

## NORTH EAST LINDSEY DRAINAGE BOARD

### Minutes of a meeting, incorporating the Annual Public Meeting, of North East Lindsey Drainage Board held on Tuesday, 28<sup>th</sup> November 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**  
Cllr S. Holland  
Mr R Kirk  
Mr S Shepherd  
Cllr D Wells

In Attendance: Mr Ian Coupland, Director of Operations.  
Ms. Jayne Flower, Executive Assistant  
Mrs. Jane Froggatt, Chief Executive  
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, Cllr B Parkinson, Cllr N Pettigrew and Cllr R Shepherd.

#### 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. Election of Chairman.

Mr Philip Hoyes was nominated, seconded and there being no further nominations, duly elected as the Chairman for the ensuing year.

#### 4. Chairman's Announcements

The Chairman welcomed members to the November Annual Public Meeting and thanked them for electing him once again as Chairman.

There was much to get through with a slightly revised usual agenda to accommodate the discussion on Storm Babet, whilst undertaking the necessary Annual Public Meeting duties of election of Chairman, Vice-Chairman and members of the Joint Services Committee.

He welcomed new member nominated by the Special Levy paying councils:

- Cllr Steve Holland joins the Board, nominated by North East Lincolnshire Council.

He gave thanks to outgoing Councillor Lindley for his contribution to the Board's work.

The Chairman advised that Members would confirm the previous May Board minutes, then following Jane's report there would be a presentation and discussion on Storm Babet and the significant impact this had in neighbouring drainage districts. There would be time for comments and discussion of this, and the recent meeting on Friday 24th November with some landowners and Martin Vickers MP.

Finally, he reminded Members that if they had not already done so, to please confirm with Jayne Flower your attendance at the Members' Training Half- Day on Tuesday, 05th December 2023. The event will finish with a buffet lunch.

#### **5. Election of Vice Chairman**

Mr Lionel Grooby was nominated, seconded and, in the absence of any other nominations, duly elected as Vice Chairman for the forthcoming year.

#### **6. Election of Joint Services Committee Members.**

The current members, namely the Chairman, Vice Chairman and Mr Julian Hargreaves were elected en bloc to the Joint Services Committee.

#### **7. Calendar of Proposed Board Meeting Dates 2024.**

Members approved the following dates for 2024:

##### North East Lindsey IDB (Stallingborough Grange Hotel at 2pm):

Wednesday, 31st January.

Wednesday, 22nd May.

Wednesday, 27th November (+APM).

##### Joint Services Committee Meetings (at 10am, Witham House, Meadow Lane):

Monday, 13th May.

Monday, 15th July.

Monday, 09th December.

##### Annual Inspection 2024

Thursday, 26th September.

#### **8. Register of Members' Interests.**

Members were reminded, in accordance with the Code of Conduct, to complete the annual update to the Register of Members' Interests and submit the completed form to Jayne Flower at the end of the meeting or afterwards to Witham House office.

## **9. Minutes of the Board meeting held on 24.05.23.**

The minutes of the Board's previous meeting, held on Wednesday, 24<sup>th</sup> May 2023 were proposed by Cllr David Wells, seconded by Mr Julian Hargreaves and APPROVED as an accurate record.

### **MATTERS ARISING:**

#### **9.1 Any other Business (Item 23 refers).**

At the May meeting 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-acres 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 had confirmed in response that yes, they had been in contact with the Board's Officers. There would be no real negative impact from the solar farm on the watercourse or access.

Much discussion had taken place at the May meeting 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.*

Mr Kirk highlighted to members that maintenance works had indeed been completed this year (2023), despite reports to the contrary at the May meeting.

## **10. Minutes of the Joint Services Committee Meeting 17.07.23**

The minutes of the Joint Services Committee Meeting held on Monday, 17<sup>th</sup> July 2023 had been circulated with the agenda. Issues highlighted included:

#### **10.1 NELDB – Killingholme Marshes Pumping Station. (Item 5.4 refers).**

The development of this new pumping station has been planned, in various guises, since 2003. At one point the Board was the lead scheme promotor. In recent years Able UK Ltd has been the lead promotor and funded the development, linked to the company's planned Able Marine Energy Park and Quay development. The understanding has remained that on completion of the construction phase, and upon receipt of an agreed commuted sum payment to the Board, the Board would take ownership, maintenance and operation of the asset.

The construction phase of the pumping station was completed in 2023, although the station is not yet operational until all consents, legal agreements, licences, easements etc are agreed between Able UK Ltd and third parties like the EA, Crown Estates, Natural England the MMO.

