

NORTH EAST LINDSEY DRAINAGE BOARD

Minutes of a meeting of North East Lindsey Drainage Board held on Wednesday, 24th May 2023 in Stallingborough Grange Hotel at 2pm.

Present: Cllr P Batson
Cllr P Clark
Mr E Faulding
Mr J Fussey
Mr L Grooby **Vice Chairman**
Mr J F Hargreaves
Mr P R Hoyes **Chairman**
Mr R Kirk
Cllr B Parkinson
Cllr N Pettigrew
Cllr S Shepherd
Mr S Shepherd
Cllr D Wells

In Attendance: Miss Jayne Flower, Executive Assistant
Mrs. Jane Froggatt, Chief Executive
Mr Chris Harris, Internal Auditor, TIAA
Mr Guy Hird, Head of Engineering & Technical Services.
Mr. Steve Larter, Director of Finance & Governance
Mr Martin Shilling, Director of Engineering & Technical Services

1. Apologies.

Apologies for absence were received from Mr J Finch, Cllr S Harness, Cllr R Hannigan and Cllr I Lindley.

2. Declaration of Members' Interests.

Members nominated by North Lincolnshire and North East Lincolnshire Councils declared interests relating to their respective Councils. The Chairman declared an interest in planning matters raised in respect of NELC pertaining to Stallingborough.

3. Chairman's Announcements

The Chairman welcomed Members to the May meeting of the Board, traditionally one of the busier meetings of the year.

With regret he advised of the death of Mr Trevor Vessey, former long-standing Chief Executive for North East Lindsey Drainage Board until his retirement in April 2017.

Trevor died on Friday 13th January 2023 after a short illness, aged 72. His funeral was held on 09th February 2023 and was extremely well attended by family, friends and former colleagues. Trevor is survived by his wife Mavis and two daughters. Outside of work, Trevor was a consummate family man. He enjoyed time with his family and Labrador Buddy, he was a keen golfer and an accomplished karaoke singer. In his

younger days, Trevor was a keen footballer, cricket and tennis player and he remained a keen sports fan.

Trevor had completed over 40 years' service to land drainage when he retired, having recommended the Board join the Witham & Humber Drainage Boards partnership upon his retirement.

Members stood for a minutes silence.

A particular welcome was extended to new Member Mr Edward Faulding, representing the electoral district of Barnoldby, Bradley, Cleethorpes, Humberston, Irby, Laceby, Riby, Waltham & Weelsby, and to the Internal Auditor, Mr Chris Harris from TIAA. Chris would present his independent report on last financial year 2022/23 and his audit certificate, which forms part of the Board's Annual Governance & Accountability Return [the AGAR], and remain for the meeting.

The agenda was necessarily heavily finance-led, it being that time of year to receive several reports relating to the closure of the preceding financial year to 31st March. The Chairman was pleased to note that the Board ended 2022/23 on 31st March 2023 with a modest surplus position of £48k, which puts the Board in a sound position given the range of cost pressures, particularly electricity costs, this year 2023/24.

Since members last met, the Board's contractor Eric Carnaby & Son Ltd had completed winter works, both the Board's own works and the PSCA works for the Environment Agency on EA main Rivers.

The summer maintenance works would commence in July, again the Board's own district works and the PSCA works on EA main river which the Board has been commissioned by the EA to undertake again this year.

Thoughts and comments were welcomed on the agenda item regarding the Board's land off King's Road Immingham, previously discussed at Board meetings over the last couple of years. Brocklesby Estate had submitted a revised purchase offer of £35k, should the Board wish to dispose of the land.

Finally, the Chairman highlighted that the Board will be hosting the 4 Witham & Humber Drainage Boards' Annual Inspection on Thursday 20th July. It will start from Stallingborough Grange by coach, returning for lunch.

4. Minutes of the Board meeting held on 25.01.23.

The minutes of the Board's previous meeting, held on Wednesday, 25th January 2023 were proposed by Cllr David Wells, seconded by Mr Julian Hargreaves and APPROVED as an accurate record.

MATTERS ARISING:

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

5. Minutes of the Joint Services Committee Meeting 04.05.23

The minutes of the Joint Services Committee Meeting held on Thursday 04th May 2023 had been circulated with the agenda. Issues highlighted included:

5.1 Joint Services Financial Monitoring Report for the Period 01st April 2022 to 31st March 2023.

The Chief Executive highlighted that a financial monitoring report for 2022/23 had been discussed at the May JSC meeting and the overall variance at the 31.03.23 year-end was a positive surplus of (£24,654), against a budget of £1,056,230 for the 12 months.

Against this budget, expenditure of £1,031,576 was incurred for the financial year, so performance was on target with a positive variance of (£24,654) or (-2.33%). It was confirmed that the surplus had been fed through in the agreed percentage proportions to each of the 4 Boards for their individual year-end positions.

Members received and NOTED the minutes of the JSC meeting on 04th May 2023.

6. Chief Executive's Report.

The Chief Executive's report had been circulated with the agenda and was presented, with the following items highlighted:

6.1 Year-End Financial Positions 2022/23.

Despite the escalating financial pressures during the latter half of 2022/23, particularly those relating to electricity unit rates and standing charges, the 4 Boards were able to absorb those rising cost pressures, and each Board ended the year with a 31st March 2023 surplus position to allocate to its General Reserve, NELDB's being a [£48,038.11] surplus. This surplus contained the long-standing £26k debt write-off relating to Europarc at Grimsby, £40k provision for the New Holland Pumping Station cabinet replacement and the Barton weed deck replacement.

6.2 Annual income 2022/23.

It is noticeable how significantly the annual turnover of the Boards has increased in recent years, this totalling £6,418,809.57 for the 4 IDBs in 2022/23. The total income last year for NELDB, including EA Highland Water contributions and PSCA works income, was [£1,118,904.31], including [£159,981.95] PSCA & FDGiA income for the year.

6.3 PSCA Income 2022/23 and work for 2023/24.

Members have supported the 4 Boards undertaking additional PSCA works on EA main rivers for a variety of reasons, including a desire to see regular and improved standards of maintenance. The downside of this is the reliance the 4 Boards now have on this work and PSCA income, which amounted to £754,223.58 across the 4 Boards in 2022/23. This is not a programme of works commissioned over several years, but works spot purchased by colleagues in the EA on an annual basis. The short-term nature of the work does transfer the risk to the Boards, and it means the sensible planning of work programmes, plant and vehicle

purchases/disposals and Operative staffing levels alongside the Boards' own workload in our drainage districts is complex. Workload, the Boards' own and that of the EA, needs effective programming in our own workforces and for Carnaby's our contractor for NELDB.

