedford declared an interest at item 20 in the minutes.

#### **3. Chairman's Announcements.**

The Chairman welcomed members to the June meeting of the Board.

It was pleasing to see so many members able to attend the meeting, the first Board meeting by video conference. A welcome was extended to Chris Harris, the Board's Internal Auditor with TIAA, who would present his independent report on 2019/20 to members. The Chairman thanked to Officers for making this meeting possible and for maintaining services during the Covid-19 Pandemic.

#### **4. Revised Standing Orders for the Board**

A report and proposed revised Standing Orders had been circulated with the agenda.

The Chief Executive advised members that on 23<sup>rd</sup> March 2020, the PM announced that people should stay home in order to stay safe, reduce the transmission of Covid-19 to others and to reduce the burden on the NHS. The national lockdown started on 24<sup>th</sup> March bringing challenges to all, both personally and in undertaking work duties. However, Officers and Staff

remained under clear Government instruction to stay home and only leave home for essentials such as food or medicine, for work [when that work cannot be done at home and it is essential to do it] or to exercise. The scheduled May Board meetings were postponed and were rescheduled for June.

The 4 Witham & Humber IDBs received confirmation in early April that the statutory reporting deadlines would be extended by three months for all Category 1 and 2 public authorities. This included IDBs. This gave the 4 Boards the fall-back position that ADA and SAAA had been seeking, regarding all specified deadlines that are part of the Accountability & Governance Annual Return [AGAR] process.

Local authorities were provided with Regulations to enable Council meetings and committees to be held remotely by teleconference or WebEx. IDBs were not included in those regulations.

However, ADA continued to discuss potential amendments with Defra, including those required to IDBs' model Standing Orders to enable IDBs to hold their Board Meetings virtually by WebEx or teleconference facilities akin to the flexibility afforded to other parts of local government. ADA encouraged Defra to provide a straightforward procedure that would enable IDBs to adopt proposed new paragraphs within their Standing Orders quickly and easily.

On behalf of each of the 4 Chairmen, the IDBs requested, via ADA, that the Defra Minister approve an amendment to each IDB's existing approved Standing Orders to introduce new rules 28 and 29, as set out in the revised Standing Orders. The basis of the amendment and the certificate of approval requested was, given the current circumstances in respect of Covid-19 virus and the restrictions in the UK on meetings in public, to provide flexibility to each Board to be able to convene and host on-line meetings in order to conduct the Board's business.

Ministerial approval for the revised Standing Orders, to include new rules 28 and 29, was granted on 17.04.20 enabling the Board's business to be conducted virtually until 07.05.20.

The Board ratified Chairman's action in seeking Ministerial approval for revised Standing Orders and then APPROVED and ADOPTED the revised Standing Orders, enabling the on-line meeting to proceed.

## **5. Minutes of the Board Meeting held on 21.01.20.**

The minutes of the Board's previous Meeting held on Tuesday, 21<sup>st</sup> January 2020 were proposed by Cllr Peter Clark, seconded by Mr Julian Hargreaves and were APPROVED as an accurate record.

### *MATTERS ARISING:*

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

## **6. Chief Executive's Report.**

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

## 6.1 Covid-19

When each of the 4 Boards approved the revised joint Risk Register in January 2020, we did not foresee the significant risk of the impact of the Covid-19 pandemic on our business continuity. Nonetheless, arrangements have been put in place to enable a skeletal service to continue for the 4 IDBs since the PM announced the pandemic lock down on 23rd March and that everyone should stay home, stay safe and protect the NHS

In the 3 Boards with a direct workforce, Operatives were rostered and worked a different working pattern. They worked from home, avoiding use of the depots and shared mess room/ lavatory facilities. They went straight to work from home, and each covered part of the drainage district, with priorities being the checking and maintenance of pumping stations, the checking of watercourses with obstruction runs and checks on culverts and the clearance of weed screen debris. In order to maintain safe working practices, there has inevitably been additional cost. We are operating a single cab use policy [so there is some duplication in journeys and fuel usage], have purchased additional hand tools to equip Operatives to take these straight from home in work vans and we have provided additional PPE including hand sanitiser gels, gloves, wipes and face masks available to all staff. In NELDB our contractor Eric Carnaby and Son Ltd had completed the summer 2019 programme [£118k], extras to the contract at £4k, winter 2019/20 works [£8k], bank slip repairs [£4k] and PSCA works at £84k for the Environment Agency. The 4 IDB depots were not closed to staff, they were there for use as needed, but they were closed to visitors and members of the public unless by prior arrangement.

From Monday, 18th May, following the PM's announcement of some easing of lock down arrangements, Operatives have returned to a wider range of duties but again, risk assessments and method statements have been undertaken and Operatives are working in pairs to minimise the risk of cross-infection and the impact on our workforces should any member of staff have Covid-19 symptoms.

Those staff based at Witham House office have worked from home since 24th March, following the PM's announcement, staff taking home their ICT equipment and the Unity phone app being installed to enable the office number 01522 697123 to be answered remotely during office hours. The Boards have supported flexible working practices, recognising that staff have had home schooling and carer responsibilities, and pleasingly [although with some frustrations] the essential work has been done. The office at Meadow Lane in Hykeham has been closed to visitors and the public unless by prior appointment, but staff have operated a booking policy to use office facilities when necessary [e.g. to access hard copy records, to seal legal agreements, to use photo copiers, the franking machine, to collate and despatch the hundreds of drainage rates invoices for the 4 Boards in April, to process the payroll each month, to receive and scan post received and distribute it]. National guidance remains to work from home wherever possible and this continues, staff using Witham House

have agreed preferred working days and practices which mean we minimise the number of staff present at any one time and can observe social distancing. These are very different ways of working and fortunately there was a 'New Ways of Working Group' established to contribute to our move to the new Witham House office in mid-February. This forum has continued and proved useful to keep everyone in touch, briefed and able to contribute. We continue to have a videoconference zoom meeting every Tuesday afternoon for an hour. Management Team has met weekly each Thursday, again using zoom video conferencing, and a standing item on our agenda is Covid-19 and a review of our arrangements. On behalf of the 4 Boards we have subscribed to zoom for 12 months at a cost of £1,294.92, enabling unlimited usage and sufficient participants to meet our 4 Boards' meeting requirements. There is an additional cost too in equipping staff with mobile phones and in additional ICT equipment. But it does provide for more flexible, agile working post Covid-19 and will undoubtedly change and modernise working practices. For example, all external meetings have been cancelled but have been largely rearranged as video conferencing meetings, e.g. ADA national meetings.