It was reiterated that a meeting was held between the Board's officers [Jane, Martin and Steve] and representatives of Able UK Ltd on 20.06.23. Before we took Able UK's staff through the work in progress on the calculation of the commuted sum of circa £6.4 million and the difficulty of calculating 1.the inflation rate over the 100-year lifetime of the asset and 2.the discounted investment rate of, say, an assumed 3% over the same period [a small percentage variation altering the calculated sum markedly], it was confirmed in the meeting by Able UK Ltd staff that they had held prior internal discussion. Their preferred position had now changed to retain ownership and onwards operation of the new Killingholme Marshes Pumping Station.

The Board's officers' concern is primarily that the pumping station, once it becomes operational [as planned in 2024, subject to Able UK Ltd obtaining all necessary easements, licences and permissions], has a long-term future and is operated in accordance with the agreed Operational Manual agreed and signed off between Able UK Ltd and the Environment Agency. There must be no detrimental impact to third parties and its operation and the timing of it becoming operational must be tied into the drainage strategy for the surrounding site development.

The current position, if this remains as stated by Able UK Ltd, will be raised with both North Lincolnshire Council and the Environment Agency. Officers have asked them to put this in writing, confirming as they stated, that they have an agreement from 2013 with the EA. Our position would change to one of consent and enforcement if this is to be the case.

Members visited the pumping station site as part of the Annual Inspection on Thursday, 20.07.23.

It was confirmed that Officers felt that the Board was not where it wanted to be on this matter.

Members received and NOTED the minutes of the JSC meeting on 17<sup>th</sup> July 2023 and the specific update on KMPS.

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

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

- 11.1 All 4 Witham & Humber Drainage Boards were in good financial health as of 31st October 2023, month 7 of 2023/24. However, the financial impact of Storm Babet on the drainage districts will be severe and has yet to be quantified [electricity invoices for use of Pumping Stations in October have yet to be received, some assets which have been inundated by flood water remain inaccessible to assess damages and recovery costs and sources of funding for recovery are not assured].
- 11.2 Eric Carnaby & Son Ltd commenced the new contract period for the Board in April 2022. After one year the contract provides for a request for review, where prices have escalated. Carnaby's did request a contract review in summer 2023. After discussion and evidence of costs escalation for the contractor, it was agreed to

increase the contract rate from £0.97 per metre to £1.00 per metre [a 3.1% increase on the summer maintenance contract value from £137,684 to £141,942.

### 11.3 Storm Babet 20.10.23.

Storm Babet was a significant event, with 2.5 months' worth of rain falling in one night. Some of the issues raised included seven known breaches in main rivers in Lincolnshire and many sites of bank overtopping and significant bank seepage.

Although all 4 drainage districts were affected, with localised flooding in many locations (e.g., Westborough in UW, Brant Broughton in UW, Digby in W1st, Brant Road in Lincoln [UW], Horncastle in W3rd) the Boards' systems and assets were particularly hit hard in Witham Third DIDB and Witham First DIDB districts.

The Boards would have been affected in their drainage districts, and water may have been out of bank for a few days in some locations given the heavy rainfall. But what happened was excess water coming into IDB systems from the EA main river system bank breaches, overtopping sand bank seepage. This is what had overwhelmed IDB systems and assets.

A presentation of the Storm Babet event and impacts was to follow, illustrating the impact on catchments and to facilitate discussion.

The Lincolnshire LRF convened 20.10.23 and the SCG, TCG and supporting Pump Cell met daily, sometimes more frequently, for a couple of weeks. No emergency was declared, but a major incident was declared in relation to the River Witham bank slump at Fiskerton [to which W3rd responded with its 3 pumping stations at Short Ferry, Fiskerton Diesels and Greetwell evacuating water at 6,600 litres per second for 24/7 over the last couple of weeks to evacuate the flood cell water level where 81 residential properties were at risk of flooding]. There was good cooperation with IDB and EA staff operationally, and the Lincolnshire LRF across agencies during the Storm Babet event.

In summary, the event has caused more damaging impacts to two of the Boards' assets than the series of rainfall events in 2019/20 [Witham Third DIDB and Witham First DIDB having been hit particularly hard]. The Boards are still dealing with the impact and the full recovery costs and additional pumping costs are not yet known. These costs will be collated. On this occasion, NELDB assets and drainage district was not affected severely.

