

LINDSEY MARSH DRAINAGE BOARD

Minutes of a Meeting of the Board held at Theddlethorpe Village Hall and via Microsoft Teams on Wednesday, 23rd March 2022.

* Messrs	G.A. Crust (Chairman)	* Cllrs	T. Aldridge
*	S.W. Eyre (Vice-Chairman)	*	D. Andrews
	W. Cooper	v	S. Dennis
	R. Crust		D. Edgington
*	T.H. Heys	v	A.J. Howard
*	J.M. Mowbray		D. McNally
*	R.H. Needham		E. Mossop
*	P.W. Pridgeon	v	W. Parkinson
*	D.R. Tagg		P. Rickett
	Vacancy		Vacancy
			Mrs W. Bowkett

* *Present*

v *Attended virtually*

* Messrs	A. McGill (Chief Executive)
v	N. Kemble (Engineer)
v	A. Malin (Senior Operations Manager)
	S. Stones (Foreman)
*	R. Brown (Technical Engineering Manager)
v Mesdames	N. Hind (Finance Manager)
*	C.B. Davies (Corporate Services Manager)

* *In attendance*

v *Attended virtually*

Members observed a minutes silence in his memory of Mr R.A.D. Unsworth who had sadly passed away since the last meeting.

1. APOLOGIES

Apologies for absence were received from Mr R. Crust, Cllrs D. McNally, E. Mossop, P. Rickett and D. Edgington.

2. DECLARATIONS OF INTEREST

Cllr T. Aldridge declared an interest as a member of the District Council.

Mr T.H. Heys declared an interest in agenda item 12:2 Drainage Rates and Special Levies, Valuation List Amendments.

Mr J.M. Mowbray declared an interest in agenda item 16:3 Delegated Matters - Planning, Byelaws and Supervisory Role, Planning Applications.

3. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

None.

4. BOARD MINUTES (Pages 1629 to 1639)

RESOLVED

That the minutes of the Meeting held on 26th January 2022 be confirmed as a correct record.

5. MATTERS ARISING

None.

6. HEALTH, SAFETY AND WELFARE

The Senior Operations Manager reported that the Consortium's Covid Risk Assessment was being reviewed and would be updated to reflect recent changes in legislation.

Changes to regulations on the provision of Personal Protective Equipment (PPE) would come into force in April 2022, the Consortium already provided PPE to all staff and complied with the changes.

There had been three incidents across the Consortium since the last Board meeting, one of which was in the Lindsey Marsh area. The Senior Operations Manager presented a summary of incidents across the Consortium since April 2021 with six reported in the Lindsey Marsh area. He further presented a summary of the Health and Safety statistics from December 2021 highlighting that the forestry and construction industries, those closest to the Board's Operations had the highest number of incidents.

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7. RISK REGISTER

The Corporate Services Manager presented the updated Risk Register for members information. The specific and long term risks of note for the Consortium and Lindsey Marsh were:

- (a) Finance – Areas of improvement identified included reporting, updated delegated authority and authorised signatories.
- (b) Data Protection – Review of the risk of breach or failure, including audit of processes and updating policies.
- (c) Asset Failure – Risk to the Board from any failures or breakdown of assets, including improved handover procedures.
- (d) Emergency Procedures – Review of procedures, resourcing of equipment and training of emergency relief staff to be undertaken.
- (e) Resources – Review of resources including succession planning and the Consortium Business plan.
- (f) Health and Safety – Improved reporting and recording of incidents and analysing trends, continued use of toolbox talks and briefings to keep staff informed.
- (g) Board members training – Training would be reviewed and a training day arranged.

- (h) Environmental Brief – Annual briefings by the Board’s Environmental Officer to Direct Labour Organisation and Contractors to ensure compliance.
- (i) Governance - Members had been contacted regarding declarations of interests.

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Cllr T. Aldridge arrived.

8. OPERATIONS REPORT

The Senior Operations Manager reported that the winter works programme was progressing well and a review of the programme had resulted in prioritisation of some watercourses with others delayed until the 2022/23 programme. He gave an update on the revised length of 24,208 metres of reforming in the 2021/22 programme of which 6,309 metres had been completed. The revised 2022/23 programme length was currently 20,389 meters.