6.4 Electricity.

Electricity has been the 4 Boards' significant cost pressure throughout 2022/23, and particularly since 01.10.22 when unit prices per KWH at Pumping Stations increased from an average of 12 pence to 30 pence. It was a significant risk that the electricity budgets for 2022/23 would be exceeded and each Board might face a deficit. Coupled with the increase in unit rates for electricity, the 4 Boards' standing charges at Pumping Stations also increased, from a previous circa £15k per annum to £128k and are anticipated to rise again during 2023/24 by 10%. The electricity budgets were indeed all overspent in 2022/23, but these overspends were contained in each Board's bottom-line year-end position at 31.03.23.

Members approved significant increases in the Penny Rates for 2023/24 at the 4 January 2023 Board meetings, primarily to make budgetary provision for the increased electricity costs [i.e., 15% Penny Rate increases in 3 of the Boards including NELDB and a 29% increase in Witham First DIDB]. The 2022/23 pumping stations electricity budget was £15k against a spend of £24.3k [bearing in mind the price increase took effect half-year from 01.10.22, and we had a comparatively dry February 2023].

The 2022/23 budgets for electricity at Pumping Stations across the 4 Witham & Humber Drainage Boards totalled £201k and have been uplifted to £807k for 2023/24. In NELDB the revised budget is £90k, Upper Witham £192k, W1st £305k and W3rd £220k. As a reminder, this is based on an average rainfall year and pumped hours [not a heavy rainfall year], an assumed 10% further increase in standing charges at Pumping Stations and a best estimate from ESPO's advisors of a further increase in the unit rate on 01.10.23 from 30 pence per/KWH to 40 pence per/KWH [& 80% of usage is assumed to be between October 2023 and March 2024 in 2023/24, based on past activity].

The electricity cost pressure IDBs face has been raised with Defra officials. The Chief Executive attended the Defra/ADA/EA/IDB representatives' meeting on 30.11.22, MPs have been briefed, the position was presented to the Anglian [Northern] RFCC meeting on 27.01.23 immediately after the 4 Boards' January meetings and the position was outlined by Andrew McGill and the Chief Executive to the Lincolnshire Scrutiny Committee meeting on 20.02.23. Letters have been sent to MPs, Councils have been briefed and have escalated the issue, and the impact on the Special Levies they pay, with DLUC. But, for now, IDBs have had to set budgets based on predicted electricity costs and usage for an average rainfall year in 2023/24 and the risk sits entirely with the IDBs.

There had been some movement, in that the Chief Executive was pleased to report that on 16.05.23 the Minister had announced a one-off allocation in 2023/24 of £3million to the 15 Local Authorities most affected by the increases in IDB Penny Rates.

6.5 Potential for Witham Fourth DIDB to join the Witham & Humber Drainage Board Joint Services partnership, upon the impending retirement of their Chief Executive.

JSC members had supported the exploration of the expansion of the 4 Boards' voluntary partnership agreement, in place now since 01st April 2017. The proposal arose from an approach to the Witham & Humber Drainage Boards by colleagues in Witham Fourth DIDB, requesting that we consider this option jointly which they had identified as one of two prime options for their way forward when their Chief Executive retires.

Although there were potential identified efficiency savings for each of the five Boards, the potential broadening of the Witham & Humber partnership to include Witham Fourth as an equal partner was never about savings and the here and now. It was always about ambition and building our future organisational resilience for the 5 Boards, pooling our scarce staff resource to meet an ever-increasing workload and our meeting the workforce challenges of the future with enhanced career opportunities for our staff.

Witham Fourth DIDB's Board met on 22nd March 2023 to discuss and agree its preferred organisational options, and depending on the outcome of that Board meeting the Chief Executive was due to subsequently convene a one-off meeting of our Joint Services Committee, if required.

The following decision was conveyed, after that meeting, by Witham Fourth DIIDB to our IDBs and to their staff:

"Witham Fourth DIDB discussed the strategic options available when the current Chief Executive retires [that date TBC]. Whilst there was some support to look at more efficient ways of working, the decision was taken to rule out sharing services with the Witham & Humber Boards. This decision brings an end to any uncertainty over this matter, as the Board clearly indicated that it wants W4IDB to remain fully independent".

This being the decision of our colleagues, we now have certainty that Witham Fourth DIDB does not wish to join the partnership. The Chief Executive did not therefore convene an additional meeting of our Witham & Humber Drainage Boards' JSC. Our members and staff were briefed by email and the JSC was briefed when it met on Thursday 04.05.23.

Whilst there has been varied reactions to this outcome, Peter Bateson and the Chief Executive are agreed that it was a worthwhile exercise to look at the option. As the organisations progress different futures, we will continue to work cooperatively together.

6.6 Staffing

Mark Ketley started in the role of Engineering Projects Officer on 01.05.23. The role has been vacant since 01.07.22. Mark joins us from a career in the construction sector, holds a Civil Engineering degree and lives in Waddington.

Abi Gilbert in the Engineering team completed her Civil Engineering degree course at Nottingham Trent University in May 2023, having previously successfully completed her HNC then HND at Lincoln College. She was shortlisted by Nottingham Trent as one of 3 candidates for the Public Services Apprentice of the Year Award 2023. The Chief Executive was delighted to report that at the Awards ceremony on 10.05.23 Abi was presented with Nottingham Trent University's Apprentice of the Year Award.

Jack Waller started with the IDBs in March 2023, as Land Drainage Operative. His contract is held by Witham Third DDB and his base is Woodhall Spa. Jack is working as our new peripatetic Land Drainage Operative across 3 of the 4 Boards, predominantly on excavators. Jack has a background working on archaeological dig sites.

The 3 relevant Boards are advertising a Land Drainage Operative, role for a predominantly tractor/flail Operative. This role will be based either with Witham Third or Upper Witham, depending on where the successful applicant lives. The post-holder will work peripatetically across 3 Boards, recharged accordingly, recognising that all 4 Boards have been commissioned by the EA to undertake considerable additional PSCA works this year and much of that is flail work. On this occasion there has been a good response and interviews are scheduled for Thursday 18.05.23.

James Neill joins the Boards on 01.08.23 as our new Apprentice Engineer, following a similar training programme as that recently completed by Abi Gilbert, with initial studies in Civil Engineering on day-release at Lincoln College. James completed A levels in summer 2022 and has taken a gap year in Canada.