There had been some interruptions to services and some things had taken longer than we would wish, e.g. we have found a number of companies to whom we have issued 'invitations to tender' to provide services are unable to respond and some of our pumping station works have slowed as contractors have furloughed their staff [e.g. the refurbishment of W3rd's Stainfield PS].

Nonetheless, our priority has been to provide our staff and contractors with a safe system of work, to comply with national guidance and to preserve the ability to respond to an emergency flood event, when necessary, whilst continuing to provide a skeletal service.

## 6.2 Statement of Claim to the Environment Agency for reimbursement of third-party costs incurred during the series of heavy rainfall events in Autumn 2019.

At the January 2020 Board meetings a key concern in 3 of the 4 Boards [not Upper Witham IDB] was the impact on the Boards' systems of incurring costs of dealing with water from EA main river that should not be being received in IDB pumping stations and watercourses. The locations were widespread but examples of bank breaches, overtopping and bank seepage impacting severely on the IDBs included the November bank breach at Barlings Eau [W3rd], the 30<sup>th</sup> November bank breach at Timberland Delph [W1st], the November bank breach at Dorrington Catchwater [W1st] and the additional costs incurred at Middle Drain pumping station [NELDB]. A Statement of Claim had been submitted to the EA for reimbursement of third-party costs incurred on 20.12.19 and following discussions and correspondence with the EA, the bulk of additional costs incurred were paid to the 3 Boards in March 2020, as follows:

NORTH EAST LINDSEY DB	£ 25,622.05
WITHAM THIRD DIDB	£ 59,933.38
WITHAM FIRST DIDB	£122,127.66

### 6.3 Public Sector Co-operation Agreements.

The PSCAs for the 4 IDBs expired on 30.11.18 and extensions were granted to enable works to continue. There has been considerable discussion about these agreements, with concern amongst many IDBs nationally that the PSCAs were not reflecting the nature of partnership working between partner Flood Risk Management Authorities [FRMAs], but were being redrafted by the Environment Agency to be more like contracts with their framework contractors. Officers certainly had issues with some of the content, as seen in August 2019, where it was specified that IDBs would provide a 24/7 call out service to the EA with a 2 hours response time. After much discussion, including a meeting on 05.12.19 facilitated by ADA between IDB representatives, including the Chief Executive, and the EA some changes were made to the schedules to the PSCAs. Some of the changes requested by IDBs were not accepted and there remains further discussion to conclude working definitions of CDM regulations [ADA has established a working group and the Boards' Operations Manager has joined this]. However, on balance, and in the interests of enabling PSCA work to continue, the Chief Executive signed and returned to the EA the revised PSCAs at the end of May. These will run now until 31<sup>st</sup> March 2025. A considerable amount of work will be undertaken by each Board in 2020/21, in total the estimated works value across the 4 IDBs is £600,000.

The Chief Executive's report was received and noted.

## 7. Independent Internal Auditor's Report on 2019/20

The Auditor's independent report on 2019/20 had been circulated with the agenda and was introduced by the Internal Auditor, Chris Harris of TIAA. Pleasingly, the overall assurance rating was 'Substantial', which is the highest level of assurance.

He attended site at the new offices on Meadow Lane, North Hykeham on the 2nd, 3rd, 4th and 6th March 2020. Whilst on site a physical inspection of those assets recorded in the asset register for Upper Witham IDB were inspected and confirmed to exist and various systems/ process checks for all 4 Boards were undertaken. The key outcomes from the audit he recorded as follows:

1. The overall assurance opinion for 2019/20 is Substantial Assurance and no recommendations have been made this year.
2. Good corporate governance is practiced by the Board with appropriate Board involvement
3. The accounting records are all in order, up to date and in balance.
4. A number of outstanding recommendations from previous audits relating to policy and procedures are due to be reported to the May 2020 Board.
5. A detailed review of Health and Safety identified a well organised and managed system for Health and Safety compliance.

Members noted that item 4, the Policies Handbook was to be addressed at the 20.07.20 Joint Services Committee meeting. Members then noted the key findings and conclusions from the 2019/20 Internal Audit, accepted the rating of 'substantial' and the IA's audit certificate which will form part of the AGAR for 2019/20. The Chairman thanked Chris Harris for his report and attendance at the meeting.

## 8. Schedule of Expenditure for the period 01.01.20 to 31.03.20.

The schedule of expenditure for the three months ended 31<sup>st</sup> March 2020 had been circulated with the agenda and was presented by the Director of Finance & Governance. The schedule is of invoices paid in the period and therefore some expenditure incurred in the three months period may be excluded [e.g. Pumping Station electricity invoices for March, not paid until April].

Items highlighted to or by members included:

- Item 3 £3,856.00 (net) to Association of Drainage Authorities (ADA) for IDB membership Subscription 2020.
- Items 45 to 64 various payments to Eric Carnaby and Son Ltd, the Board's Contractor for contract works and undertaking EA PSCA works, these latter costs being recharged to the EA under the PSCA Agreement.
- Item 80 £20,681.00 (net) to Perry's Pumps Limited for works at Immingham Pumping Station to remove, refurbish and recommission pump no.2 and the motor.