Culverting work on Rotten Row Drain (Phase two) was still to be completed. Construction work on the River Steeping Lagoon C and D was complete with silt to be spread when dry. Removal of the crane pad on the Steeping River Soke Dyke had been put on hold pending talks with the local Council about alternative uses.

The Hook Loader Trailer and Case Excavator had been delivered. Items of plant which were surplus to requirements had been advertised for sale by tender and details of the prices received would be reported at the June meeting. Sale of the Ford Ranger (FR12UUG) which was beyond economical repair had archived £1,100.

Officers were still reviewing options for the replacement 4x4 vehicles, however, most manufacturers were unable to provide quotes with many closed to new orders. The Board’s 4x4 fleet was ageing but it was not prudent to rush into purchases in the current climate without due consideration, therefore, a report would be made to a future meeting.

The Senior Operations Manager gave an update to members on the use of red diesel. Recent advice from ADA following discussions with HMRC was that red diesel could be used if the Board’s operations were on a watercourse which in any way served agricultural land. Officers had reviewed the 900km of open watercourses and only seven watercourses totalling 6½ km fell outside this. Officers highlighted that if the Board did not maintain the seven watercourses, the agricultural land surrounding would be more likely to flood. Discussions had been held with other boards and their approach differed depending on the area they served. The Environment Agency was moving to white diesel but would not pressure the Board to use it for work under the PSCA as there was benefit to agricultural land. Officers recommended members approve the continued use of red diesel.

In light of the current guidance, Members supported the continued use of red diesel.

RESOLVED

That the Board continue to use red diesel for its maintenance operations.

9. COMPENSATION

A schedule of compensation payments totalling £11,602.76 was presented for approval; these had been paid in accordance with the Board's policy.

The proposed rates of compensation for 2022/23 were presented for consideration and approval along with a copy of the Compensation Policy. The new rates had been calculated in accordance with the Board's policy using figures from the John Nix Handbook, Farmers Weekly and Agricultural and Horticultural Development Board. However, the Senior Operations Manager highlighted that the volatile situation in the Ukraine had resulted in a large increase in the price of Oilseed Rape.

Mr R.H. Needham commented that prices were changing daily and it was very hard to set a price at the moment.

The Chief Executive stated that the Board's policy was to set the rate each March and this had proved effective for the Board in the past. He further noted that in the past costs had gone up as well as down. The Chairman stated that the Board had to set a rate at some point. Mr D.R. Tagg commented that the Board usually set its rate at this time so should continue to do so. Following discussion it was agreed to adhere to the current Policy and set the rate accordingly.

The Chief Executive reported that the Water Management Alliance paid farmers to leave a clear strip adjacent to certain main watercourses and had managed to reduce the number of excavators they use by one. He suggested that the Board consider this in the future. Mr P.W. Pridgeon commented that farmers were putting in margins which may reduce the amount of compensation paid.

RESOLVED

- (a) That the compensation payments made since the last meeting totalling £11,602.76 be approved.
- (b) That the attached compensation rates for 2022/23 be approved.

10. ASSET RENEWAL AND REFURBISHMENT PROJECTS

The Technical Engineering Manager gave the following updates:

10:1 Coastal Pumping Stations Refurbishment - Trusthorpe, Anderby, Ingoldmells and Saltfleet (LM19351, LM19304, LM20305 and LM20306)

The civils design drawings had been finalised and approved, and tenders were due to be returned on the 4th April 2022. It was anticipated that the combined tender for Saltfleet and Trusthorpe would be around £2M, with the work expected to start on the 23rd May 2022. A scale model of the pump intake at Saltfleet had been made and was available along with drawings for members to view.

Works were complex and Officers recommended that a sub-committee comprising of the Chairman, Vice-Chairman, one elected member, one nominated member, Chief Executive, Engineer and two members of the engineering team be set up to review the tenders, interview up to three preferred contractors and make the tender award. The station roof would need to be removed to allow removal of the pumps; this would also allow the new pumps to be assembled off site and more thoroughly tested before installation.