Guy Hird, Head of Engineering & Technical Services, completed 34 years' service with Upper Witham IDB in May 2023, more latterly with all 4 Boards [with 4 years' prior service at LCC Highways]. Guy will retire on 05.11.23. He will take some time off, returning to the 4 Boards as our Planning & Consents Officer, in a part-time role [0.5 FTE], after Christmas. The full-time vacant Planning & Consents Officer role had been advertised for some considerable time, without success. With his experience, Guy will concentrate on these duties in a part-time role and be available to the Engineering and Technical team to support Martin Shilling as other team members build their experience.

6.7 Pay Award for 2023/24 from 01st April 2023.

The employers' side to the ADA Lincolnshire Pay & Conditions Committee made a revised pay offer for 2023/24 of a 2.1% consolidated uplift to baseline pay scales from 01.04.23, with a further unconsolidated pay lump sum of £1,800 [to be paid as £900 in April 2023 and a further £900 in September 2023]. This was an increase on the previously proposed pay settlement of a 2.1% consolidated uplift plus an unconsolidated sum of £1,500. Unison put this original proposal to a ballot of their members. The offer was rejected, and employers put the original proposed settlement to the ADA Lincolnshire Branch on 20.10.22, which was accepted.

Across the 7 IDBs participating in the joint pay negotiations in Lincolnshire, the revised proposed pay settlement of 2.1% plus £1,800 was put by employers directly to all staff as a survey, i.e., not via Unison, with a closing date of 10.03.23.

There was a response rate to the survey of 71% across the IDBs by 10.03.23. Of those people who did reply, 84% indicated they were willing to accept the employers' pay offer and 16% indicated that they were unwilling to accept it.

On receipt of the clear majority survey results across the IDBs, and following discussion between employers about the result, we have implemented the pay settlement for 2023/24 from 01.04.23, at 2.1% plus a further unconsolidated £1,800, and ADA White Book Pay Scales have been revised and issued accordingly. This pay settlement is what was included in Budget Estimates approved by each of the 4 Boards in January 2023.

To put some metrics around what this means, for example, our Land Drainage Operatives on a White Book Spine Point 15 are therefore uplifted to a 2023/24 salary of £26,376 from 01.04.23 [+ a further £1,800 lump sum payment which is unconsolidated, with £900 paid in April and £900 to be paid in September 2023 salaries]. This excludes overtime pay and provision of a fuelled works van.

It has not been a straightforward set of negotiations this year, and employers and Unison representatives convened once again as the ADA Lincolnshire Pay & Conditions Committee on Thursday, 27.04.23. The 4 Boards' representatives on the Committee are Upper Witham Member, Cllr Lance Pennell and Jane Froggatt. The outcome of the meeting was that 2023/24 is completed and discussion around the outcome of the July 2023 pay formula, to be published in September 2023, will be used to inform discussion on the 2024/25 pay settlement when the Committee meets next on 21.09.23.

6.8 Board Membership

Of the 21 members, there were 5 vacancies, as follows:

- Brocklesby, Habrough, Keelby, Kirmington, North Killingholme & South Killingholme [were 2 vacancies, now one].
- Barnoldby, Bradley, Cleethorpes, Humberston, Irby, Laceby, Riby, Waltham & Weelsby [seat now filled].
- North East Lincolnshire Council [1 nominated member].
- West Lindsey District Council [1 nominated member].

Edward Faulding, who had previously attended as an observer, has now joined the Board as a representative for Barnoldby, Bradley, Cleethorpes, Humberston, Irby, Laceby, Riby, Waltham & Weelsby.

This leaves now 4 vacancies on the Board, in terms of directly elected members.

It may be that following local Council Elections on 04.05.23 and subsequent reviews of Councils' representatives on outside bodies, the Boards will be notified of further changes to Council nominated members on Boards.

The Chief Executive's report was received and NOTED.

7. Corporate Risk Register

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

The purpose of the Corporate Risk Register (CRR) report is to provide the Board and the Public with an update of the Corporate Risk Register for Witham and Humber Drainage Boards. The CRR provides a strategic oversight of the corporate risk management process and the key risks to which WHDB is exposed.

The CRR is taken to the Joint Service Committee (JSC) Board meeting to ensure that the Board Members are aware of the strategic risks which affect the four statutory Boards within Witham and Humber.

The CRR details those risks that are significant enough to warrant management and or oversight by a member of Management Team, providing detail of the risk control measures in place to reduce the likelihood and/or impact of a risk occurrence where this is felt to be practicable /appropriate.

Witham and Humber Drainage Boards continue to have a robust risk management process, which enables consideration of external and internal risks.

From the April 2023 review, low/medium level risks are no-longer recorded on the CRR as these are managed by the Senior Management Team as 'business as usual'.

By establishing a systematic approach to identification, assessment and management or risk, WHDB intends to continually improve the 4 Boards' governance, increase accountability and enhance overall performance.

The summary matrix continues to show the original risk reference. However, the low and medium risk references had been removed as the Senior Management Team (SMT) continues to manage the low and medium risk within their Directorates and Teams.

Further amendments to the current financial year had been made, including re-wording on the penny rate within this financial year, however there is no change to the context. The trend has changed from 'rising' to 'stable'.

Additional notes regarding the media publicising of Public Services pay, and the notable increase in other Public Service Industrial Action, including that of the Environment Agency.

A particular issue had arisen recently and was not mentioned in the report as it had happened only over the last week. A cyber-attack where the Board had received payments from a data breach based in Brazil had resulted in 334 payments being made to the Board. These totalled approximately £100, as they were of around 10 pence to 90 pence individually. A criminal organisation was testing stolen credit card details and by using the NEL website to test payments they could validate which stolen details could then be used and sold on to be used in more high value fraud. The issue had been identified immediately and to prevent this issue escalating, the payment system on the website had been disabled. It was not an issue of the Board's making, it was entirely down to the WorldPay system which allowed the payments. This would be escalated with Worldpay. Any monies received were ringfenced as presumably at some point they

would need to be refunded. We will aim to recover any expenses incurred with these payments from Worldpay.

Following discussion, Members were content to:

- Approve the lay out of the CRR with the low and medium risks removed.
- Approve the minor amendments from January 2023.
- Approve the CRR as set out.

8. Internal Auditor's Report 2022/23.

A report on 2022/23 by the Internal Auditor, Chris Harris of TIAA, following his audit undertaken remotely during March 2023, had been circulated with the agenda and was presented by Chris together with his part 2 certificate which form part of the AGAR for 2022/23.