Members noted the schedule of expenditure incurred for the three months 01<sup>st</sup> January to 31<sup>st</sup> March 2020, which totalled £168,020.58 gross or £143,572.28 net of £24,448.30 VAT. Recharges to other bodies during this period totalled £16,123.24.

## 9. Summary Outturn Financial Performance Report to 31<sup>st</sup> March 2020, month 12 of 2019/20.

The Financial Performance Report to 31<sup>st</sup> March 2020, had been circulated with the agenda and the Director of Finance and Governance presented the position, summarised as:

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
	<b>2019/20 Estimate</b>	<b>Actual</b>	<b>Variance</b>	<b>Estimate 2020/21</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Income	(617,352)	(775,637)	(158,285)	(658,310)
Board & General Admin	36,100	29,209	(6,891)	16,650
One Off Schemes*	185,000	6,720	(178,280)	0
Conservation	2,500	1,748	(752)	2,500
Depot	6,540	9,730	3,190	8,250
Drains	138,420	126,965	(11,455)	142,420
Pumping Stations	67,915	116,229	48,314	74,450
Joint Services (Administration)	70,001	83,078	13,077	96,410
Joint Services (Engineering) & Superviso	133,246	140,151	6,905	155,000
Consents & Enforcement	0	1,252	1,252	0
PWLB	0	0	0	0
Rechargeable Works	0	87,374	87,374	0
EA Precept	162,630	161,019	(1,611)	162,630
<b>Operating (Surplus)/Deficit</b>	<b>185,000</b>	<b>(12,163)</b>	<b>(197,163)</b>	<b>0</b>
Contribution to/(from) Reserves	(185,000)	(720)	184,280	0
<b>Net (Surplus)/Deficit</b>	<b>0</b>	<b>(12,883)</b>	<b>(12,883)</b>	<b>0</b>

The Board ended 2019/20 on 31<sup>st</sup> March 2020 with a modest surplus of (£12,883), which would be allocated to the General Reserve.

On income, Special Levy payments by the 3 councils [NELC, NLC and WLDC] had been received in full. Drainage Rates invoices for 2019/20 had been posted out in April 2019, albeit historical land queries are still being resolved. The collection rate for drainage rates income as at 31.03.20 was 90.4% (compared with 88.6% for 2018/19). A court date for outstanding account holders, having been set for 22.11.19, was not required as all bills were paid or in query.

Also, on income Highland Water claims had been paid by the EA for the balance of the 2018/19 actual claim (£29,339) and for 80% (£61,600) of the 2019/20 estimated total claim of (£77,000). The outstanding balance, adjusted for actual 2019/20 spend, will be payable by the EA in September 2020.

Rechargeable Works had been undertaken again for the EA. Therefore, the Rechargeable Works income was (£95k) ahead of budget target. Sundry Income includes the Statement of Claim income, which was fully paid by the EA in March 2020 at (£26k). Also included are the recovery of costs incurred in connection with the proposed new pumping station at Killingholme Marshes and recharged to Able UK Ltd. This is (£3.5k) of income, with corresponding costs incurred by the Board shown in Rechargeable Works.

The main scheme included in the budget for Contribution to or (from) Reserves at £184k was for the refurbishment of Immingham Pumping Station. This had been deferred pending wider discussion with partners and possible external funding. Transfer of (£720) from Rosper Road Reserve to meet the costs of works to reinstate the islands was also within this budget.

The bank balances as at 31<sup>st</sup> March 2020 were set out as follows:

<b><u>Barclays Bank plc</u></b>	
Payments Account	£ 7,811.91
Receipts Account	£ 1,452.19
General Deposit Account	£ 175,000.00
Developer Contributions Account	£ 131,952.49
Nationwide Instant Access (Dev Cont's)	£ 152,104.37
<b>Total</b>	<b><u>£ 468,320.96</u></b>

Following discussion Members were content to:

- NOTE the financial performance for 1st April 2019 to 31st March 2020 (P12).
- APPROVE the surplus of (£12,883) being transferred to the General Reserve.
- APPROVE the transfer of £50,000 from the General Reserve to the Pumping Stations Reserve, leaving a General Reserve Balance of £68,192 (10.4% of 2020/21 estimated spend and in-line with the Board's Reserves Policy).
- NOTE the Outturn position had been used in the compilation of the Statement of Accounts, IDB Annual Return and IDB1 Report to Defra.

## **10. Annual Governance Statement 2019/20.**

A copy of the Annual Governance Statement (AGS) 2019/20 for Members to complete and approve had been circulated with the agenda and was presented by the Director of Finance and Governance. The Annual Governance Statement is incorporated into and forms part of the Annual Governance and Accountability Return (AGAR) for 2019/20. The Board has a statutory requirement to complete and approve the AGAR.

The AGS part must be approved prior to the Accounting Statements, either at separate meetings or in the same meeting but with the correct order of business on the agenda and this must be evidenced by the meeting minute references and/or dates.

The AGR comprises 9 assertions (number 9 is not applicable to IDBs) which the Board must consider and agree, or provide a detailed explanation for the external auditor where it cannot agree and state how it will address any weaknesses identified.

Once agreed, the Accounting Statements and overall AGAR can then be approved.

The Chairman took members through the relevant 8 statements and the response to each was agreed as positive.

Therefore, members:

- completed the Annual Governance Statement (AGS) 2019/20
- incorporated the completed AGS into the overall Annual Governance and Accountability Return 2019/20.

## **11. Unaudited Annual Report and Statement of Accounts for 2019/20.**

A report had been circulated with the agenda and was presented by the Director of Finance and Governance.

The Board does not have a statutory requirement to produce a full Statement of Accounts, but it is deemed good practice to do so. Further, a lot of the detailed work undertaken is required to complete the Annual Governance and Accountability Return (AGAR) which is a statutory requirement.

The accounts have been produced (where applicable) in accordance with the Joint Panel on Accountability and Governance (JPAG) Governance and Accountability for Smaller Authorities in England; A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, issued in March 2019.

