

# **BLACK SLUICE INTERNAL DRAINAGE BOARD**

## **MINUTES**

of the proceedings of a Joint Meeting of the  
Northern and Southern Works Committees

held at the Offices of the Board on  
8<sup>th</sup> November 2017 at 2pm

### **Northern Works Members**

Chairman - \* Mr P Holmes

- |                      |                  |
|----------------------|------------------|
| * Cllr R Austin      | * Cllr P Bedford |
| * Cllr C Brotherton  | * Cllr M Brookes |
| * Mr D Casswell      | * Cllr M Cooper  |
| Mr J Fowler          | * Mr R Leggott   |
| * Mr J E Pocklington | * Mr R Needham   |
| * Mr P Robinson      | * Cllr C Rylott  |
| * Mr N Scott         | * Cllr P Skinner |
| Cllr Mrs S Waring    | * Mr R Welberry  |

### **Southern Works Members**

Chairman - \* Mr M Rollinson

- |                   |                   |
|-------------------|-------------------|
| * Mr W Ash        | * Mr J Atkinson   |
| * Mr V A Barker   | * Mr K C Casswell |
| * Mr J Casswell   | Cllr R Clark      |
| Mr R Dorrington   | * Mr C Dring      |
| * Mr A Mair       | * Mr M Mowbray    |
| Mr M E Richardson | * Cllr B Russell  |
| * Mr C Wray       | * Mr J R Wray     |
- (\* Member Present)

In attendance: Mr I M Warsap (Chief Executive)  
Mr D Withnall (Finance Manager)  
Mr P Nicholson (Operations Manager)

Mr P Holmes was called to Chair the meeting.

#### 1184 APOLOGIES FOR ABSENCE - Agenda Item 1

Apologies for absence were received from:  
Northern Works Committee: Mr J Fowler and Cllr Mrs S Waring;  
Southern Works Committee: Mr R Dorrington, Mr M Richardson and Cllr R Clark.

#### 1185 DECLARATIONS OF INTEREST - Agenda Item 2

##### (a) Proposed Development - BB/0367/17

A declaration of interest was received from Mr R Leggott, Cllr Brookes, Cllr M Cooper and Cllr Skinner with regard to Minute 1189(b).

(b) Proposed Development - BB/0317/17

A declaration of interest was received from Cllr Brookes, Cllr Cooper and Cllr Skinner with regard to Minute 1189(c).

1186 MINUTES OF LAST MEETING OF THE NORTHERN WORKS COMMITTEE - Agenda Item 3

The Minutes of the last Meeting of the Northern Works Committee held on 1<sup>st</sup> March 2017, copies of which had been circulated, were considered by the Northern Works Committee Members and it was AGREED the Minutes should be signed as a true record. There were no matters arising.

1187 MINUTES OF LAST MEETING OF THE SOUTHERN WORKS COMMITTEE - Agenda Item 5

The Minutes of the last Meeting of the Southern Works Committee held on 22<sup>nd</sup> March 2017, copies of which had been circulated, were considered by the Southern Works Committee Members and it was AGREED the Minutes should be signed as a true record. There were no matters arising.

1188 TO RECEIVE THE ENGINEERING WORKS REPORT - Agenda Item 7

The Operations Manager presented the Report on Engineering Works:

**2017/18 Defra/EA Funded Grant In Aid (GiA) Schemes**

(a) Donington Malting Lane - Scheme 2098

The Operations Manager presented a slide stating that this site has been included on the Inspection Tours a couple of times over the last few years. We have now achieved Grant in Aid funding for this scheme and continue to deliver what is required along this section over February/March 2018. The slide shows yellow sections which are the sections the Board are looking to concentrate on for replacement. The other sections have either been replaced or are in good enough condition to not need replacement.

(b) Kirton Meeres Culvert Replacement - Scheme 2087

The Operations Manager presented a slide stating that this culvert is a long section piped for a maintained drain which has received funding. This work will be completed in a similar period, February 2018, it will require a lining to the existing pipe and new headwalls once completed.