The key outcomes from the audit he advised were:

1. The overall assurance opinion for 2022/23 is 'Substantial Assurance' and one priority three Recommendation has been made this year, along with one Operational Effectiveness Matter (OEM).
2. The Recommendation referred to the need to keep Policies and Procedures up to date with latest additions posted on the Board's website.
3. The OEM referred to the fact that the Risk Management Policy and Procedure was not present on the Board's website.
4. Overall good corporate governance is practiced by the Board with appropriate Board involvement.
5. The accounting records are all in order, up to date and in balance.
6. The Board can be satisfied that the governance, risk and control framework is working well, and the finances are all in order.

Members noted the report and the Substantial Assurance opinion on 2022/23.

9. Schedule of Expenditure, 01.01.23 to 31.03.23.

The schedule of the Board's expenditure for the three months ended 31st March 2023 had been circulated with the agenda and was presented by the Director of Finance & Governance. The schedule was of invoices paid in the period, and therefore some expenditure incurred in the period was excluded.

There was nothing to highlight on this occasion, or questions raised by members on the expenditure incurred.

The schedule of expenditure incurred for the period to 31st March 2023 totalled £151,836.21 gross or **£130,165.69 net** of £21,670.52 VAT. There were £25,975.61 of recharges to other bodies during this period.

Members received and NOTED the expenditure incurred.

10. Financial Performance Report for 2022/23, as of year-ending 31.03.23.

The Financial Performance Report for 2022/23 to 31st March 2023 had been circulated with the agenda. The Director of Finance and Governance presented the position, summarised as:

	Profiled Budget	Actual	Variance	FRS102 Adjusted
	£	£	£	£
Income	(837,597)	(1,118,904)	(281,307)	(1,118,904)
Board & General Admin	21,900	44,044	22,144	44,044
One Off Schemes	17,000	15,245	(1,755)	15,245
Conservation	2,500	706	(1,794)	706
Depot	9,100	8,725	(375)	8,725
Drains	153,020	156,281	3,261	156,281
Pumping Stations	83,200	41,817	(41,383)	41,817
Joint Admin & Witham House (JSC)	109,408	122,512	13,104	122,512
Consents & Enforcement (recharge to LCC)	2,151	0	(2,151)	0
Engineering Services (JSC)/Works Supervisor	176,688	159,241	(17,447)	169,241
Contribution to/(from) Reserves	0	182,065	182,065	182,065
PWLB			0	
Rechargeable Works	100,000	179,213	79,213	179,213
EA Precept	162,630	161,019	(1,611)	161,019
FRS17 Pension Adjustment (net)	0	0	0	(10,000)
(Surplus)/Deficit	0	(48,038)	(48,038)	(48,038)

The Board was showing a surplus position of [£48k] as of 31.03.23, which will be transferred to Reserves. Whilst this was a healthy outturn position, Members were reminded that the Board now has more financial risk especially with regards electricity costs should high rainfall events occur and with the reliance on PSCA income. Therefore, it is important that reserves are increased over the coming years to mitigate some of this additional financial risk.

The main income streams had been posted in terms of Drainage Rates (£25k) raised (not necessarily paid) and Special Levies received (£623k) for the full year payment from the 3 relevant councils.

For Drainage Rates collected for 2022/23, including previous years' arrears, as of 31st March 2023 (£23,873.41) had been collected with the collection rate at 95.3% compared to 97.8% the same period last year. A court date for outstanding payments had been set for 27th January 2023 at Grimsby Magistrates Court, but as most outstanding cases had been settled this was cancelled. All outstanding amounts totalling £1,187.63 had been rolled over to the 2023/24 rates bills issued in April 2023.

Rating queries are reducing, some are still being received and resolved and there are still some areas of land which have not had their owners identified. This is an ongoing process and will include site visits as required.

Rechargeable Works mainly covers the PSCA works which had been invoiced to the Environment Agency. Works of (£159k) had been recharged for works undertaken in 2022/23, (£54k) in other recharges to Able UK and (£12k) recharge to North Lincolnshire Council for a replacement culvert.

Highland Water claims have been submitted to the Environment Agency for 2022/23 actual costs incurred with a further balance of (£4,580) due which will be payable in September 2023. 80% of the estimated claim for 2022/23 (£89,600) was paid in August 2022 along with the balance for the 2021/22 actual (£15,836). This gives total Highland Water income due for 2022/23 of (£94,180).

FDGIA income of (£146,600) has been received for the following schemes:

Scheme	Total Scheme £	Received £	Due £
Immingham & Habrough Catchment Study	(65,000)	(65,000)	0
Mawmbridge Catchment & Asset Condition Study	(96,600)	(81,600)	(15,000)
Total	(131,600)	(146,600)	(15,000)

This income (£146,600) has been transferred to reserves with expenditure incurred for FDGIA works undertaken during the year £4,535 drawn from the reserve. The balance will remain in the reserve for works to be completed in future financial years.

A write-off of £26k had been included regarding a long-term debtor that had been in the accounts for a number of years. This related to the additional pump bay at Mawmbridge Pumping Station that was included when the Europarc was developed. It was envisaged that an additional pump would be installed at some point in the future, to be funded from either additional grant from what was then English Estates (then subsumed into Yorkshire Forward which is no longer in existence) or from additional developer contributions paying commuted sums for free discharge, which again no longer happens due to the need for attenuation on site, etc. Therefore, as this income is unlikely to be received in the future, there is a need to write out of the accounts this long-term debtor that had been established. This requires formal approval by the Board.

Members APPROVED this write off.

The bank balances as of 31st March 2023 were set out as follows:

Barclays Bank plc

Payments Account	£	2,895.08
Receipts Account	£	722.38
General Deposit Account	£	565,000.00
Developer Contributions Account	£	132,171.35
Nationwide Instant Access (Dev Cont's)	£	152,276.94
Total		<u>£ 853,065.75</u>

Electricity had been a significant cost pressure in this financial year, so an additional table was presented to Members to monitor this key budget. This Board had a budget of **£15k** for the Pumping Station electricity in 2022/23 and **£24k** had been spent. However, this only had 6 months of the significant price increase from October 2022. The budget for 2023/24 had been increased to **£90k** for Pumping Stations.

Members were aware of the inflationary pressures that the country was currently experiencing affecting many of the Board's costs. RPI was 13.5% in March 23 [CPI was 10.1%]. Electricity, fuel, plant, spares and vehicle maintenance, insurance, etc, were all escalating costs. Where possible, these are locked into contracts so not all the impact is being felt currently, but it fed through into costs which put pressure on the latter half of the financial year's budgets. This will continue into the next financial year, with costs still increasing.