The pumps and control panel for Trusthorpe were being manufactured and the new transformer room at Saltfleet Pumping Station was under construction. It was expected

that the transformer would be installed and energised at around the time the civil contractor started work on site.

Consultations with the Parish Council, affected landowners and Saltfleet Haven Boat Club had taken place and the Marine Licence for working on the tidal side was close to being granted by the Environment Agency (EA). An application to the EA for the works to the Greyfleet Drain was being prepared.

Costs to date were:

- (a) Saltfleet committed expenditure of £1,523,805 against the total scheme cost of £3,199,000,
- (b) Trusthorpe committed expenditure of £929,907 against the total scheme cost of £1,353,000,
- (c) Ingoldmells committed expenditure of £29,351 against the total scheme cost of £1,635,000,
- (d) Anderby committed expenditure of £43,475 against the total scheme cost of £1,370,000.

The Outline Business Case for Anderby had been submitted. Anticipated costs of the scheme had increased as a result of adopting suspended bowl pumps and additional resilience measures. The flood defence grant-in-aid component had been maximised with the Board's contribution increasing by £125,000. It was recommended that this funding was transferred from the unspent telemetry budget (LM20303).

Additional funding for resilience measures at Saltfleet Pumping Station had been agreed by the Environment Agency and released from the contingency fund. Further funding would be required at Trusthorpe Pumping Station and would be supported through flood defence grant-in-aid. Saltfleet Pumping Station was showing an overspend on the financial status report; this was a funding sequencing issue and would resolve in the coming financial year.

In response to Mr T.H. Heys, the Engineer confirmed that Officers had reviewed the operational records for Saltfleet Pumping Station to ensure that measures were in place to minimise the risk of flooding during the works; typically the station only used one pump. Temporary pumping would be installed as well as management of the catchment and the use of connections to other catchments. He did however acknowledge there was an element of risk but measures were being taken to mitigate this. Mr D.R. Tagg commented that in 2007 there had been flooding in June when all pumps were running. The Engineer stated that they were unable to guarantee against an unusual event but would mitigate the risk as much as possible. He was confident the measures would be sufficient and unless rainfall was outside all normal levels, property would not flood and it was unlikely agricultural land would. In response to Mr R.H. Needham, the Engineer confirmed that the work was expected to take five to six months to complete.

The Engineer confirmed that temporary pumping with 2.1 cumec capacity would be installed at Saltfleet and 0.5 cumec at Trusthorpe.

RESOLVED

- (a) That a sub-committee of the Chairman, Vice-Chairman, Cllr A. Howard, Mr T.H. Heys, Chief Executive, Engineer and two members of the engineering team be set up to review and award the Civils Contracts for Saltfleet and Trusthorpe.
- (b) That the Board approve the transfer of £125,000 from the telemetry budget to fund the Board's increased contribution towards Anderby Pumping Station Refurbishment.

Cllr S. Dennis left the meeting.

10:2 Willoughby East Flood Relief (LM22506)

The culverting work proposed by the Board's Direct Labour Organisation (DLO) was expected to cost around £51,000. Officers considered this the best solution for the situation. Local Levy funding of £20,000 was available subject to submission of a cut down Outline Business Case but no flood defence grant-in-aid could be obtained for the scheme. Officers suggest that the shortfall be met from the Small Scheme Allowance budget (LM21452) by releasing £30,000 and recommended the Board approve the transfer of these funds. The final £1,000 was being sought through local contributions.

Mr S.W. Eyre declared an interest as a member of the parish council but highlighted the value of this scheme to the residents of Willoughby.

RESOLVED

That the Board approve the transfer of £30,000 from the Small Scheme budget (LM21452) to fund the culverting works at Willoughby.

10:3 Covenham Pumping Station Refurbishment (LM19300)

Quotations from suitable suppliers for new pumps and a control panel to completely refurbish the existing station which was estimated to be operating at around 40% capacity, had been received and ranged from £28,356.34 to £43,468.00. The lowest price offered a smaller capacity pump and control panel.

