

BLACK SLUICE INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of a meeting of the Culverts & Bridges Committee

held at the offices of the Board on
18th January 2017 at 2pm

Members

Chairman - * Mr J G Fowler

Mr W Ash	* Mr V A Barker
* Mr P Holmes	Mr R Leggott
* Mr P Robinson	* Cllr P Skinner

* Member Present

In attendance: Mr I Warsap (Chief Executive)
Mr P Nicholson (Operations Manager)
Mr J Mitchell (Technical Engineer)

1063 APOLOGIES FOR ABSENCE - Agenda Item 1

Apologies for absence were received from Mr W Ash and Mr R Leggott.

1064 DECLARATIONS OF INTEREST - Agenda Item 2

(a) Britt Broadbent Pension Scheme

A declaration of interest was received from Mr V Barker with regard to Minute no 926(a).

1065 MINUTES OF THE CULVERTS & BRIDGES COMMITTEE MEETING - Agenda Item 3

Minutes of the last meeting held on the 6th April 2016, copies of which had been circulated, were considered and it was agreed that they should be signed as a true record.

1066 MATTERS ARISING - Agenda Item 4

(a) Brick Arch Bridges on Hammond Beck & Risegate Eau - Minute No 919(a)

Mr V Barker asked if this had been progressed any further; the Operations Manager responded that the landowners have no concern regarding removal of these brick arches. He continued to say that there is no interest in the bricks from a historic point of view other than as hardcore.

Mr Barker then asked if he could contact the Charity Farm at Gosberton as he is currently renovating some buildings. The Operations Manager responded he will contact them.

(b) Anglian Water Pipe - Minute No 920

A concern was raised by a Member that an Anglian Water pipe over a watercourse was causing a blockage and the Board could not remove the culvert as it was taking this Anglian Water pipe. The Chief Executive explained that the Board has powers to be able to enforce un-consented pipes to be removed.

(c) Culvert Inspections - Minute No 922

The Chairman asked if there has been any more progress on the culvert inspections. The Operations Manager responded yes the operations team have completed an inspection since the last time this Committee convened and he realises the Operations team could do better. He explained that the problems faced in completing these inspections at this time of year are, that it is too wet and too much water is in the drains. In order to inspect these culverts it would incur a lot of work to reduce water levels. As you progress through the year vegetation grows and water levels drop to an extent that you have other problems. It is factoring in when the best time is to do them to get the best use of the Operations team time. He stated that the Operations team can inspect between 15 – 20 culverts per team, per day.

The Chairman asked has the majority in Swineshead been done; the Operations Manager responded that generally the ones left in Swineshead are because of high water levels which would require temporary dams being placed to reduce water levels before inspected.

The Technical Engineer presented a slide with a spreadsheet which included the numbers of inspections completed. He then explained the identification system:

A – Identifies the ones in the worse condition, very poor and really need to be looking at replacement as soon as possible.

B – Are in poor condition and again need replacing soon but are not causing any problems currently.

C – Are not in great condition but no we don't think there is any current risk or danger that they are going to collapse or cause problems.

D – Basically everything, else fair condition or better.

Mr Robinson asked if this was all of the Boards catchments? The Technical Engineer responded no, this is the catchments the Operations team have inspected so far and not the entire area. He added that we have 2,500 structures on Board maintained drains and 4,000 recorded this includes structures on private drains and side dyke culverts.

Mr Holmes asked if the culverts in the column marked A, have these been identified as "required by the Board" as this would give another dimension of the numbers required.

Mr Barker referred to a spreadsheet used at the Audit & Risk meetings which gives a view of what is to be reviewed over a 5/10 year period, could that type of spreadsheet be used for the long pipelines; the Chief Executive responded no structures have been scheduled for future inspections.

Mr Barker would like to see a schedule detailing the longer culverts; the Chief Executive responded the Officers will look at this in order to bring it back to the Committee next time.

The Technical Engineer presented a spreadsheet explaining that this is arranged a bit differently and includes catchments that have not been looked at all. The Chief Executive interjected that this shows the enormity of the task, 2599 on Board maintained drains, 1357 the Operations team have not looked at all.

The Operations Manager stated that obviously the team realise the value of doing these inspections as it completes the data required, on an average day the Operations team could complete 70-80 per day therefore approximately 20 days for 8 men and 4 vehicles.

Mr V Barker asked if the Operators on the machines have their tom toms recording, could they indicate if a culvert required inspecting sooner rather than later or give an idea of the state of tunnel ends. The Operations Manager responded they can send a message directly from the tom tom or can phone or speak to their Supervisors.