Members were reminded that the Board has a General Reserve Policy of 10% to 15% of budgeted annual income/expenditure which currently has an allocation of (£100,311). The surplus of (£48,038) will increase the balance to (£148,349), which is 15.45% of 2023/24 estimated income and expenditure of (£960,220). This is only marginally above the Board's current policy.

Other earmarked reserves exist for Pumping Station Renewal (£309k), One-Off projects/FDGIA (£237k), Conservation (£11k), Rosper Road Pits (£7k) and various Developer Contributions totalling (£101k). Members were further reminded that if funds are required then the Board can approve movements between the reserves at any time so these allocations can be changed at any time in the future.

Members noted the financial performance for 01st April 2022 to 31st March 2023 and approved the surplus of (£48,038) be transferred to the Revenue Reserve, giving a 31st March 2023 year-end Revenue Reserve balance of £148,349 (15.45% of 2023/24 budgeted expenditure).

11. Annual Governance Statement 2022/23.

A copy of the Annual Governance Statement (AGS) 2022/23 had been circulated with the agenda and was presented by the Chairman.

The Annual Governance Statement is incorporated into and forms part of the Annual Governance and Accountability Return (AGAR) for 2022/23. The Board has a statutory requirement to complete and approve the AGAR which is later on the Agenda.

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 how it will address any weaknesses identified.

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

The Chairman took Members through the relevant 8 statements and the response to each was agreed in the affirmative.

12. Annual Report & Statement of Accounts 2022/23

The Annual Report and Statement of Accounts 2022/23 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 set of Statement of Accounts, but it is deemed good practice. Furthermore, a lot of the detailed work undertaken is required to complete the Annual Governance and Accountability Return (AGAR) which is a statutory requirement and appears elsewhere on this Agenda for approval.

The accounts had 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 2022.

The Statement of Accounts comprises the following key sections:

- Annual Report 2022/23 – narrative on the work of the Board during 2022/23.
- Statement of Accounts 2022/23 – lists the key components of the statements.
- Board Members – schedule of Board Members who served during 2022/23.
- 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 2022/23
- Balance Sheet 2022/23
- Notes to the Accounts.

Appendices:

- Map of Board drainage district
- Organisational Structure Chart

Members received and noted the Annual Report and Statement of Accounts.

13. IDB Annual Governance & Accountability Return (AGAR) for 2022/23.

The AGAR had been circulated with the agenda and was presented by the Director of Finance and Governance.

The AGAR has 4 separate sections and normally needs to be approved at a full Board meeting before 01st July 2023. It also must be submitted, along with additional requested information, to the nationally appointed External Auditor PKF Littlejohn LLP by Monday 03rd July 2023 for their review. Alongside this, the rights of public inspection will also commence on Monday 12th June 2023 until Friday 21st July 2023. This period must incorporate the first 10 working days of July, as required by statute.

The AGAR comprises the following key sections:

- Annual Internal Audit Report 2022/23
- Section 1 – Annual Governance Statement 2022/23
- Section 2 – Accounting Statements 2022/23
- Section 3 – External Auditor Report and Certificate 2022/23

The Annual Internal Audit Report has been completed by the Internal Auditor, Chris Harris of TIAA, and his separate, more detailed report had been included earlier in today's meeting.

The Annual Governance Statement [AGS] is a separate item on this agenda and must be approved before the AGAR is approved in full.

Accounting Statements utilises the information used in the preparation of the Statement of Accounts which appears elsewhere on this Agenda.

Once approved, the document is published on the Board's website to meet its requirements under the Accounts and Audit Regulations 2015. This will be Friday 9th June 2023.

The statutory deadline by which the AGAR and signed external auditor report and the Notice of Conclusion of Audit must be published is 30th September 2023.

Members approved the Annual Governance and Accountability Return (AGAR) 2022/23.

14. Risk & Health and Safety Update.

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

There were no near miss incidents reported and no accidents for the Board.

Members received and NOTED the Health and Safety update.

15. Environment Update.

The Environment Update had been prepared by the GIS & Environment Officer [Nick Downing], circulated with the agenda and was introduced by the Head of Engineering & Technical Services.

As a public body, under the Natural Environment and Rural Communities Act (2006), Internal Drainage Boards must have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of normal functions such as policy and decision-making. 'Conserving biodiversity' may include enhancing, restoring, or protecting a population or habitat. An IDB has a legal duty to protect and enhance the environment, set out in a wide range of legislation.

There was nothing to highlight to members on this occasion, the information in the report was received and NOTED.

16. Capital Programme Update Report.

A report prepared by Georgina Nichols, Capital Programme Manager, had been circulated with the agenda and was presented by the Director of Engineering & Technical Services.

The programmes at this stage are indicative and are subject to change as the individual projects are developed and options investigated.

The Flood Defence Grant in Aid (FDGiA) programme is administered by the Environment Agency (EA) and applications to claim GIA are approved by the EA. The approval process of the EA is complex, and it generally takes approximately three months for

submission of an Outline Business Case (OBC) or FCERM 7 (study application) to be approved.

The six-year capital programme administered by the EA is refreshed on an annual basis in April/ May. This involves looking at each project and ensuring the details of costs, benefits and timescales are still correct or updated if necessary. These bids are then taken to the national team and prioritised against all other projects in the country. An indicative programme is then issued in September for Regional Flood and Coastal Committees (RFCC) to make local choices. The final programme is then issued in January ready to implement the schemes in the new financial year.

The capital programmes have been updated based on the programmes that were approved by each Board in January 2023.

Mawmbridge PS Refurbishment

IDB No

EA National Project No ANC501E/000A/064A

GIA Claim No IDB 0543

GIA Approval Amount £96,600

Project Stage OBC Development

Consultant Stantec

The asset inspection of Mawmbridge pumping Station has been undertaken and the draft report received and is being considered by officers. The draft of the modelling report has been received by officers and is currently being reviewed. The Outline Business Case will be developed, looking at the long list of options and economic analysis of the preferred option. The indicative programme outlined below is based on the pumping station being refurbished and will be updated as the project progresses.

Indicative Programme:

OBC Approval February 2024

Construction Start September 2024

Construction Completion December 2024

Immingham PS Refurbishment:

IDB No ND 3987-2018-PRO

EA National Project No ANC501E/000A/058A

GIA Claim No IDB 0546

GIA Approval Amount £115,000

Project Stage OBC Development

Consultant Stantec

Stantec have been familiarising themselves with the project and reviewing the information we have on the condition of the asset and the modelling information. A site visit was undertaken in March to look at the potential options. A long list of options is being considered which includes changing capacity of the pumping station, different locations for the pumping station, storage options.