The Statement of Accounts comprises the following key sections:

- Annual Report 2019/20 – narrative on the work of the Board during 2019/20.
- Statement of Accounts 2019/20 – lists the key components of the statements.
- Board Members – schedule of Board Members who served during 2019/20.
- The Annual Governance Statement – replication of the text in the Annual Report.
- Statement of Responsibilities – list the Board's and Chief Executive's responsibilities regarding the Statement of Accounts.
- Statement of Accounting Policies.
- Income & Expenditure Account 2019/20
- Balance Sheet 2019/20
- Notes to the Accounts.
- Appendices
- Map of Board drainage district
- Organisational Structure Chart



Once approved, the document is loaded onto the Board's website to help meet its requirements under the Local Government Transparency Code 2015. It was noted this document was not subject to audit, as only the AGAR was subject to external audit.

Following discussion members were content to APPROVE the unaudited Annual Report and Statement of Accounts 2019/20.

## **12. IDB Annual Governance & Accountability Return for 2019/20.**

A report had been circulated with the agenda and was presented by the Director of Finance and Governance.

The AGAR has 4 separate sections and must be approved at a full Board meeting before 01<sup>st</sup> July 2020, although due to the current Covid-19 pandemic this date had been extended to 31<sup>st</sup> August 2020. It also must be submitted, along with additional requested information, to the External Auditor by 01<sup>st</sup> July 2020 (extended until 31<sup>st</sup> August 2020) for review.

Alongside this, the rights of public inspection will commence on Monday 06<sup>th</sup> July 2020 until Friday 14<sup>th</sup> August 2020. Normally, this has to incorporate the first 10 working days of July as required by statute, but this requirement has been removed for 2019/20 and now must be published on or before the 01<sup>st</sup> September 2020.

The AGAR comprises the following key sections:

- Annual Internal Audit Report 2019/20
- Section 1 – Annual Governance Statement 2019/20
- Section 2 – Accounting Statements 2019/2020
- Section 3 – External Auditor Report and Certificate 2019/20

Once approved, the document is published on the Board's website to meet its requirements under the Accounts and Audit Regulations 2015.

The statutory deadline by which the AGAR and signed external auditor report and the Notice of Conclusion of Audit must be published is 30<sup>th</sup> November 2020 (usually 30<sup>th</sup> September).

Following detailed discussion, Members were content to:

- APPROVE the Annual Governance and Accountability Return (AGAR) 2019/20.
- PUBLISH the AGAR on the Board's website, along with the notice to commence the period of public rights of inspection from 06<sup>th</sup> July 2020.

## **13. IDB1 Return for 2019/20.**

A completed IDB1 Report for 2019/2 had been circulated with the agenda and was presented by the Director of Finance and Governance. The report must be completed, approved and submitted by 31<sup>st</sup> August each year to:

- Defra.
- Environment Agency.
- The Chief Executives of
  - All local authorities that pay special levies to the Board.
  - All County Councils or London Boroughs within which the Board is situated.

The form is in 3 sections covering:

- Financial information
  - Special Levies issued for 2020/21.
  - Income & expenditure Account for year ending 31 March 2020.
- IDB Reporting
  - Policy Delivery Statement.
  - Information on the National Flood and Coastal Defence Database.
  - Biodiversity.
  - Access to environmental expertise.
  - Asset Management.
  - Guidance and Best Practice
  - Board Membership and Attendance.
  - Complaints Procedure
- Declaration – to be signed by the Chief Executive.

Members were content to APPROVE the Annual Return (IDB1) for the year ended 31 March 2020.

#### **14. Health and Safety Update.**

A report prepared by the Operations Manager had been circulated with the agenda and was introduced by the Director of Operations and Engineering.  
The biggest issue faced since the last report had been the Covid-19 Pandemic.

The decision was taken by the Chief Executive and the Management Team, with the support of Chairmen, to have those that could work from home do so. This also followed Government advice on lock down in the PM's announcement of 23.03.20.

Operatives and Foremen like the Board's Darren Scott, where able to abide by government guidelines, checked trouble spots, Pumping Stations and responded to any call outs on a rota system. They Lone Worked for the duration of their workday using the Buddy System we already had in place to keep in touch on an hourly basis. This also enabled us to keep all staff safe and have sufficient staff available should there be a flood event.

Risk Assessments and Method Statements had been completed for each step of the Pandemic and each change of Government advice. RA and MS were reviewed weekly at Management Meetings (held remotely via video conference).

The purchase of lidded bins for potentially hazardous waste (tissues, wipes etc), hand sanitiser, disposable gloves, tissues, anti-bacterial wipes and face masks had taken place and items were available to all staff at each Depot and office. We also purchased additional hand tools, to avoid sharing of equipment.

On the 18.05.20 the Operatives and Foremen commenced full time days, again in line with national advice. They were provided with all the PPE described and travelled individually in their own vehicle. If working in a team of two they practise social distancing. The office staff were still working from home wherever possible, but measures had been put in place to make the office accessible to a limited number of staff at any one time (maximum of 4). The office was currently closed to members of the public and to unauthorised visits.

There were no accidents and no near misses to report.

Due to the weather conditions in January, the planned Health and Safety meeting with Health and Safety Reps was postponed and had yet to be scheduled.

All training courses were currently postponed until training providers resume business as usual.

The company fitting the Cab Hand Rails (arising from an accident on UW) had yet to complete this task due to shutting down the factory and furloughing the staff. They had reopened on reduced staffing levels and would resume our order as soon as they can.

Members received, discussed and noted the Health and Safety update.

## **15. Environment Report for 2019/20 and detail of plans for 2020/21**

A report had been provided by the Environment and GIS Technician, Fiona Scott, and was circulated with the agenda. It was introduced by the Director of Operations and Engineering Services.

The IDBs had continued to work hard to achieve their duty to 'conserve and enhance the environment' in line with the Natural Environment and Rural Communities Act 2006 (NERC).