Cllr Skinner asked if culverts not in use and not required by the Board have been identified as due to be removed. The Chief Executive responded that this spreadsheet details all structures in IDB maintained watercourses whether we use it or not it is identified as a culvert on our system. When there is an issue around a structure then the question 'does it come out or is it replaced?' is asked. The Officers will contact the landowner and say the Board are proposing to remove this structure because it is going to fall in or it is at risk of falling in to the watercourse. It will then be asked if the landowner wants to replace it and if so the culvert replacement policy will be acted upon.

The Operations Manager explained the concept that at the minute there is a difference between convenience and a requirement. Arguably if there is a culvert there and the Board need to cross then it will be used. However, it may be that there are 10 culverts within a mile and the Board don't really need all those culverts, only one may be needed. He concluded regarding the Boards responsibility we would only be responsible for that one culvert not ten.

Mr Robinson asked if it is known how many the Board require; the Operations Manager responded that this is what is being identified as the Operations team go through these actions.

(d) Bridge Replacement Process - Minute No 923

Mr P Holmes asked if legal advice had been sought to ascertain the owners of these structures, legal ownership either proven or non-proven.

The Chief Executive responded that there has been no further progress. He has tasked the Technical Engineer with looking at all of the historical data with regards to confirming ownership of said structures. There is a general belief that because this Board, in the past, recovered monies through different granting agencies to construct a lot of these

bridges/culverts that they belong to the Black Sluice. We have very limited factual correspondence stating they belong to the Board. The Board may have been involved in constructing them but it does not mean to say they belong to the Board and realistically if you look at the majority of the positions of the culverts and/or bridge structures why would we want to own them? They are there for the purpose of the landowner or homeowner to gain access from one side of the bank to the other. Why would an IDB want an obstruction in a maintained watercourse?

The Chief Executive stated when the Board are challenged regarding ownership the Board will probably source legal expertise to set a precedence with regard to reviewing the information the Board has to hand and the information the current landowner has. The Chief Executive believes that it will be very difficult to prove that the Board own these structures. The Board have some papers saying that certain bridges do belong to the Board therefore if we have those then why don't we have information for others.

Mr Barker explained that in order to get a grant in the 1970s and later ownership had to be proven. When receiving the 60% drainage grants, when putting buildings up and getting horticultural grants, ownership had to be proven. If the Board did not own it then the landlord's permission for ownership was required. Therefore, if the Board were getting a grant from the Ministry to put structures in during the big scheme that went on in the late 1960s, Mr Barker suggested that there must have been a degree of ownership for the Board to get the grants. Therefore, there should be paperwork to show that.

Mr Barker explained that when these big schemes went in during the mid to late 1960s there were a lot of culverts put in. He can see some of the drain that runs from the Gosberton drain. There are five big culverts in a row where two are regularly used all the time, two occasionally and one never. With regards to the culvert that is never used, if the OS map is looked at it can be seen that there used to be a farm road running down there. One culvert was taken out and another was put in but it is no longer used due to trees growing on it. Mr Barker thinks there was an obligation by the Board to put the culvert back in due to there being a farm roadway.

The Technical Engineer agreed that a lot of culverts were put in because there was an existing culvert there and because the Board was having to do major improvement works on the drains. The existing culverts were going to be the wrong size and wrong level and so they had to be replaced. It was all done under grant aid because they were doing the whole improvement scheme.

Mr Holmes asked if it can be written in that apart from the structures that the Technical Engineer identified that the Board actually legally own and the Board has the deeds for but that it is assumed the Board own nothing else until proven otherwise.

The Chairman asked Members to draw a line under this discussion and come back to this at Agenda item 7, as this puts into words actually what the Members are discussing.

(e) Graft Drain - Minute No 926(b)

Mr V Barker expressed his concern that a lot of effort had been made cleaning out the long tunnel under the house frontages but nothing had progressed further i.e. to put the lining in. He continues his concern by explaining that the longer it is left the more it starts to silt up again.

The Operations Manager responded that the scheme initially developed was the whole length of the graft drain. It was approached through grant in aid but unfortunately only a fraction of the amount of the value of the scheme was received. The long section of pipe was CCTV surveyed, jetted out and cleaned and was proven to be in good condition. The problem with lining this long section of culvert was that it would cost almost as much money as funding was available for the whole scheme. This being in the region of £85k. Therefore, the decision was taken that it would be more beneficial to do the open sections of drain, which have been completed and to replace the culverts which were in disrepair. In respect of going back to re-jet and re survey that culvert the costs are a few thousand against the cost of lining it. Therefore, the Officers took the decision that this time it seemed in a good enough condition to leave for a few more years.