An outline business case will be developed using the information already collected and a preferred option will be costed and economically appraised. The indicative programme

outlined is based on the pumping station being refurbished and will be updated as the project progresses.

Indicative Programme:

OBC Approval	July 2024
Construction Start	April 2025
Construction Completion	October 2025

17. Land at Kings Road, Immingham.

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

The Board is the owner of a parcel of land southwest of Kings Road, Immingham (TA195146), approximately 4.8 acres (2.11 ha). This land was purchased by the Board from the Brocklesby Estate in September 1963 for £500 (approximately £10,830 as at June 2020), for the purposes of building a pumping station.

The Pumping Station was built shortly after purchase, and it was 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 and reducing vehicular anti-social behaviour. The scheme was apparently evaluated as successful. However, reductions in central government and local authority funding meant that the project ceased in 2015, since when the Board's land had been dormant.

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

At the May 2019 Board meeting, the Board was presented with three options regarding the land:

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

The Board decided in May 2019 to support Option three, not declaring the land as surplus to requirements and providing a time-limited opportunity to Immingham Town Council to restart the motorcycle project, the Council applying for grant funding to do so. The Board wished to see the project started in a reasonable time of one year, or the support would be withdrawn.

Progress was slow, due apparently 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 the Board's then GIS & Environment Officer. The outcome of the meeting was positive, with all parties present keen to see progress within

the next few months. However, due to the Covid-19 pandemic from March 2020, this halted.

Immingham Town Council was keen to push the project forward, as stated by Andy Hopkins, Immingham Town Council Clerk. However, as members had initially stated that they would prefer project completion to be within a year of the initial decision of May 2019.

There has been no further progress or agreement with Immingham Town Council regarding the Council's plan to implement the Immingham Motorcycle Project.

Members were advised in June 2020 that Brocklesby Estate had expressed an interest in purchasing the land from the Board, offering the sum of £15,000 in a formal offer, submitted on 04.06.20. This was expressed as an intrinsic centuries-old relationship between Brocklesby Estate and Immingham, and part of the Estates' intention where possible to reassemble former areas of ownership in the vicinity.

The Board's initial view was that if the land is declared surplus to the Board's requirements and then is sold to either Brocklesby Estate or other third party, and the land is subsequently identified as suitable for development within a specified and reasonable time period, the Board may wish to include a 'claw-back clause' within the agreement, such that it would receive a percentage of the increased value.

To guide the Board's decision making, an independent valuation of the land was commissioned by the Board and completed by Robert Hurst of Fisher German LLP. Robert Hurst valued the land at £75,000 and this valuation was shared with Brocklesby estate and presented to the Board meeting on 23.06.20.

The Board decided on 23.06.20 not to declare the land as surplus to requirements [step one would be to do so, and the Board deferred any reconsideration until at least Spring 2021], to maintain the land in its ownership and therefore not to accept the Brocklesby Estate's purchase offer of £15,000.

Following a phone call from Brocklesby Estate on 29.03.23 in which the Chief Executive was advised that the Estate remain interested in acquiring the Board's land off King's Road, a formal offer was received in writing on 12.04.23 together with a copy of a Valuation Report on the land which Brocklesby Estate had commissioned.

The correspondence set out that since 2020, the Brocklesby Estate had acquired 3 fields very close to the Board's land at King's Road, and separately there had been two unconnected open market sales at Mauxhall Farm and Greenland's Farm.

The Estate feels this 'close proximity evidence' had been considered together with a detailed review of the 23rd of September 1963 land conveyance to the Board, by the independent Valuer Perkins George Mawer & Co of Market Rasen [dated 06.03.23]. The valuation was reported at £35,000, less than the Fisher German valuation of £75,000 in 2020, but higher than the Brocklesby estate's original 2020 offer of £15,000.

The view from Brocklesby estate, in making the revised purchase offer of £35,000 is that the Estate's Valuer has considered the 1963 conveyance restrictions and reservations to a greater extent than did the Fisher German Valuation for the Board, the suggestion being that the potential development of the land is encumbered, and title is fettered by

those 7 covenants. As examples, these include no right to build on the land without permission of the Estate and the Estate retaining shooting and mineral rights.

The Board was asked to consider its options in relation to the site, and specifically whether it wishes to declare the land as surplus to requirements and if so, what arrangements would the Board wish to put in place for land disposal, bearing in mind as a public body the Board has a duty to achieve 'best value' on disposal of assets.

Options:

- Option 1: Do nothing. The Board does not declare the land as surplus to requirements and does not dispose of the land. Thereby declining the purchase price offer of £35k from Brocklesby Estate.
- Option 2: The Board seeks legal opinion on the 7 covenants and alleged fettered title to the land, as in the 1963 conveyance and then, when informed by that legal opinion, the Board takes a view on whether to declare the land as surplus to its requirements and dispose of the land.
- Option 3: The Board determines that it has no operational use for the land, declares it surplus to requirements and seeks to dispose of the land on the open market.
- Option 4: The Board determines that it has no operational use for the land, declares it surplus to requirements and determines a disposal process based on a preferred bidder[s], including consideration of a further valuation on behalf of the Board and with recent land sale values in the vicinity and site development potential/allocated sites proximity considered.

The Board was recommended to adopt Option 1, do nothing. The Board need not declare the land as surplus to requirements. It could review this position in future.

The Board may also wish to adopt Option 2, seeking a legal opinion on the impact of the 7 covenants in the 1963 conveyance of land from Brocklesby Estate to the Board, and the extent to which this renders land title as fettered, to any third-party purchaser and particularly if the Estate was the preferred bidder [in which case the limitations of the conveyance would presumably have no impact on the Estate].

The Board may wish to consider commissioning an up-to-date valuation, given the Board's Fisher German £75k valuation was in June 2020, the valuation result of £35k in the March 2023 Valuation undertaken for Brocklesby Estate and the recent value of land sales in the vicinity coupled with proximity of allocated sites in the Local Plan.

Cllr Shepherd queried if the IMP was dead in the water. The Chief Executive confirmed that there was no indication that the Council was able to take it forward and the Board may wish to consider its position if indeed this was the case at some point.

The Chief Executive asked members to consider if there was an operational use for the land such as Environmental scheme, carbon off setting. Lionel Grooby confirmed it could be used to plant 5 acres of trees, he felt that the Board had very good reasons to keep the land. The exact worth of the land would not be known until more than one enquiry to purchase had been received.