The 4 Witham & Humber Drainage Boards' Chairmen had collectively written to Mr Eddy Poll, Chairman of the Anglian [Northern] RFCC to advise of the severe impact, to highlight that there is no national or local funding mechanism for the IDBs to use for necessary recovery works and to ask the RFCC to meet third-party excess water costs. A similar approach was being taken by other IDBs, including W4th.

### 11.5 Pay Award 2023/24.

On Thursday 21st September Lance Pennell and the Chief Executive attended the Lincolnshire ADA Branch's Pay & Conditions Committee meeting. Employers

and staff side representatives Unison reached agreement on a proposed pay settlement for 2024/25 from 01st April 2024.

This is a consolidation of £1,130 [of the 2023/24 unconsolidated hardship sum of £1,800] as stage 1 and then, as stage 2, 6.45% applied to the new baseline. This 6.45% is in keeping with the pay formula used previously [of 12 months rolling average change in public sector Average Weekly Earnings July 2022-July 2023, as published in September].

Both parties sought ratification of the proposed pay settlement proposal for 2024/25. Unison Lincolnshire IDB Branch put the proposal to their members, those employed only by the 7 relevant IDBs, and undertook respond to Employers with a yes/no result before 19.10.23. Employers put it for ratification to the ADA Lincolnshire Branch meeting on 19th October 2023.

The pay claim presented initially by Unison was for 11% [being 9% RPI related, and 2% catch-up inflation claim]. Employers rejected the pay claim and counter-offered a deal of consolidation of £1,000 + 6.45%, this offer was rejected by Unison.

Unison then submitted a counterclaim for £1,130 + 6.45% [an impact which increases the LDO role salary on a SP15 by 11.06%, increasing the salary from £26,376 in 2023/24 to £29,292 in 2024/25]. This was accepted as a fair and reasonable compromise which meets a key pay objective of narrowing pay differentials within IDBs and gives a larger proportionate pay increase to those staff on lower pay scales.

Unison committed to come back before 19.10.23 and ADA Lincolnshire Branch for employers met on 19.10.23, in time to take the proposed pay settlement to November Board meetings.

As a reminder, the £1,800 paid as an unconsolidated hardship sum in 2023/24 is in our W&HDB baseline revenue budgets. This is therefore already in our baseline to offset the cost impact of the £1,130 consolidated sum element as is therefore part of the 6.45%. So, for employers presentation-wise we have a deal which is fair to staff, narrows internal IDB pay differentials in line with a key pay objective and which in our budget setting for 24/25 will hopefully be palatable to Drainage Rate payers and Special Levy Paying Councils.

On Tuesday 17th October we received notification of a clear Unison ballot result of YES for the proposed 2024/25 pay settlement from 01st April [consolidation of £1,130 of the £1,800 23/24 lump sum + 6.45%, that % being the 12-months average of the AWE for the public sector July 22 to July 23, as published 12.09.23]. The proposed settlement with staff-side endorsement went to the ADA Lincolnshire Branch where it was endorsed and adopted as the recommended pay settlement for 2024/25 on 19.10.23. It is submitted to the November Board meetings for each Board to formally adopt the settlement. Whilst the issue may seem marginal to NELDB's Board, with one direct employee [Darren Scott], the cost implications are shared between all 4 Boards in the joint services arrangements, as many staff work for all 4 IDBs.

**Members formally APPROVED the recommended ADA Lincolnshire Branch pay settlement for 2024/25, from 01st April 2024, as set out.**

The Chief Executive placed on record her thanks to Cllr Lance Pennell, UW member, who serves on the ADA Lincolnshire Branch's Pay & Conditions Committee as the 4 Boards' representative. Lance has indicated his willingness to serve on the Committee for a further year, but should another member be interested in taking the role from November 2024, then he and/or the Chief Executive would welcome discussion.

11.6 ADA Flood & Water Conference- Tuesday, 22nd November 2023, London.

The Conference is ADA's largest annual event with over 200 delegates attending from across the UK's flood and water level management organisations that are members of ADA. It informs our members of ADA's activities, as the IDBs' membership body.

Twelve Officers and Members attended this year, representing all 4 W&HDBs.

It had proved to be a very useful conference. Lionel Grooby updated the meeting, advising that there had been a good balance of presentations. Emma Hardy MP for Hull East & Hessle, and Shadow Floods Minister, attended as a guest speaker. She had experience of the 2007 floods and her presentation was well received. A willingness to learn from experience was evident. He noted that Wales is 5 years ahead at implementing SuDs and this can be seen to be paying dividends already, whereas Defra has not yet launched the awaited consultation in England.