(c) Damford Grounds & Helpringham Fen Pumping Station Schemes

The Operations Manager stated that funding was applied for these schemes but there were not enough benefits to substantiate Grant in Aid funding to be awarded. Therefore, it has been decided that it was not worth progressing further with either of these schemes.

Mr Leggott asked if the unfunded Grant in Aid schemes would be moved into the BSIDB funded schemes. The Operations Manager responded that, yes, they will need to be reviewed in the budget.

He then asked do we do a benefits equation on which scheme the Board do first to prioritise the spending. The Operations Manager responded that we ought to prioritise where we spend the money first by using a cost benefit in the same way we apply for grants, this type of review should be formalised to the Board. The Operations Manager agreed this would be good practice.

### **2017/18 BSIDB Funded Capital Schemes**

#### **(d) Swaton Drain 36/2 - Bank Stability**

The Operations Manager presented a slide showing an area at Swaton on the Spanby Beck where the Board have carried out improvement works and have been back to site to put in a revetment following the improvements. Originally we laid the bank back to a 2:1 profile instead of a 1:5:1 which is the Boards standard specification – there are still problems with this section of drain standing up, a photograph gives a view of the problems we are encountering there. It is around about a 500 metre section that is still moving. The proposal is to visit this site on the Southern Works Inspection Tour and look at some different methods around what we can do to stabilise that section of bank.

Mr Rollinson asked if that was on Mr Richardson's land, and asked should he be invited onto the inspection – the Operations Manager felt this would be beneficial - yes.

Mr Barker asked about the structure of the soil at water level, the Operations Manager responded that it is predominately clay on the profile of the bank, it's sandy and this is where the problem originates from. We need to look at what methodology we should proceed with and what budget is to be put towards it.

The Operations Manager concluded that the budget for this scheme has been reviewed, and propose this review as a contribution towards the Grant in Aid Schemes at Sempringham Fen pumping station and North Forty Foot and Langrick Road pipeline revetment.

#### **(e) Scredington North Beck Improvements**

The Operations Manager presented a slide showing where secondary revetment works have been completed along the roadway. We were approached by the landowner to go back and locate some land drains we had covered over, which have been found. He presented photographs on screen stating a large amount of this has already been done. The photographs presented are a view of the downstream, showing bank instability. Because it is a highland carrier it reacts very quickly with small amounts of rainfall. The level changes and speed of flow in that channel can increase quite rapidly so its what additional works are required. A light touch to put the channel back into an acceptable specification or we may need to look at some revetment works on the bank. He suggested that this be viewed on the Southern Works Inspection Tour.

(f) Gosberton Fen Pumping Station Refurbish Weedscreen Cleaner

The Operations Manager presented a slide, stating that within this years funding is the refurbishment of the Gosberton Fen weedscreen cleaner. This refurbishment is a new trolley. We have received the trolley which will be fitted and works should be completed in 2/3 weeks.

(g) Billingham Pumping Station Roof

The Operations Manager presented a slide showing the replacement roof at Billingham Pumping Station.

(h) South Kyme Pumping Station - Replacement Control Panel

The Operations Manager presented slide stating this scheme is an upgrade to the control panel which will be a direct replacement for the existing.

(i) Graft Drain Improvements

The Operations Manager presented this scheme which he proposed to carry over into 2018/19. As part of a change in the way that the Board works the Operations team are looking at changing how we deliver our works. He would like to move the budget allocation for this element of work into next year's budget so we can complete these works within 2018/19. An element of funding has been used for the Boards proposed contribution towards the Grant in Aid for Sempringham and North Forty Foot.

He presented the slide showing what has been completed within the funds received with the original Grant in Aid for this scheme. We applied for £300k and we achieved £120k therefore there is quite a lot left to do. We have completed 1.1km of the 3km, the proposal with the allocated funds set aside in 2018/19 that will take us potentially 400m and including the culverts encompassed within that 400m. He would like in the next few years to keep looking at a budget allocation to progress this scheme to completion. He highlighted on the screen three culverts have been removed as part of those initially agreed for removal with this scheme, as a reduction in the number of culverts along this length of drain.