Following much discussion Members agreed to proceed with Option 1, do nothing.

18. Killingholme Marshes Pumping Station.

A report prepared by the Director of Engineering & Technical Services had been circulated with the agenda.

This pumping station development is located within the Board's district, serving an area of development between the North and South Killingholme Haven outfalls into the Humber Estuary. This area, previously known as Killingholme Marshes, is now being promoted and developed by Able UK Ltd. [AUL] and is known as the Able Marine Energy Park.

The Board has been invited to attend the regular meetings of the Able Marine Energy Park Delivery Board. The Director of Engineering & Technical Services had been invited to the meeting on 13th December 2022, but this was cancelled with no further meetings advised.

Whilst there has been various communication between the Board's officers and AUK, there has been no progress in drawing up of the legal agreement necessary between AUK, NELDB and Crown Estates, allowing access to the various parcels of land to be occupied by the new pumping station, discharge pipeline and outfall structure. A series of dates have been provided to AUK for a meeting in June. The Board has appointed Solicitors.

The Director of Engineering & Technical Services had participated in several meetings and email correspondence regarding technical aspects of the station's design and performance. Discussions between the Board and AUK that clarify how all the numerous faults and design changes have been addressed throughout the construction phase and continue.

The construction of the discharge channel from the outfall bay has been delayed. Discussions between AUK and MMO and Humber Marine authority continue but the necessary approvals for work on the foreshore are not expected to be received until next year (2024), with a start date in the May to July period.

Work to install a culvert under the railway line has received its approvals to allow a start towards the end of June this year.

Staff from AUK have been instructed by the pump suppliers, Bedford Pumps Ltd., as to how to maintain the pumps whilst in storage.

The station compound, including ground works and site lighting, is now substantially complete. The Boards Works Supervisor attended site 17th April to advise AUK on appropriate signage to be used around the site.

Given the recent update from AUK, apparently the site will not be ready for commissioning until the summer of 2024. The Board will continue to cooperate fully with this project in the expectation that it will ultimately take responsibility for the pumping station operation and maintenance, subject to a calculated commuted sum being agreed between AUK and the Board, and this sum being paid to the Board.

Members received and NOTED the update.

19. Operations Report.

The Operations Report had been circulated with the agenda and was presented by the Director of Operations.

All four Boards are busy with annual maintenance programmes. Having completed bushing works between January and March 2023, Operatives are now de-silting, reforming banks, repairing slips and have started PSCA bank top mowing. In May operatives started preparing all machinery for the vegetation management annual programme, due to start in July.

North East Lindsey: Eric Carnaby & Son Ltd, the Board's appointed contractor, have completed bushing works on drains 8a, 12j, 4c, and 16d. They have also regraded the flood bank on 8d (at the rear of homestead park) to allow safer access when working on the bank. PSCA bushing work for the EA has also been undertaken by Carnaby's under the supervision of Darren Scott, Works Supervisor, on Stallingborough north beck 1&2 at a cost to the EA of £3,450.00, Oldfleet Drain at a cost to the EA of £3,400.00 and multiple areas on Buck Beck at a cost to the EA of £11,050.00. Carnaby's have now started the Health and Safety flail cuts on behalf of the EA as part of the PSCA 2023 works schedule.

For New Holland Outfall Pumping Station an order has been placed for a new replacement cabinet at a cost of £15,000.00. A start date of 24/07/2023 has been given for the cabinet's delivery and installation. The Environment Agency has some equipment attached to the existing cabinet and have been asked to move this ready for removal of the old cabinet.

Regarding Barton Weed screen Officers have met with suppliers regarding supply and installation of the new weed screen. One supplier of a composite screen could not supply until 2024 and then could only supply and not install, so the decision was made to issue the order to local company JW Joyce at a cost to the Board of £20,815.00. Work on the foundations started in the week commencing 15th May, with the installation of the new steel weed screen and deck to be fitted shortly afterwards.

Official confirmed orders have been received for the 2023/24 PSCA vegetation maintenance works for the EA. For £169,670.89, [the actual/recovery costs of completed works may differ]. The lengths of watercourses now maintained on behalf of the Environment Agency is 151,917 Metres or 94.40 Miles. As highlighted elsewhere, whilst the JSC and Boards are supportive of this work on main river, the work is confirmed short-term for only a year at a time which makes planning workforce and plant complex.

Members received and NOTED the report and update.

20. Engineering Report.

A report by the Head of Engineering & Technical Services had been circulated with the agenda.

Pleasingly, there had been no flood events on which to report.

Ground Water Flooding November 2019, Barton upon Humber (ND-5379-2020-FLD)

Wren Kitchens must sign off the Drainage Condition for the latest phase (PA/2021/1832). Part of that is a site emergency plan, a plan has been produced for the new phase, but North Lincolnshire Council LLFA Team is insisting that the full site needs to be included before the condition can be discharged.

A multiagency meeting has been held and Wren have agreed to produce the Site Emergency Plan. No further update.

North Lincolnshire Council Operational Flood Group (ND-4485-2019-GEN)

It is a multi-agency meeting to discuss and resolve local drainage issues. A virtual meeting took place on 10th March 2023 which Darren Scott attended. There were no further issues to report that affect North East Lindsey Drainage Board.

Townscroft Drain/Mawmbridge Drain Branch 3 proposed bus bridge, Grimsby. (ND-4366-2018-CON, ND-4835-2019-CON, ND-4917-2019-PLN)

North East Lincolnshire Council have a project to construct a bus-only bridge over the Board maintained Townscroft Drain/Mawmbridge Drain Branch 3, to link the two parts of Europarc. This has now been resolved, but the Byelaw Consent has not been issued. As reported previously, additional information was submitted for the current Planning Application, it is still being considered.

Stallingborough 3 Sea defence improvements - NE Lindsey IDB liaison (ND-5362-2020-ASS)

Funding has been granted, Planning Permission confirmed, and the provisional site work has started. Regular meetings are being held with the EA to discuss the proposals for the improvements at the various outfalls, IDB officers have requested changes to the initial design to ensure that ongoing maintenance of the outfalls is possible.

The officers are discussing timings of works around the Mawmbridge pumping station so that the two projects are aligned and there is no abortive work. The current programme indicates this phase of the work will happen in summer 2024.