The Chief Executive's report was received and NOTED.

**12. Storm Babet**

Mr Martin Shilling, Director of Engineering & Technical Services, gave a presentation on the impacts of Storm Babet across the Boards.

The presentation provided a detailed summary of the events over the initial 7-10 days from when the storm landed on Friday 20th October 2023, noting that there had already been some significant rainfall to many areas in the days leading up to this heavy rainfall event.

Numerous alerts had been issued by the EA in the 24 hours leading up to the storm and it had been widely reported and predicted by weather and news agencies. 14 alerts which recommend "be prepared" and 17 warnings which advise the public to "Act Now" had been issued.

One months' worth of rain fell in 24 hours on 20th October. Amounts greater than 100mm were recorded upstream of Woodhall Spa and Horncastle in the 24 hours to 9pm on Friday 20<sup>th</sup> October.

No location was spared, however fortunately NELDB's drainage district was the least affected. Darren Scott, Works Supervisor had worked tirelessly throughout the night of Friday 20<sup>th</sup> to Saturday 21<sup>st</sup> October to ensure all pumps were running effectively.

This event gave the highest ever recorded rainfall in most Witham Third & Witham First DIDB gauges, since their installation during the 1950's and 1960's.

Members NOTED the detailed presentation.

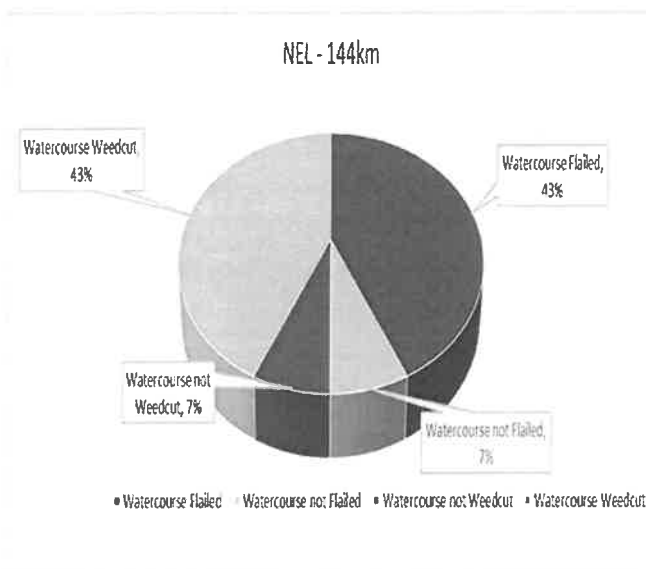
### 13. Operations Report.

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

July saw the start of the annual flailing and weed cutting maintenance programme. This had proved to be a very challenging season, with the late and sporadic harvest and the weather working against Operatives, followed by Storm Babet. Across the group there have been other challenges this year, including unfilled vacancies, long term illness absence, Operatives having to take time to care for seriously ill family members. Even with all these issues and pressures, three of the four Boards would have finished the vegetation maintenance by Christmas 2023 and the fourth Board by late January 2024, until Storm Babet impacted.

For NELDB, all machine-based works will be completed by next week, followed by up to 3 more weeks of handwork. This would mean that all works would be completed well in advance of Christmas.

The following charts had been introduced to put some metrics to what maintenance works have been done and what works remain. Flailing takes place first and then the excavator drivers follow-on with weed cutting. The charts map out the Board's position regarding vegetation maintenance, as of 31.10.23:



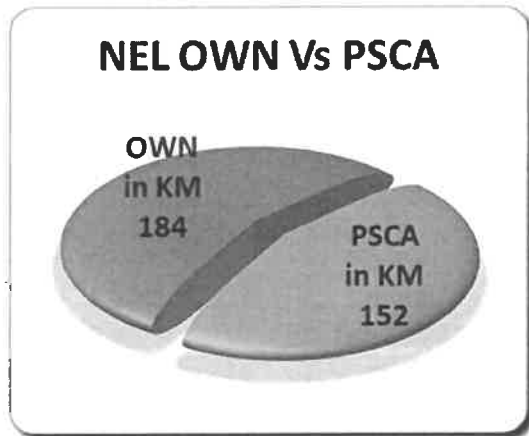
At New Holland Outfall Pumping Station the new cabinet has been installed at a cost of £15,000.00 and is now fully functional.

Local company JW Joyce has installed the new weed screen at Barton at a cost to the Board of £20,815.00. The old screen was removed by Carnaby's and disposed of, allowing for remedial works to the surrounding area and installation of the new screen.