It was recommended that the contract be awarded to Inter-Lec Limited at a cost of £32,539.50 as the pumps tendered were a slightly larger capacity and the contract administration and site supervision costs would be reduced should the works be offered to a sole contractor.

The approved budget for the scheme was £85,142 with £11,835 expenditure to date.

RESOLVED

That an order be placed with Inter-Lec Limited for new pumps and control panel at Covenham Pumping station at a cost of £32,539.50

10:4 Emergency Pump Repairs - (LM21302)

(a) Fulstow East Pumping Station

The single suspended bowl pump had been lifted following severe noise and vibration. On inspection a damaged impellor, bent shaft and shattered bearing were found. Repairs had been commissioned and were expected to cost around £6,000.

Over the last year there had been four similar instances of pump failure across the Consortium. Going forward it was planned to install vibration sensors on critical large pumps in order to identify problems earlier; this had already been done at Ingoldmells.

(b) Wainfleet Sea Lane Pumping Station

Pump Two had a suspected blockage for the third time in a year and it was highly probable that there was debris trapped in the sump. A diver survey would be commissioned followed by de-silting of the sump. Pump One had also developed a suspected electrical fault which was being investigated and an update would be given at the next meeting.

Costs to date were £22,811 against the approved budget of £73,000, however, it was noted there were outstanding orders to place before the end of this financial year.

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10:5 Boygriff Pumping Station Refurbishment (LM17352)

The final 2.5% retention held by the Board for the new fish friendly pumps had been released. As previously reported, there was outstanding work to be completed with shotblasting and painting of the piles to be undertaken in the next few months. Reinstatement of the gravity outfall required a de-silting mechanism similar to that planned for Saltfleet. The works would be designed and installed after the system installed at Saltfleet was proven. The project finances allowed for the majority of the work, however, additional flood defence grant-in-aid funding was earmarked.

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10:6 Theddlethorpe Pumping Station Refurbishment (LM18306)

Works were ongoing with pile painting to be completed. The leak from the Great Eau was still an issue when the river level was high and a specialist contractor would be mobilised when conditions were right to monitor and close off the leak.

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10:7 Telemetry System Replacement (LM20303)

The communication issues were gradually being resolved.

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10:8 Thorpe Culvert Catchment Investigations and Culvert Inspections

Officers were expecting a quote from the independent modeller to update the Thorpe Culvert model.

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11. FINANCE

The Finance Manager presented the attached report. The management accounts up to the 31st January showed a predicted surplus at the year end of £191,823.05. The predicted surplus cash reserve, including non-specific scheme funds was 36.51%. The Board had £6,741,047.20 held across five bank accounts.

The Chief Executive highlighted that the non-specific scheme funds enabled the Board to allocate funds to cover upcoming large expenses/future schemes and smooth the rate but could be used if needed in an emergency situation.

Mr P.W. Pridgeon commented on the £6.7 million held in the Board's accounts, most of which was not earning much interest. The Finance Manager clarified that the majority of these funds were allocated to specific schemes and included grants as well around £1 million to meet the expenditures under PSCA and could not be considered part of the Board's general reserves.

Cllr S. Dennis re-joined the meeting.

The Finance Manager presented a schedule of payments over £500 totalling £938,668.55 made since the last Board meeting.

RESOLVED

- (a) That the attached Management Accounts for the period ending 31st January 2022 be approved.
- (b) That the Board's cash balances and borrowings be noted.
- (c) That the attached schedule of payments over £500 be approved.

12. DRAINAGE RATES AND SPECIAL LEVIES

As at 10th March 2022 a total of £4,069,178.99 (99.85%) had been collected in respect of drainage rates and special levies had been collected in full.

A schedule of amendments to the valuation list along with write offs totalling £59.32 were presented for members approval.

RESOLVED

- (a) That the amendments to the Valuation List be approved.
- (b) That the write offs totalling £59.32 be approved.