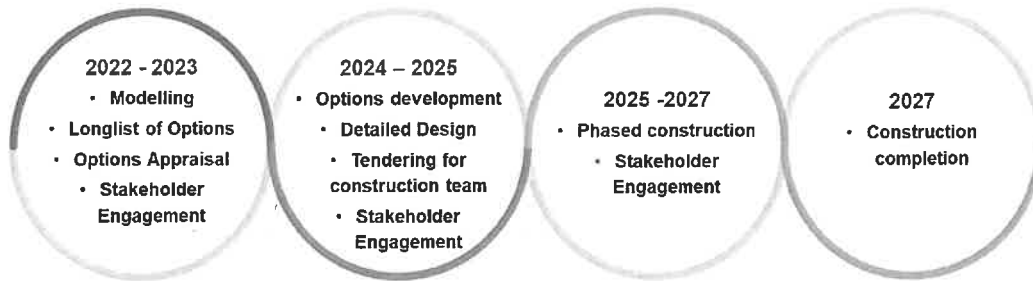
Barton to New Holland Sea Defence Improvements - NE Lindsey IDB liaison (ND-5613-2021-GEN)

The EA are advancing the development of the scheme to improve the tidal defences and outfalls along the frontage from Barton to New Holland. The project considers the next 25-30 years, options will be considered against the assessed benefits for the areas behind the Humber Banks.

Two groups have been set up and meet periodically:

- Project Steering Group - (including Phillip Hoyes, Chairman, together with 2 Councillors and 2 local members of the Anglian [Northern] RFCC).
- Resilience Advisory Group (RAG) - (including Darren Scott and Julian Hargreaves)

The current timetable of the project is:



The RAG group has been put together to enable the EA to gain local knowledge and inform what are the intentions are going forward,

- Affordability, the EA have money allocated within the programme, but the assessment of the available benefits is ongoing and currently they are lower than expected which limits the scope of what works can be undertaken. The Humber flood bank remains the priority. A full business case has not been submitted.
- The EA have split the length of frontage into 9 sections to help identify the appropriate options for each and were hoping to be able to inform us on their options in February 2023.
- Surveys, Environmental and ground surveys will commence early this year.
- Materials, the EA are currently trying to source clay locally for the construction.
- SSSI's, The EA are currently liaising with Natural England to have ecological studies on the SSSI areas.

The meetings to date have not provided information on the options that are being evaluated, the focus has been more about gathering information from local landowners, infrastructure, SSSI's and the historic environment.

Newsletters and further information are available on the Citizen Space Link:

<https://consult.environment-agency.gov.uk/lincolnshire-and-northamptonshire/barton-to-new-holland-flood-alleviation-scheme>

Members received and NOTED the report.

21. Planning & Consultations Report.

A report had been circulated with the agenda and was presented by the Head of Engineering & Technical Services. 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).

There was one issue to highlight to members on this occasion:

Immingham Green Energy Terminal (IGET)

IMMINGHAM GREEN ENERGY TERMINAL PROPOSALS: STATUTORY CONSULTATION BETWEEN MONDAY 9 JANUARY 2023 TO 23:59 ON MONDAY 20 FEBRUARY 2023 ON PROPOSED APPLICATION FOR DEVELOPMENT CONSENT BY ASSOCIATED BRITISH PORTS SECTION 42(1)(a), (aa) and (b) AND SECTION 43 OF THE PLANNING ACT 2008 (the "2008 Act") REGULATION 13 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 REGULATION 3 and SCHEDULE 1 OF THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009 (the "2009 Regulations") REGULATION 4 OF THE INFRASTRUCTURE PLANNING (APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009

Thank you for the opportunity to comment on the above. The site is within the North East Lindsey Drainage Board area. The Board maintained Habrough Marsh Drain (8) is on the Northwest of the site.

The surface water catchment of the site discharges three ways.

1. Northwest into the Board maintained Habrough Marsh Drain (8) gravity system.
2. Southwest into the Board maintained Immingham 2 Pumping Station system.
3. Northeast into Stallingborough North Beck. The watercourse is an Environment Agency main river, an Environment Permit (from the Environment Agency) will be required for any works within Byelaw distance and discharge outfall(s).

Any surface water discharges into the drainage systems to be attenuated to an agreed rate. As a brown field site the surface water discharge into the Boards drainage systems from any re-development will be expected to be reduced to 70% of the existing 'actual' discharge rate via any discharge points or routes. It is essential a full survey is undertaken to establish the existing surface water drainage system, catchments and current discharge rates. The Board has been contacted directly by the Consultants undertaking the drainage design for the site.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse, Habrough Marsh Drain (8).

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

An area of concern is the impact off shore. The proposals show new infrastructure in the Humber near to the gravity outfall of Habrough Marsh Drain, there is concern that this will result in siltation which will impede the discharge. The Flood Risk Assessment should address this and put in place measures to mitigate it.

With regard to the land owned by the North East Lindsey Drainage Board a land interest questionnaire was returned on 16th November 2016. The land is adjacent to Parcel 55 which is the A1173. If the access to the Board's land is affected it is essential the Board is contacted to discuss and agree future access arrangements.

A number of meetings with the developer have taken place.

Members received and NOTED the report.

22. Consents and Enforcements Report.

A report had been prepared by the Consents and Enforcements Officers, circulated with the agenda and was presented by the Head of Engineering & Technical Services.

The following items were highlighted to members:
Enforcement Issues – District

Reference	Location	Description / Comments	Actions
ND-5207-2020-ENF	Land adj Brocklesby Ave, Immingham	Encroachment of access strip adj to Habrough Marsh Drain Branch 1 with a fence	CASE CLOSED 23/03/23.

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

23. Any Other Business.

Cllr Shepherd informed Members that he had attended Bradley Solar Power Plant Presentation on 22nd May 2023. It had been reported that dialogue had taken place with the Drainage Board. He advised that the Bradley Ponds at Barnoldby le Beck was a 300-acre site, with a watercourse – Teamgate - that had not been maintained for 16 years. This watercourse runs into Buck Beck. If solar panels were to be placed on the site how could any future maintenance take place. He asked what dialogue had indeed taken place.

Guy Hird confirmed that yes, they had been in contact with the Officers. There would be no real negative impact from the solar farm on the watercourse or access.

Much discussion took place on which watercourses in the area were Board maintained.

Post meeting note: it was confirmed that this is a Board maintained watercourse and it is indeed maintained every year as part of the annual maintenance schedule.

There were no other issues raised and the meeting closed at 17:00.

24. Date, Time and Place of Next Meeting.

The next meeting of the Board, incorporating the Annual Public Meeting, was confirmed for Tuesday, 28th November 2023 at 2.00pm in the Stallingborough Grange Hotel.

P. E. Hoyle Chairman 28.11.23 Date

NELDB BM 24.05.23.