Members were reminded that the initial quotes given to the EA for undertaking PSCA works were as follows: **NEL £169,670.89**, UW £200,944.02, W1 £124,071.49 and W3 £306,668.35 [the actual/recovery costs of completed works may differ].

These amounts will not be reached this year due to the extreme weather and not being able to access the banks. We have already quoted for some winter bushing maintenance across the W&HDBs group and have a meeting booked to discuss the possibility of more work.



The EA confirmed it has cancelled all works as of now due to the saturated banks. They are just inaccessible by machine. In fact, £184k PSCA works has already been completed and invoiced to the EA, with only £20k at risk of not being completed before the financial year end.

Members NOTED the Operations report.

#### 14. **Engineering Report.**

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

Items highlighted to Members included:

##### 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 on this EA-led major scheme. 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.

Officers are discussing timings of works around the Mawmbridge pumping station, so that the two projects are ideally 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 is 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.

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>

A meeting with Martin Vickers MP and many local land owners had taken place. The EA was not in attendance. Mr James Fussey will meet the EA on site on 08.12.23 to discuss potential desilt of the channel. The meeting showed camaraderie, however Members felt they were unsure that Mr Vickers MP fully appreciated the concerns raised. It was argued that there was a need for an agreement to go in intermittently for periodic maintenance when necessary, rather than having to apply through the licence application process. Members would rather agree a set of conditions instead.

In response to a question, it was explained that the ground water drains from the Wolds areas during wet times and water table comes above the land and drains through the East Halton Skitter.

Members NOTED the Engineering report.

**15. Consents & Enforcements Report.**

A report had been circulated and was presented by the Director of Engineering.

There were only 2 items to highlight to members on this occasion:

ND-6364-2023-CON	Adjacent to Humber bank, Stallingborough Middle Drain (6) at Middle Drain PS.	Environment Agency	Repairs to EA gravity outfall and replacement of land side penstock.	18/07/23
ND-6537-2023-ENF	Immingham Pump Drain	Fence erected (Byelaw distance applies)	Site visited and it has been agreed that the fence will be moved accordingly. Awaiting update.	

Members NOTED the update.

**16. Planning & Consultations**

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

The Board received several consultations and has commented on various planning applications to the various planning authorities. Major comments submitted to Local Authorities are summarised as follows:

<p>DM/0373/23/FUL</p> <p>ND-5938-2022-PLN</p>	<p><b><u>Variation of condition 2 (approved plans) pursuant to DM/1240/21/FUL to allow for amended layout to accommodate foul water easement and highways details (Amended Description)</u></b>  <b><u>Land At Louth Road New Waltham North East Lincolnshire</u></b></p> <p>Thank you for the opportunity to comment on the above application. The site is partly within the North East Lindsey Drainage Board area. Part of the site is adjacent to the Board maintained Little Buck Beck Branch 3 (1C).</p> <p>The Board Objects to the Variation, the Landscape Plan (REVISED_LANDSCAPE_MASTER_PLAN-1654119) indicates planting immediately adjacent to Little Buck Beck Branch 3, preventing maintenance access for the Board to maintain the watercourse. This is unacceptable and in breach of the Board's Byelaws.</p> <p>Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance 9m of the top of the bank of a Board maintained watercourse. No planting or other works are permitted within the Byelaw distance. Consent will be required for the surface water discharge. It is noted the FRA the applicant is aware of this.</p> <p>Within the Board district under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.</p> <p>The Board has issued a Land Drainage Consent for the attenuated discharge for phase 1 but not this phase of the site.</p>
<p>DM/0201/23/FUL</p> <p>ND-6425-2023-PLN</p>	<p><b><u>Alterations and extensions to an existing cold storage facility including demolition of existing redundant office block and storage buildings and construction of a new temperature-controlled warehouse with associated access, parking, landscaping and ancillary infrastructure</u></b>  <b><u>Associated Cold Stores Ltd Estate Road 2 Grimsby North East Lincolnshire DN31 2TG</u></b></p>
	<p>Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area.</p> <p>The site is in Zone 3 on the Environment Agency Flood Maps/Surface Water Flood Maps and at flood risk. It is noted a Flood Risk Assessment is included in the Application that contains some mitigation. However, the proposed level at which flood resistant construction (and electrical equipment) is below the predicted flood level.</p> <p>It is noted the Environment Agency has objected to the details in the Flood Risk Assessment and is recommending raising ground levels above the predicted flood level. There is concern that this has a negative impact of third parties by acting as a dam, diverting surface water flows, locally lifting ground water levels and loss of flood plain, these concerns would need to be addressed. Should raising ground levels be proposed the Board would wish to be reconsulted.</p> <p>The Environment Agency main river, New Cut, is on the southern boundary of the site, any works within their Byelaw distance may require an Environmental Permit, the Board would recommend a maintenance strip of appropriate width is left free of all obstructions to allow maintenance by large plant. Any ground raising adjacent to the watercourse should be agreed with the Environment Agency.</p> <p>It is noted surface water discharge it to the existing Anglian Water surface water sewer system with additional attenuation.</p>
<p>DM/0462/23/FUL</p> <p>ND-6487-2023-PLN</p>	<p><b><u>Extension to existing commercial building (use class E(g) / B2 / B8.)</u></b>  <b><u>Rapid Collections Riverside House Moody Lane Grimsby DN31 2SW</u></b></p> <p>Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area.</p> <p>No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The applicant indicates discharge to the existing surface water drainage system, as a brown field site the discharge should be attenuated to 70% of the actual existing discharge rate. At a recent multi-agency meeting it was confirmed there is an existing pumped system serving the location, but the extent and capacity of this system was not known at the time. The Board to date has not received any further details of it.</p> <p>The site is in Zone 2/3 on the Environment Agency Flood Maps and at flood risk. It is noted a Flood Risk Assessment is included in the Application that contains appropriate mitigation.</p>
<p>DM/0464/23/FUL</p> <p>ND-6522-2023-PLN</p>	<p><b><u>Change of use to form 6 x industrial units (Class E (c) and (g), B2 General Industry and B8 Storage and Distribution), 1 x Class E (g) (i) and (ii) office use and 1 x communal café and restaurant (class E(b)) plus alterations and extension to existing building and associated parking and manoeuvring areas</u></b>  <b><u>Drain Energy Park Way Grimsby North East Lincolnshire DN31 2TT</u></b></p>