Mr Barker responded that he understands what the Operations Manager is saying but his concern is for the future. It is known that these armco pipes do deteriorate. Mr Barker continues that he would hate to get into the position that they deteriorate to an extent that we have to dig out in front of all the properties.

The Chairman concluded that he was sure that it would be monitored.

Mr Barker wanted clarification that it will be kept monitored and how often. He further asked if it would be left for 5/10 years?

The Operations Manager responded that a five year programme is being worked towards whereby all the boards long pipelines are inspected.

1067 PROPOSAL TO RENAME THIS COMMITTEE TO THE "STRUCTURES COMMITTEE" - Agenda Item 5

The Chief Executive made a recommendation that, whilst rewriting the policy, the Chairman identified that this Committee was formed to focus on culverts, bridges and structures which was fine at the time but it has been realised that there is a broader tasking of this Committee. The Committee are being faced with more and more structure orientated tasks and so we were searching for one word which would be all encompassing which lead to "Structures".

The Chairman believed that we are dealing, particularly in the replacement policy, with a generalised item which is a structure over a board maintained watercourse and really when you come to the replacement policy the issue could be complicated if you start looking at the difference between a bridge and a culvert. Often a bridge will be replaced with a culvert but to clarify and simplify the replacement policy they may be banded under one heading as a structure.

The Chairman asked Members if they were in agreement to go ahead with the name change – all AGREED.

1068 REVIEW OF THE STRUCTURES COMMITTEE TERMS OF REFERENCE -
Agenda Item 6

The Chief Executive presented the “terms of reference” stating that this was brought to the last meeting and was discussed. A couple of points were identified but they were not agreed and ratified by the Board.

The Chief Executive explained that the number of members on the Committee is dictated by the Board and that currently the committee are one member down. A couple of Board Members have been contacted to be invited as the eighth member but unfortunately they both declined. He will be seeking recommendations to approach other Board Members.

The “powers of the committee” is referred to in the structures replacement policy. Delegated powers are fairly standardised for most of the committees. The “responsibilities of the committee” are very broad, they are with simplistic guidelines.

Mr Barker asked if all members of this committee have to be Board Members? He believes that this is an opportunity to invite a Works Committee Member who has shown regular interest to join a Committee before becoming a member of the Board.

Mr Holmes responded that this question had been raised on the Environment Committee as there is one member who is not on the Board and therefore asked that question. The Chief Executive responded that they can because the Environment Committee Member is a member of the Northern Works Committee. There are non Board Members on the Northern and Southern Works Committees who have a voting right at those meetings.

Mr Robinson added that if it is offered to the Board Members and there are no takers then presumably the next step is to offer it to the Northern and Southern Works Committees Members.

Mr Holmes asked if it should be taken to the Board meeting, stating that there is a vacancy on the Structures Committee and that it is being opened to the Board for a start as a courtesy and then widening out to the Works Committee Members. This is the advantage of having Northern and Southern Works Members as it provides a wider pool and selection.

Mr Holmes pointed out in the second paragraph that the Chairman shall be appointed by the Board and not the nominations committee. Mr Barker adds that the nominations committee is to look for future Vice Chairman's and Chairman's of the Board. He would like to think it could be broadened, nothing against any person on the committee but he believes that they are blinkered and that it might feel blinkered to other people.

Mr Robinson asked could the Chairman be selected by the Committee formed.

Mr Holmes believed a Chairman should be proposed and put in place or put himself forward. If there were two people interested in that position, he believes it would go to the Board to select one of the two people who were interested in the chairmanship of any committee, it's a generalisation.

Mr Robinson added that the current committee could put forward a chairman to the Board for selection.

The Chairman asked for any other comments on the draft terms of reference – most Members generally happy with this.

The Committee AGREED to recommend.

1069 REVIEW OF DRAFT: STRUCTURES REPLACEMENT POLICY - Agenda Item 7

The Chief Executive stated that pages 10-13 is a copy of the suspended Culvert and Bridges replacement policy. Pages 14-17 are, realistically, the main purpose of today's meeting to review this policy and it be correctly worded. If approved by this Committee it can be recommended to the Board for approval at the 8th February meeting. He confirmed that it is paramount to have this policy in place.