Mr Barker commented that whilst we slugged out the pipe in front of new properties, the longer this is left without putting a lining, in the likelihood is that this will need doing again. The Operation Manager responded that the purpose of jetting out is so that we can survey it to see the condition. Once the pipeline was jetted out that gave us the opportunity to complete a camera survey. The result of the survey gave an "acceptable condition" and this is why we have not lined it. The cost of the liner for that section was £85,000 we had £120k for the whole scheme it was decided we would gain more benefit by leaving that section of pipe, knowing the condition and continue with the drain works on the smaller culvert replacements. Mr Barker accepts what the Operations Manager stated but is concerned that if the Armco starts to go you will be digging it up in front of properties and the cost of this.

The Chairman added that the Board has to prioritise these things. We do like to be proactive rather than reactive but sometimes you have to look at where the money is going to go.

## Proposed Works 2018/19

### (j) Defra/EA Granted Schemes

#### (i) North Forty Foot Drain - Scheme 2103 & 2133

The Operations Manager stated this scheme was originally presented as two separate schemes, the North Forty Foot revetment works, cleansing and also the re-piping the Langrick Road pipeline that joins the North Forty Foot Drain. Both schemes were claiming the same benefit area because they are next to each other. Following a conversation with the EA it was agreed to combine the schemes after re-valuating into one scheme the GiA benefits available are £81,000 but only with the rest of the contributions, £70,000 as a proposed contribution from the Board and following the local levy meeting that the Chief Executive attended if we can prove that all other potential partnership funding from other risk management authorities have been evaluated, local levy are prepared to support this scheme. The local levy support will be £299,000.

The Chief Executive added that the proof will be writing to local authorities to ask them if they have any funding available and you receive back a yes/no answer.

The Operations Manager proposed we adjust the budgets accordingly so we can afford the proposed contributions towards these two schemes, by offering a contribution, commitment towards these proposed schemes from the Board is shown, enabling potential partnership funding through local levy. The Chief Executive added that there were eight schemes applied for local levy, three were from drainage boards, two from the BSIDB and they were both approved and we are quite pleased with the outcome, this is because the Operations Manager and Finance Manager have re-distributed monies from the Board budgets to show the Board is prepared to make a contribution.

The Chairman noted the Members thanks to the Operations Manager and Finance Manager for this work.

Mr Leggott asked if the Board has the required amount of funding for the Boards own maintenance and questioned if we have ring fenced enough budgets to keep it to an acceptable level. The Finance Manager responded that details are in the finance section, it is capital for capital - it means delaying other works into future years.

The Operations Manager stated that the local levy meeting was a few weeks ago and he has now been able to action the business case progression on both of these schemes. We will be looking for approval of the business cases to achieve the funding for both of these in the next financial year.

Mr Rollinson asked if the silt disposal from the cleansing works on the North Forty Foot Drain was going to be a problem, the Operations Manager responded potentially yes it will need to be carted from site.

He then asked could it be placed in ponds similar to the South Forty Foot dredger project. The Chief Executive responded that it is stone lined and there will be a probability that some stone will also be removed or cause damage to the cutter head therefore, it could be a challenge.

The Chief Executive concluded and highlighted on the slide that the consent issues will be house extensions and garages over the red line the site of the proposed works to the Langrick Road pipeline, when these works are undertaken.

(ii) Sempringham Fen Weedscreen - Scheme 2096

The Operations Manager presented a slide stating that this scheme has been in the planning stage for a few years, now with the support being received and look to progress this also he proposed that the Board make a contribution of £27,500 towards this scheme. This scheme originally encompassed a weedscreen cleaner similar to the recently completed one at Horbling Fen. It was agreed that this scheme be reclassified as a refurbishment, this brings greater value to the scheme that the fabric of the building and the outfall to the South Forty Foot can also be included within the works proposed here.