### **15.1. Biodiversity Action Plan and Species Recording**

15.1.1 The Boards' Biodiversity Action Plans state that certain species should be recorded. These species have been identified as having significance within Lincolnshire and are species which would benefit from specific management or actions by the IDBs. The overall aim of monitoring these species is to ensure that habitat and species targets are translated into effective action within the Boards' districts.

15.1.2 ADA's Technical and Environment Committee is still awaiting guidance from DEFRA on the rewriting of IDB Biodiversity Action Plans in accordance with the government's 25 Year Environment Plan. This has been delayed and is now due to be introduced in November 2020. In March 2020, the Great Lincolnshire Nature Partnership held a workshop for partners to help shape a new strategy for nature recovery across Great Lincolnshire which the Boards' Environment & GIS Technician attended. The results of the workshop have been delayed due to the ongoing Covid-19 pandemic and staff shortages at the GLNP, however are expected soon.

15.1.3 Workforces for all Boards were introduced to a new recording system in late May 2019, in the form of a smartphone app called 'iRecord'. iRecord makes it easier for wildlife sightings to be collated and, most importantly, includes co-ordinates. These are imperative for displaying these on a GIS system and allows them to be accurately represented in wider biodiversity records. Periodically, the Boards' Environment & GIS Technician will log on to each staff member's account and download the data. There has been very good feedback from the workforce, who find it much more convenient than using the old 'pen and paper' method. The Boards' Environment & GIS Technician presented the success of this app to other Board member and staff members

at the ADA Lincolnshire Environment Committee in November 2019. It is hoped that other Boards in Lincolnshire can also see the benefit in using such a method, ensuring that Internal Drainage Boards in Lincolnshire can distinguish themselves in Lincolnshire species recording.

- 15.2 Every box checked in the district contained barn owl (*Tyto alba*), kestrel (*Falco tinnunculus*) or both. A total of 25 successful barn owl chicks were counted and 16 successful kestrel chicks. A box at Rosper Road Pits has had a second brood of 4 chicks, all of which have fledged successfully.
- 15.3 Mawmbridge PS wildflower meadow was successful this year and has been topped up with seed in preparation for the summer. A small meadow was also planted at Rosper Road Pits and some species had grown through, such as cornflower (*Centaurea cyanus*) and common poppy (*Papaver rhoeas*) before being topped in late summer. A wetland meadow was planted at the south of the Rosper Road site in early March 2020 during warmer weather. Species in this mix include 17 different wildflowers that cope well on wetlands areas including Red Campion (*Silene dioica*), Lesser Knapweed (*Centaurea nigra*) and Meadowsweet (*Filipendula ulmaria*).
- 15.4 The bird species at Rosper Road Pits continue to be monitored and species such as black-headed gull (*Chroicocephalus ridibundus*), lapwing (*Vanellus vanellus*), coot (*Fulica atra*) and mallard (*Anas platyrhynchos*), among others.
- 15.5 The Rosper Road Pits site remains an important site for NELDB. The land adjacent, owned by the Environment Agency, is part of an upcoming 'Humber Habitat Project' and is just one of the sites included within the project. Boards' officers have been assured that, whilst there have been great delays in implementing the project, it is still ongoing and that the delays have been due to complex legal issues regarding another area of land. The EA have given a timescale of early December 2019 at which point they will come to NELDB with a proposal to form a framework. The Vice-Chairman of the Board and the Environment & GIS Technician met with two staff members from the EA in January 2020. The outcome was positive, with the main scope for the land use being for Special Protected Area (SPA) compensatory habitat with the Agency estimating that they may receive up to £40,000 to develop their land into a project, under their 'Outcome Measure 4' – statutory environmental obligations met through flood and coastal erosion risk management.
- 15.6 Bird monitoring continues to take place at Rosper Road Pits in North East Lindsey IDB. The site is home to a variety of wetland birds including UK Conservation Red (globally threatened) species: Lapwing (*Vanellus vanellus*), Curlew (*Numenius arquata*) and Black Tailed Godwit (*Limosa limosa*). The islands at Rosper Road were topped up with silt from the pools in February 2020 to provide improved breeding spots for our wetland bird species. These islands will be levelled out further in September 2020 ready for overwintering and breeding season 2021.

Members received and noted the Environment update.

## 16. **Killingholme Marshes Pumping Station Scheme.**

A report had been circulated with the agenda and was presented by the Director of Operations and Engineering Services.

This proposed pumping station is to be located within the Board's district serving an area of development between the North and South Killingholme Haven outfalls into the Humber Estuary.

This development has been promoted by Able UK Ltd. for many years and previous involvement by the Board extends over nearly 20 years. In 2017 the new Pumping Station was a scheme being promoted by North Lincolnshire Council who were working with Able UK and the EA to apply for EU grant funding. Since then there has been a hiatus of some 3 years. An email was received on 17 May advising that it was Able UK's intention to commence construction of the proposed pumping station on 1 October 2020 [with a construction period of 48 weeks], and construction of the neighbouring quay the following summer.

Ahead of these works Able UK Ltd. are seeking renewed, or extensions to, several permissions and licences that are required to allow work adjacent to the Estuary as a designated site.

A video conference meeting was held with Able UK Ltd. on 20 May to clarify matters relating to the Board including:

- Clarification of commissioning body
- Need for consent and licences
- The station's future operation and maintenance by the Board
- Provision of future additional pumping capacity
- Calculation of a commuted sum to cover its future operation
- Other financial contributions

Previous involvement by the Board in the scheme has been based on the premise that the Board will adopt the pumping station, and associated water courses, upon completion to an appropriate design standard and on receipt of an appropriate commuted sum.

It was on this basis that the current discussions continued.