	<p>Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area.</p> <p>The site is in Zone 2/3 on the Environment Agency Flood Maps and potentially at flood risk. It is noted a Flood Risk Assessment is included in the Application that contains appropriate mitigation.</p> <p>With regard to the disposal of surface water the site has an increase in permissible area (concrete areas already laid) but no changes to the existing surface water drainage system and no attenuation which should have been included. There appears to be no gullies in the concrete so water which would have been collected in the green areas with now run off the site and potentially affect third parties.</p>
<p>PA/2023/1200</p> <p>ND-4694-2019-PLN</p>	<p><b><u>Outline planning application for 28 houses, 8 apartments, integral garages and access roads, with all matter reserved for subsequent consideration, re-submission of PA/2020/1285</u></b></p> <p><b><u>Humber Road Industrial Estate, Barton Upon Humber, DN18 5BN.</u></b></p> <p>I refer to the above application which is within the North East Lindsey Drainage Board area.</p> <p>The site is in Zone 3 on the Environment Agency Flood Maps and at flood risk. It is noted a Flood Risk Assessment is included in the Application that contains appropriate mitigation, including no habitable rooms on the ground floor.</p> <p>No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. There are currently no plans submitted, as a brownfield site any surface water discharge must be limited to 70% of the actual existing discharge rate.</p> <p>A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on or adjacent to the Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed.</p> <p>Access should be agreed with the Local Planning Authority, LLFA and the third party that will be responsible for the maintenance.</p> <p>This includes the watercourses on the north and east of the site where the current and future owner or adjacent owners are likely to have the responsibility for maintenance.</p>
<p>PA/2023/1326</p> <p>ND-4665-2019-PLN</p>	<p><b><u>Outline planning permission to erect eight dwellings with all matters reserved for subsequent consideration.</u></b> <b><u>Land north of 6 Thornton Road, Goxhill, DN19 7HN.</u></b></p> <p>I refer to the above application which is within the Board's District. North East Lindsey Drainage Board area and adjacent to the Board maintained Butforth Drain Branch 1 (17A) on the East and North of the site.</p> <p>The Board Objects to the current proposals.</p> <p>Reason;- the proposed layout obstructs maintenance access to the Board maintained Butforth Drain Branch 1 (17A) on the East of the site.</p> <p>Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (9m) of the top of the bank of a Board maintained watercourse. At this location the full 9m is required to be kept clear of all obstructions and be a grass surface to enable the Board to maintain the watercourse.</p> <p>Consent is also required for any outfalls and the proposed access culvert(s).</p> <p>No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority Drainage Team 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 discharge rate of 3.63l/s is acceptable.</p> <p>The Board would support the use of SuDS, it is noted that these proposals are not SuDS.</p> <p>Butforth Drain Branch 1 forms part of a wider drainage system. About half way down the watercourse on the frontage of Thornton Road is a major surface water outfall which is at a low level. North Lincolnshire Council has previously considered a drainage improvement scheme which would involve deepening/widening the watercourse and replacing the existing Anglian Water access culvert at a lower level. The proposed layout of this development should take this into account.</p>
<p>PA/2023/1489</p> <p>ND-6451-2023-PLN</p>	<p><b><u>Proposed New Dwelling and Garage, Parbola, Thornton Road, Goxhill, Barrow upon Humber DN19 7HN</u></b> <b><u>Parbola, Thornton Road, Goxhill, Barrow upon Humber DN19 7HN</u></b></p> <p>I refer to the above application. The site is within the North East Lindsey Drainage Board area and adjacent to the Board maintained Butforth Drain Branch 1 (17A).</p> <p>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</p>