13. ENVIRONMENT AGENCY AND PARTNERSHIP MATTERS

13:1 River Steeping Catchment - Dredging Project (LM20901)

Dredging work in the Wainfleet Relief Channel had been completed on the entire length between the Three Tons Railway Crossing and the culvert on the B1175 just outside of Wainfleet. Expenditure to date was £1,082,810 against the revised budget of £1,285,000.

Cllr S. Dennis queried Officers views on the Steeping System. The Chief Executive commented that the Environment Agency (EA) had better control of the system, a depth of 1.5m had been achieved with a maintenance programme in place to reduce/prevent regrowth and large sections of bank had been strengthened. The Relief Channel bank was still a risk but this was known by the EA. The condition of the

Culverts under the river at Thorpe Culvert was also unknown and presented a risk to the Witham Fourth IDB area should they collapse. Options for cross connection were being considered, however, storage upstream of Thorpe Culvert was also being considered.

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13:2 All-Party Parliamentary Group for Sustainable Flood and Drought Management (APPG)

The inaugural meeting of the APPG entitled 'Are Our Flood Risk Priorities Right?' was held on 28th February 2022 via MS Teams, attended by members from the House of Lords and House of Parliament.

The meeting was chaired by Mr A. Percy MP and the Board's Chief Executive had given a presentation titled 'Why Not Sustainable Flood and Drought Management? Areas of Special Drainage Need'. Another presentation by Ms A. Green, Policy Advisor on Climate Change and Water at the Country Landowners' Association titled 'The Role of Landowners in Sustainable Flood Management' was also given.

The Chief Executive had explained the work of the IDBs and the areas they protected, highlighting that this included critical infrastructure, industry and tourism, as well as high-grade agricultural land and local communities. Examples of poorly maintained main rivers were presented together with examples of what could be achieved e.g. the work on the Steeping River. He stressed the following points:

- (a) Current policy sees the main rivers/highland water carriers not being maintained to the correct standard in IDB areas.
- (b) Current policy funding is geared to protect people and property does not in its current format work in areas of special drainage need.
- (c) The Current Policy needs adjusting to recognise the importance and need for ongoing investment in the systems that exist.
- (d) We need recognition that the capital system is catchment wide not just the bricks and mortar of the pumping station at the end.
- (e) If we are serious about carbon reduction, we need to invest capital funds across the whole system to improve channel maintenance

Further meetings were planned, and the Chief Executive had offered his services to the Group and ADA to inform their discussions on the way ahead.

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13:3 Department for Environment, Food and Rural Affairs (DEFRA) Meeting

Similar points were made at the meeting with Senior Officers of DEFRA and the EA on 23rd February 2022. They were receptive and keen to hold a further meeting in the near future having had time to consider the points raised.

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Mr R. Needham left the meeting.

14. ENVIRONMENTAL REPORT

14:1 National Internal Drainage Board Annual Biometrics Survey

A report on the ADA Biometrics for the year ending 31 March 2021 for the WMC demonstrated:

- (a) Species recorded included Water Voles, Eels and invasive species such as Giant Hogweed and Japanese knotweed.
- (b) Over 52 Barn Owl Boxes monitored.
- (c) 42 hectares of grazing marsh and low input grassland.
- (d) Three fish friendly pumps installed.
- (e) Control of Floating Pennywort, Giant Hogweed and Japanese Knotweed improvements.
- (f) 43 Staff and nine contractors received biodiversity training.

14:2 Winthorpe Flood Storage Area

The Board's Higher Level Stewardship Scheme would end in November. The scheme had been a success with lapwing breeding, probably redshank and possibly Snipe. Natural England had offered the Board a one year extension on the current scheme, this had been accepted. The site was in generally good condition although the extent of rushes was increasing and control measures would be required after birds finished breeding.

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15. ASSOCIATION OF DRAINAGE AUTHORITIES

Minutes of the Lincolnshire Branch Meeting held on the 23rd February 2022 were circulated for members' information. Mr S.W. Eyre commented that he had given his apologies for the meeting.