The Board received copies of the construction specification and drawings for checking, following their preliminary consideration in 2017. The Board will be granted access to the construction of the pumping station to ensure compliance with these documents and it will be assisted in this task by consulting engineers Stantec of Cambridge. [This company was previously called Peter Brett Associates and have advised the Board throughout their involvement in this scheme and other development in the area.]

A meeting of the Board's officers with Stantec was held on 04<sup>th</sup> June 2020

A further meeting was held on 23<sup>rd</sup> June 2020 with Able UK. Officers are seeking written undertakings that the Board costs will be met in full by Able UK (e.g. Stantec fees and legal fees). A number of future meetings are planned.

Members NOTED the contents of the report and REAFFIRMED the previous decision to, in principle, adopt the proposed pumping station and associated watercourses upon their successful commissioning [and completion of a suitable defects correction period or transfer of warranties for such], and upon receipt of the agreed commuted sum.

## **17. Director of Operations & Engineering Services' Report.**

The Director of Operations and Engineering Services' Report had been circulated with the agenda and was presented by the Director of Operations and Engineering Services:

- **Coronavirus [Covid-19 Virus]**

Following the outbreak of Coronavirus [Covid19], on 24<sup>th</sup> March the Government imposed movement restrictions for all tasks other than those classed as 'essential'. Following consultation with the Chairmen and officers, arrangements were put in place that ensured the core functions of the Boards continued, whilst ensuring the safety of employees.

Prior to the restriction of movement being introduced, a regime of hand washing, and barrier protection has already been put in place at Witham House to protect the officers based there along with visitors to the building. Additional hygiene facilities were also provided at the 4 Depots and to the Operatives, along with measures such as no passengers in Boards' vehicles and social distancing requirements. These measures were introduced to reduce the risk of infection.

With the imposition of essential journeys only on 24<sup>th</sup> March, the office at With

After discussion by the management team, it was decided to concentrate on those activities that could be described as 'essential'. Whilst the Boards are classed within Lincolnshire LRF as CAT 2 Responders, not all activities could be described as emergency work or essential in the current definition. Operational work on site was restricted to 3 priorities to ensure the continued operation of the Boards' maintained systems.

- Pumping Stations: Operatives were allocated a route covering pumping stations.
- Weed screens, culverts and bridges; locations were identified as requiring regular inspection
- Watercourses: those watercourses prone to obstruction from debris or recorded slips following the 2019 high rainfall events.

To reduce the risk of infection through cross contamination, individuals were assigned sites and locations. These locations were then inspected at regular intervals. Again, this routine of an individual having a site allocated to them reduced the risk of cross contamination. It was unclear as to how long the virus would remain live on hard surfaces, possibly up to 76 hours.

Should an emergency occur, then a specific risk assessment shall be undertaken, and a clear method statement written, before any work is undertaken.

With the gradual easing of restrictions by the Government, vegetation maintenance within maintained channels began on Monday 18<sup>th</sup> May. Following the risk assessment of the activities to be undertaken and the creation of suitable method statements, hand work, flailing and excavator weed cutting commenced on channels serving higher risk areas. These are predominantly residential areas.

Operatives were placed in teams of two with defined pieces of equipment and vehicles. Only tasks where social distancing requirements could be achieved were undertaken. Appropriate PPE was provided.

- **General Catchment Conditions**

The 'monthly water situation report', generated by the Environment Agency, provides a factual description of catchment conditions. The rainfall total for March across England was 49mm, 74% of the long-term average and just over a quarter of that recorded for February [175mm]. Other indications that we then moved from saturated conditions in March to very dry conditions are illustrated by the following data:

- I. Rainfall totals for the Steeping, Long Eau and Great Eau and South Forty Foot catchments were only 30% of the long-term average and classed as 'notably low'.
- II. Despite this dry end to the year, the 6 month and 12-month cumulative rainfall totals for many catchments were classed as exceptionally, notably high.
- III. Soil Moisture Deficits have varied between almost saturated at the start of March [SMD<10mm] to recording conditions classed as 'drier than average' at the end of the month.
- IV. River flows continue to be recorded at levels above normal, with the average recorded as 129% at Claypole weir on the River Witham upstream of Lincoln and 108% on the Barlings Eau at Langworth on the lower River Witham.
- V. Groundwater level in the central Limestone area are 'above normal' or 'exceptionally high' for the time of year

- **Work Programmes**

This period was to be used to complete 'winter work' programmes, usually a mixture of bushing, de-silting, slip repairs and repairs or maintenance of the various sites and equipment. Also, subject to the availability of contractors, the lifting of pumps and motors for their periodic maintenance. This had all been delayed or postponed, but not cancelled.

The main element of work that had been delayed because of the current restrictions was that of bank slip reinstatement. Following the high levels and flows experienced during the autumn and winter many slips occurred within the maintained systems. The locations of these, where reported, had been recorded and will be reinstated once close working can be undertaken safely. This type of work cannot be completed whilst complying with the requirement of maintaining a safe 'social distance' of 2m from work colleagues.

However, where the occurrence of slips may have obstructed the flow of water within the system, the material has been removed from the channel bed so that levels are not compromised.

- **NELDB Maintenance Programme**

The Board's maintenance programme will begin in July as usual, subject to work being completed in accordance with the prevailing guidance in relation to the outbreak of Covid-19. Other planned work was put on hold to comply with guidance on social distancing.

- **Middle Drain Pumping Station**

As per the last report to the Board in January, conditions at the site remained unchanged.

Despite the installation of the new flap-valve, serving the gravity outfall at this site, in late October, it had been necessary to continue with the operation of the pumps at this site. Whilst the gravity outfall was dammed-off, silt accumulated within the outfall structure. This accumulated material was yet to be removed by the EA. Officers continued to seek a programme for the removal of the obstruction to the gravity outfall by the EA and an order under which its costs can be reclaimed.

- **East Halton Skitter Branch No.2**

An order had been issued to AmcoGriffen to reconstruct the culvert under the disused railway line near East Halton. This work had an estimated cost of £12,297 and was due to commence just prior to lockdown. Officers requested an update as to when work may begin, but no response had been received yet.