	<p>of a Board maintained watercourse. The applicant and agent have been in contact with the Board and it is noted the 9m distance has been left clear of obstructions as discussed.</p> <p>The suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be reconsulted.</p>
<p>PA/2023/1401</p> <p>ND-4111-2018-PLN</p>	<p><b><u>Application to discharge requirements attached to The Immingham Open Cycle Gas Turbine Order 2020 for the construction, operation and maintenance of an electricity generating station comprising an OCGT power station with a gross electrical output of up to 299 megawatts (Requirement 10(3) - Surface Water Drainage - Operation Stage)</u></b>  <b><u>VPI-Immingham Energy Park A, Rosper Road, South Killingholme DN40 3DZ</u></b></p> <p>Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area.</p> <p>The 'Surface Water Drainage - Operation Stage (August 2023) (requirement 10(3))' document is acceptable. It is noted the surface water discharge will be attenuated to 10.81 l/s into the Board maintained South Killingholme Drain Branch 1 (9A) via a riparian watercourse.</p>
<p>PA/2023/1327</p> <p>ND-6575-2023-PLN</p>	<p><b><u>Outline planning permission for the erection of 9 dwellings with all matters reserved for subsequent approval</u></b>  <b><u>Land adjacent to 1 Thornton Road, Goxhill, DN19 7HN</u></b></p> <p>Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area.</p> <p>Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion. Including any culverts and outfalls.</p> <p>No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The proposed discharge rate of 3.73l/s is acceptable.</p> <p>The Board would support the use of SuDS, it is noted that these proposals are not SuDS.</p>

## **17. External Auditors' Notice of Closure on the IDB Annual Governance & Accountability Return (AGAR) 2022/23.**

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

The Annual Return 2022/23 was agreed at the Board meeting on 24th May 2023, subsequently published on the Board's website for public inspection and despatched to the Board's appointed External Auditor PKF Littlejohn LLP on 09th June 2023. The public inspection period was from 12th June 2023 until 21st July 2023. The Board had until 30th June 2023 to approve and submit its Annual Return 2022/23.

The External Auditor has a statutory deadline of 30th September to complete their external audit and publish the formal Completion of Audit Certificate (Section 3 of Annual Governance and Accountability Return (AGAR)). This was issued and received on 7th September 2023.

Part 2 of section 3 of the AGAR had been completed as follows; 'On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met'.

Under the section 'Other matters not affecting our opinion which we draw to the attention of the authority' they have reported 'None'.

This therefore completes the External Audit for 2022/23 and the Board, along with the other 3 Boards in the Witham & Humber Drainage Boards group, have all received the same Audit opinion, so there are no issues to report to the Board.

The Notice of Conclusion of Audit was issued on 20th September 2023 and has been displayed at the Board's depot, on the Board's website and at Witham House office.

Members NOTED the External Audit Notice of Closure on the IDB Annual Governance & Accountability Return 2022/23, and the clean audit opinion.

**18. Governance & Risk Report.**

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

The Corporate Risk Register is being reviewed and will be presented to members at the January meeting.

Regarding Insurance, it was confirmed to Members that all policies are currently in place and officers will commence discussion shortly, for the renewals due in July 2024.

Members NOTED the report on the Risk Register, Insurance and emergency planning.

**19. 2023/24 Financial Report to 31.10.23.**

The financial report as at 31<sup>st</sup> October 2023 had been circulated with the agenda and was presented by the Director of Finance and Governance.