The Chief Executive stated it has been reviewed by the Officers, it was then sent to all current members by email. The Committee Members came back with some suggestions which the Chief Executive believed have been implemented. The Chief Executive asked if anyone has any further concerns, or have identified any word changes or have any questions to ask about the policy, in particular with regards to the finance. He explains that, very simplistically if individuals enforced the previous policy the Board could, in theory, run out of money for replacing the culverts and bridges because we were offering a far higher percentage replacement to the actual costs. Within the new policy we are offering the financial benefits that it offers this Board and if there are no financial benefit there is no financial offer to replace that particular culvert. The Chief Executive believes the Board may be criticised once it goes out to the public. If and when it is approved the policy will be sent out with the rating brochure and demand notices in April 2017 to ratepayers.

Cllr Skinner asked if this will create more work or is each one considered on an individual basis. The Chairman responded that each one is almost an individual case to be considered and this is a framework around which it is considered.

The Operations Manager gave an example of a structure which is accepted that the Board will use and our contribution is £500 regards to £20,000 replacement value.

The reasoning behind the £500 is outlined for example; if there were 10 culverts in a stretch and one is identified as a crossing point, any other culvert that needs replacing following identification of that one crossing point the Board then don't feel that they have the responsibility for any others. He continues that he would address it that if the Board were looking at a replacement for a culvert and were questioned about responsibility of that culvert from a landowner it would be assessed as to what could be done if the culvert was not there as a crossing point.

If the next culvert was half hour away, for a flail machine to travel up one side and down the other would be half an hour once a year and so if it took an hour for a machine to do the same travelling it would be an hour cross for the machine once a year. Therefore, simply an hour for a machine is £53, half hour for flail mower will be £37.50. Adding them together gives £90.50 and so if it was said that the life of a culvert is 20 years around £1800 would be offered as the Boards contributions towards that culvert for our use throughout its life. The Officers believe that most of the crossing points we would intend to use in that way would be crossed a minimum of once a year. If a crossing point was designated as more valuable, then increasing the contribution would be looked at.

Mr Holmes added that, as a landowner and a Board Member, he was pleased with the Board's work. He believes there is a lot of work being created now but also cutting the work load of the future. He asked as a landowner, if he has the right to refuse the Board's contribution and refuse the Board access to the culvert. The Chief Executive responded that the Board can enforce their right of entry through the Land Drainage Act but there are, generally, along most watercourses alternative routes and access points. Therefore, making the Board review the usual route taken. The Chief Executive added that he feels the Board is, generally, accepted well by landowners. He adds that as farms expand there are less landowners and the Board has an active working relationship with them, perhaps more than realised. He acknowledges that each individual scenario has to be dealt with by its own merits. Mr Holmes asked if the Board were to carry out multiple crossings across the culvert if there would be a larger contribution. The Operations Manager responded that if it was a major scheme then existing rules would apply regarding the replacement of it, i.e. the Board would replace all culverts requiring replacement irrespective of ownership, with the future responsibility being that of the landowner. Mr Holmes added that if the Board were crossing the culvert several times then the farmer would also be benefiting from the improved drains.

Mr Robinson asked if the proposal is for it to be sent out with the rates demands in April. The Chief Executive responded that yes it will be sent out with the rate demand. He added that the next annual meeting for this committee was scheduled 5th April. However, he would recommend that due to it being the time of year that rate demands go out, should the meeting be later on in the year to allow more feedback to be given. Mr Fowler asked if it should be included that the policy will be reviewed on an annual basis. Cllr Skinner added that it would not only be good practice but would also help if faced with a legal challenge. The Chief Executive explains that, like any other policy, it goes on the catalogue of Board policies and these will be predetermined time framed for review.

1070 TO REVIEW A REPORT ON THIRD PARTIES CROSSING OVER SUCTION AND/OR OUTFALL DECKS AT PUMPING STATIONS - Agenda Item 8

The Chief Executive presented a slide detailing various pumping stations being used as crossing points from one bank to the other. A detailed discussion followed centred around the structural integrity of the suction and outfall bays of the pumping stations, health and safety concerns and possible insurance claims.

The Members AGREED to instruct the Chief Executive to seek legal guidance regarding all the issues surrounding the crossings and report back to the next available Board meeting.

1071 ANY OTHER BUSINESS - Agenda Item 9

(a) Date of next meeting

It was generally agreed to hold the next meeting after ratepayers had received the new Structures Replacement Policy and comments received.

There being no further business the meeting closed at 4:07pm.