- **East Halton Skitter Beck & Outfall**

The gravity outfall has been flushed out by the recent heavy rainfall and flows. The flapped outfall from Branch No1 had been in operation regularly for the first time in several years. Whilst still not clear, the operation of this outfall has improved.

At the request of the EA, the Board submitted a price for the de-silting of the Beck from its outfall upstream to the flushing gate structure. This work was undertaken and completed by the Board's contractor, EC Carnaby & Son, in March.

- **Barton Drain Branch No.1**

A small scheme to reinstate a field boundary dyke has been designed and promoted by the Board, following the high flows and flooding of land during the heavy rainfall events of 2019.

With the support of the land owner [Able UK Ltd.] a channel to convey flows from Branch No.2 to Branch No.1 will be created, sufficient to take additional flows away from the Falkland Way area and reducing the risk of flooding to industrial and residential properties.

This work is to be funded in part by a contribution from Wren Kitchens [UK] Ltd. The Board will design, supervise the work and maintain and operate the watercourse in the future. Other contributions from partners will be investigated.

An estimate for the work has been provided by the Board's contractor at just over £24k.

- **Telemetry**

The Board's telemetry system had now been transferred to the Xylem system as agreed at the last meeting. This work was completed during March and saw the transfer of equipment at the following stations: Immingham, Little Buck Beck, Mawmbridge, New Holland Outfall and Estate pumping stations and Habrough Slide penstock. Middle Drain PS had been placed on the new system as part of the installation of the MCC in 2019.

This transfer was necessary following the liquidation of Control Star Ltd. in 2019, the previous telemetry provider.

- **Environment Agency**

- **Public Service Cooperation Agreement [PSCA]**

Confirmation of PSCA works orders from the EA for the 2020/21 programme was received by the 4 Boards on 13<sup>th</sup> May 2020, including the cutting of embankment tops to ensure the safe operation of plant later in the year.

The total values of work estimated for each Board is:

Witham 1 <sup>st</sup> District IDB	£65,022
Witham 3 <sup>rd</sup> District IDB	£337,540
Upper Witham IDB	£95,496
North East Lindsey DB	£126,803



The estimates include items for the cost of supervision and administration of the work and a contingency sum of 10% to allow for compliance with any regulations relating to Covid-19.

Much of the programme requested is similar to that in previous years. All work is completed on a full cost recovery basis.

- **Lower River Witham Strategy Review**

A conference call was attended on 5 June where a brief update on the Strategy review was provided by the EA. Over the next 2 years the system is to be re-surveyed and the existing computer based hydraulic model is to be updated to reflect the current condition of the system. Consulting engineers, Arup, have been appointed to undertake the strategy review. Their work is to include the management of the topographical survey work, model update, stakeholder engagement and development of the business case document by 2022.

The strategy, which was originally produced in the late 1990s and resulted in the rebuilding of many kilometres of raised earth embankments in the early 2000s, is reviewed every 5 years. This review will consider the existing preferred option of 'providing additional storage' and how the existing system effects the adjacent IDB pumped and gravity systems.

Any further projects for capital work within the system will depend on a combination of both Defra Grant in Aid and partnership funding.

The importance of the defences in protecting the adjacent land has already been raised along with the need for a decision as to the long-term value, in the wider sense, of the adjacent land.

Members received and noted the report and presentation.

## **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).

The following issues were highlighted to members:

DM/0337/20/CND & DM/0105/18/FUL & DM/0328/19/SCR	DM/0337/20/CND   Details in discharge of Condition 3 (Construction Management Plan), Condition 5 (Surface Water Drainage), Condition 6 (Foul Water Drainage), Condition 8 (Sustainable Travel Plan), and Condition 9 (Piling Details) pursuant to DM/0858/19/REM (Reserved matters application following DM/0105/18/FUL (Hybrid application seeking outline consent with access, landscaping and scale to be considered for the development of a 62ha Business Park comprising up to 120,176 sq.m for B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution), associated infrastructure and internal highways. Full application for the creation of a new roundabout, new access roads, associated highway works, substations, pumping stations, drainage and landscaping. (Amended FRA and Drainage Strategy July 2018)) to erect a detached business unit of mixed use (B1/ B8) to include access road, car park with HGV loading, landscaping and associated works.).
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ND-3763-2017-  
PLN

Plot 1 Land Off Stallingborough Interchange Kiln Lane Stallingborough North East Lincolnshire

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

No development should be commenced until the Local Planning Authority, in consultation with the Environment Agency and North East Lindsey Drainage Board has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The Proposed details are acceptable to the Board, however, there also needs to be a management plan put in place to ensure that the drainage system is maintained so it continues to work to the original design.

Land Drainage Consent from the Board will be required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion, including the outfall

**DM/0664/19/FUL  
&  
DM/0327/19/SCO**

Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, installation of pipelines, rail link, associated infrastructure and ancillary works (Environmental Statement Addendum April 2020)

**ND-4625-2019-  
PLN**

Land At Hobson Way Stallingborough North East Lincolnshire

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

While it is noted that the surface water discharge is 'subject to detail design' the proposed drainage drawing 001 continues to be modified to accommodate change to the other infrastructure, the drawing still fundamentally does not address the issues raised in the discussion between the Drainage Team at NELC and North East Lindsey Drainage Board, particularly relating to points of discharge and the inclusion of effective SuDS features throughout the site. Drainage cannot be fixed into a predetermined layout it has to be an integral part of it incorporated from the start.

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority and North East Lindsey Drainage Board has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

**PA/2020/395 &  
PA/2018/1125**

Stockpile 170,000 tonnes of road salt at a maximum height of 10m to be secured with waterproof sheeting. land north-west of Salfina Warehouse, Lancaster House, Lancaster Approach,  
North Killingholme, DN40 3JY

**NE-4217-2018-  
PLN**

Thank you for the opportunity to comment on the discharge of conditions. The site is on the edge of the North East Lindsey Drainage Board area.