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16. DELEGATED MATTERS - PLANNING, BYELAWS AND SUPERVISORY ROLE

16:1 Byelaw Applications

Officers reported that three byelaw applications had been dealt with under delegated authority since the last Board meeting.

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16:2 Section 23 Applications

Three Section 23 applications had been dealt with on behalf of the Board and none on behalf of the Lead Local Flood Authority since the last meeting.

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16:3 Planning Applications

Officers had objected to two applications for the erection of agricultural buildings to house livestock at Sutton on Sea, which did not comply with the Board's policy regarding new development in close proximity to Board maintained watercourses. Officers were in discussion with the applicant in both cases.

Officers had consulted on a further 45 planning applications since the last meeting and appropriate comments relating to surface water drainage were provided.

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17. ELECTION OF MEMBERS

The term of office for elected members would expire on the 31st October 2022 and the election process would commence shortly. Should an election be necessary, it was proposed that this would be held on 28th October 2022 with nomination papers being sent out in September. Officers asked that members approve the election date and the appointment of the Corporate Services Manager as Returning Officer and the Data Protection Officer as Deputy Returning Officer.

It was noted that there were two vacancies on the Board, one elected and one appointed. Members were aware of some interested parties whose details they would pass on to Officers. The Council would appoint a new representative.

The Corporate Services Manager reminded members of the criteria for election. She further reported that the size of the Board was something members could consider over the coming year if they could not get new people to stand.

RESOLVED

- (a) That the Election date be set as 28th October 2022.
- (b) That the Board appoint the Corporate Services Manager as Returning Officer and the Data Protection Officer as Deputy Returning Officer.

18. REGISTER OF MEMBERS INTERESTS

The Corporate Services Manager reminded members to review and return their Declaration of Interest forms if they had not already done so; it was essential that these were reviewed annually for good governance.

Mr S.W. Eyre, Cllr T. Aldridge and Cllr D. Andrews confirmed there had been no changes since their last declaration.

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19. STAFFING

The Corporate Services Manager reported on the difficulties recruiting due to the record number of job vacancies and gave a general update on staffing.

The Technical Engineering Manager had been promoted to Senior Engineer, he had worked in the Isle of Axholme and Doncaster Operations teams and covered in Lindsey Marsh so

had a good knowledge of the areas as well as the skill to undertake the role. However, there was a lot of work to be completed and Officers were looking at the possibility of using contractors to complete the work whilst positions were filled. Other boards used a mix of employed staff and contractors to undertake schemes. The skills and experience of the Board's engineering team were being reviewed and succession planning was being considered. Officers were considering introducing a senior management role to assist with managing workloads, contractors and staff to increase productivity within the organisation. The ideal candidate would not need to be an engineer but have experience of the industry, project delivery, staff management, community engagement and the ability to act as deputy for the Chief Executive.

Mr T.H. Heys commented that Officers needed to find an option which worked for the organisation and delivered projects as soon as possible so that funding wasn't lost.

The Chief Executive agreed that the Board could not stand still and needed to catch up and move forward with projects.

Mr S.W. Eyre proposed that the Chief Executive be allowed to move forward with recruitment of a senior manager and contractors as needed.

RESOLVED

That the Board support the recruitment of a Senior Management role.

20. ANY OTHER BUSINESS

Mr S.W. Eyre reported that he had spoken to the Section 151 Officer at East Lindsey District Council. He mentioned that internal drainage boards were being blamed for the Council's lack of funds and some of the figures presented, particularly on the leaflet sent with rates bills, were misleading. Cllr A.J. Howard reported that Councillors had tried to emphasise the specialist service provided by the Board which the Council was unable to provide and would cost a significant amount for them to do so. Mr D.R. Tagg queried if the annual meetings which used to be held with the Council still occurred, the Chairman confirmed that Officers had attended a virtual meeting, however, very few councillors attended.

Members queried if Officers had been consulted on the proposed nuclear storage facility at Theddlethorpe. The Chief Executive would check with the Planning and Byelaws team and report back to the Board.

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CHAIRMAN