The report had been revised from the previous format submitted to previous meetings. Members were taken through the summary financial position as at 31<sup>st</sup> October 2023, schedules of expenditure from 01<sup>st</sup> April 2023 to 31<sup>st</sup> October 2023 and the Drainage Rates write-off report.

Members were reminded that no Storm Babet costs were included in this report.

The collection rate for drainage rates was 89.5%, very similar to last year at the same point. A court date had been set for 04<sup>th</sup> March 2024 for any outstanding unpaid bills.

There was much discussion around electricity costs. Members were reminded that previously in 22/23 the NEL budget for electricity was £15k. This increased to a 23/24 budget of £90k. For the period of this report these budgets had been sufficient. With storm Babet for October the anticipated monthly electric costs were anticipated to be £6k.

Regarding the write-off of drainage rates accounts, which is a matter reserved to the Board, Members were presented with a list of 21 accounts that were under £2.50. This totalled £36.42 in terms of income value to be written off. There were two uncollectable accounts of £90.55 and £12.24. These related to premises that appear to have been demolished and the postal addresses no longer

exist. There was a further account that requires moving to Special Levy, totalling £47.34.

Following discussion, Members AGREED the write-off of the accounts concerned, totalling £186.55.

Members noted the financial performance 2023/24 for the 7 months period 01<sup>st</sup> April 2023 to 31<sup>st</sup> October 2023.

## **20. Environmental Annual Report.**

A report had been prepared by the Environment Officer, Nick Downing, and circulated with the agenda. It was presented by the Director of Engineering & Technical Services. As a public body IDBs must have regard to the purposes of both conserving biodiversity in a manner that is consistent with the exercise of normal functions such as policy and decision-making. An IDB has a legal duty to protect and enhance the environment, set out in a wide range of legislation.

Members NOTED the Annual Report.

## **21. Land off Kings Road, Immingham**

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

The Board is the owner of a parcel of land southwest 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' – 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. For the benefit of new members, recent events were summarised.

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 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.

Brocklesby Estate expressed an interest in purchasing the land from the Board, initially 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 they would receive a percentage of the value. A revised formal offer was received on the 12th of April 2023 of £35,000 with the Board deciding to decline this offer at the May 2023 Board meeting. No further offers have been received.

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 back in 2020, and this valuation was shared with Brocklesby estate and presented to the Board meeting on 23.06.20.

At the September 2020 Board Meeting, members agreed that sufficient time had been given to ITC/NELC to establish the IMP scheme, but due to Covid-19 to ascertain with some certainty whether the project was likely to get the necessary funding to proceed. It was agreed to leave the matter of potential declaration of land surplus to requirements and a subsequent land sale until at least Spring 2021, taking no further action. Should any further offer for the land or information be received it would be considered at the May 2021 Board Meeting.

It was agreed during the May 2021 Board meeting that:

'The Board decided to not declare the land surplus to requirements and to allow Immingham Town Council to restart the motorcycle project, applying for grant funding to do so. But the Board wishes to see the project started in a reasonable period of one year.'

The time for this has been extended and surpassed, with no acceptable project with access to funding.

The use of King's Road land was brought to the Board again for discussion in 2022, with a reluctance on the part of the Board to agree a new lease or any reassignment of the 2003 lease unless and until NELC fulfils its existing obligation to reinstate the site to its condition prior to the 2003 lease. This may prove costly given the extent of used tyres abandoned on the land. North East Lincolnshire Council who holds the lease would like to assign the lease to a new party. Given an ample extension to kickstart the project the Board received no suitable interest and in August 2023 reiterated its position to the current leaseholder to return the land to its state prior to 2003.

In October 2023 the Board received interest from a party.

'Subject to all planning requirements we would like to develop the site to an overnight lorry park with hard standing and porta cabin with shower facilities.'

There are no further details to share currently with regards to the new interest.

The Board will continue to consider options while proceeding to push the current leaseholder to return the site to its original condition.

Members received and NOTED the report on the land at Kings Road, Immingham and AGREED to maintain the current position of not declaring the land surplus to requirements and not making the land available for use by a third party. In addition, NELC would be reminded of its duty to reinstate the land to an acceptable condition.

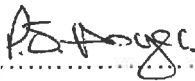
### **23. Any Other Business.**

There were no further items of business, and the meeting closed at 16.13.



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

The next meeting of the Board was confirmed for Wednesday 31<sup>st</sup> January 2024 at 2 pm in the Stallingborough Grange Hotel.

.....  
.....  ..... Chairman ..... 31.1.24 ..... Date

NELDB BM 28.11.23.