While the storage arrangement proposed appear to be acceptable, subject to any requirements of the Environment Agency/NLC, I would have expected to the document cover failure of these arrangements resulting in either water within the bund or contaminated water escaping beyond the salt mound.

Following these comments and also comment from the Environment Agency revised documentation was submitted.

Thank you for the opportunity to comment further following the submission of revised documents. The site is on the edge of the North East Lindsey Drainage Board area.

From the Board prospective the revised document is acceptable. As previously stated the quality/pollution aspect of the application is subject to the requirements of the Environment Agency/NLC.

Members received and noted the report.

## **19. Consents and Enforcements Report.**

A report had been prepared by the Consents and Enforcements Officers, circulated with the agenda and was presented by the Engineering Services Officer. There were no issues to highlight currently.

Members received and NOTED the report on consents and enforcement cases.

## **20. Immingham Motorcycle Project on Land off King's Road, Immingham.**

A report prepared by the Environment & GIS Officer had been circulated with the agenda and was presented by the Chief Executive. Mr Sam Bedford, Board member declared an interest in the item and took no part in the discussion.

20.1 The Board is the owner of a parcel of land south west of Kings Road, Immingham (TA195146), approximately 4.8 acres (1.94 ha). This land was purchased by the Board from Brocklesby Estates in September 1963 for £500 (approximately £10,830 in present terms) for the purposes of building a pumping station. This was built shortly after purchase and demolished in 1997, as it was no longer required. The land was unused until June 2003 when the Board gave permission for Immingham Town Council, through a lease with North East Lincolnshire Council (NELC), for the Immingham Motorcycle Project 'IMP'. This was a project aimed at tackling vehicular anti-social behaviour. The scheme was considered successful at reducing the behaviour, however reductions in central and local authority funding meant that the project ceased in 2015.

### 20.2 Motorcycle Track proposed scheme

At the start of 2019, Steven Lynn, Anti-Social Behaviour Co-ordinator for NELC, registered an interest with the Board to restart IMP due to its previous successes. NELC has confirmed that it has no interest in continuing the lease for the site and would be happy to surrender the lease back to the Board, so that another can be drawn up between the Board and Immingham Town Council.

20.3 At the May 2019 Board meeting, the Board was presented with three options for how to continue with the land:

- I. The Board declares the land surplus to requirements and sells at market value
- II. The Board declares the land surplus to requirements and sells to a known bidder
- III. The Board does not declare the land surplus to requirements and allow the proposed project scheme to take place, perhaps including an environmental element.

20.4 The Board decided to not declare the land surplus to requirements at that point and to allow Immingham Town Council to restart the motorcycle project, applying for grant funding to do so. But the Board wished to see the project started in a reasonable time period of one year [May 2020].

20.5 Progress has been slow, due to issues with NELC surrendering the lease. In February 2020 a site meeting was held with members from Immingham Town Council, the Auto-Cycle Union (ACU) and a Board's officer. The outcome of the meeting was positive, with all parties keen to see progress within the next few months. The Board's officer had requested that some progress be made available by April 2020 so that this can be presented to the Board. However, due to the Covid-19 pandemic this progress has halted.

20.6 Immingham Town Council is still keen to promote the project forward.

20.7 Land Purchase Offer:

20.7.1 Brocklesby Estate have expressed an interest in repurchasing the land from the Board, offering the sum of £15,000 in a formal offer submission on 04.06.20. If the land is sold to either Brocklesby Estate or another party, and the land is valued as suitable for development and subsequently developed within a certain number of years, the Board may wish to include a 'claw-back clause' with the agreement that it would receive a percentage of the value.

20.8 Valuation

As a formal purchase offer has been received and in order to guide the Board's decision making, an independent valuation of the land has been commissioned from Fisher German and will be available shortly.

20.9 Options:

As over a year has now passed since the original decision, the Board reviewed its original decision and considered the options:

- *Option 1:* Consider giving a time extension to the project, allowing Immingham TC to terminate the lease with NELC and progress with the project.
- *Option 2:* Consider that there has been enough time for reasonable progress to be made and, having not been achieved, declare the land surplus to requirements and sell the land on the open market
- *Option 3:* Consider that enough time has passed for reasonable progress to be made and, having not been achieved, declare the land as surplus to requirements and sell the land to Brocklesby Estate for the sum of £15,000. The Estate sold the land to the Board in 1963 for the purposes of building a pumping station and have expressed interest in repurchasing.
- *Option 4:* Consider an amalgam of other options. Declare the land as surplus to requirement, agree a sale with Brocklesby Estates for the offered sum of £15,000, on the proviso that the Estate gives a time extension to Immingham Town Council in order to establish the project.

These options being subject to consideration in the context of the Board's land valuation, when received.

Following discussion members agreed to wait for the valuation report before any further decision was made and to encourage Immingham Town Council to agree a firm date by when they would like the project to go ahead.

It was AGREED that an update would be provided to the Board's next meeting.

**21. Any other Business.**

**21.1 Death of Mr David Noble**

Lionel Grooby advised members that David Noble OBE CEng FICE FCIWEM FIATE, formerly ADA's Executive Officer of 20 years, died peacefully on 20 December 2019, aged 79. His services to flood defence and land drainage were recognised in the 2001 Birthday Honours lists with an OBE. His 20 years' service in the role of Executive Officer substantially enhanced ADA's prominence, growing it into a body with national interests and recognition.

There were no further items of business and the meeting closed at 16:30.

**22. Date, Time and Place of Next Meeting.**

The next meeting of the Board was confirmed for Tuesday, 15<sup>th</sup> September 2020, with the format and venue to be confirmed [but most likely via video conference]. It will commence at 2.00pm.

.....Chairman.....Date

NEL BM 23.06.20