(k) Board Funded Capital Schemes

(i) Jetting

The Operations Manager stated there is a budget for jetting of Board maintained pipelines. This work is ongoing on the works programme. Following the operational team restructure and staff changes that's now been partly resolved so we can work towards this programme on how we are going to prioritise which pipelines we place on the highest priority for future jetting works.

(ii) Culvert Replacement

The Operations Manager stated that the proposal is to re-schedule the times of year the Operations team do particular types of works to include culvert replacement works, it is suggested to move the allocation that we have in for this year's budget for culvert replacement into next year's budget hence why the value of next year's budget has gone up to £68,200.

The Operations Manager outlined in the agenda papers the list of culvert replacements that have been inspected so far and the current culverts the Board will consider for replacement. He highlighted those indicated with "full contribution" he believes they are not the responsibility of the Board and will be looking for full contribution, possibly with a small contribution from the Board, if they provide benefit for Boards use.

The remaining culvert replacements requiring a Board contribution towards the cost of replacement if we have a benefit for future use within the life of the structure. He then presented a slide detailing their locations.

(iii) Culvert No 604 Hacconby Fen

The Operations Manager presented a slide showing a photograph of a brick arch culvert as detailed in the agenda papers, he has met with the landowner and following the meeting the landowner specifically said that it was the Boards responsibility for its future upkeep it's a structure that the Board is responsible for.

There are many potential alternatives but I believe the contributing factor toward its condition is the type of vehicles using it over the years, agricultural machinery, articulated HGV's to access a farmyard which has contributed towards its decline, the headwall collapsing into the drain over the years. An extension of the original concrete slab to accommodate a larger turning circle from the narrow fen road. Discussed onsite about what was possible around the existing structure; potentially we could look to remove the existing brickwork to find some stability to build off, this would be a way forward to put some safety around the headwalls. But this is difficult where you have something good to build off, on a cost you would have to work from a worst case scenario, he believes the time spent to look to put this into a suitable condition you have nearly spent as much money to replace it.

The Finance Manager then presented a slide with a minute from the 14 August 1941 – Division No 3 Works Committee. The Chief Executive reference an agreement dating back to 1887.

*'The Chairman produced an agreement dated 18<sup>th</sup> May, 1887, between the Surveyors of Highways and the Proprietors of lands in Hacconby Fen and Lord Aveland, which was read by the Clerk, who advised the Board that under the provisions of the agreement the liability for keeping the bridges over this drain in repair was imposed on the Board as the successors of the local authority which then had charge of and jurisdiction over this drain.'*

The Operations Manager asked what direction does this Committee deem necessary – what we do moving forward, if it is a structure the Board is responsible for, do we maintain it – to what level do we maintain it.

Mr Rollinson asked if this is the right Committee to discuss this, the Chairman responded that this could be discussed as this is the first available meeting or this could be sent to the Structures Committee. If the structure is repaired, should consideration be given to handing it over to riparian ownership as it's not a structure used for Boards maintenance.

The Finance Manager suggested that unless there is a condition on the Land Registry deeds, this minute does not have any weight unless there is a covenant on the land deeds, there is nothing binding the Board.

The Chief Executive added that the phrase highlighted is the "for keeping the bridges over this drain was imposed on the Board" well in May 1887 keeping that bridge in repair would be for horse and cart so

it's quite contentious we are now talking about articulated HGVs crossing that bridge – if we want to contest it then we could contest it.

Mr Welberry asked could you come to an agreement as it is used more by the farmer than the public it should have a contribution. The Chairman responded that it is whether the Board uses it – the Operations Manager responded we don't have to cross it to maintain the drains, but we have used it for security to park Boards machinery in the farmer's yard overnight.

The Operations Manager stated as previously discussed that if this is a section of drain that has numerous culverts crossings, perhaps use all of them the Board does not need them all but because they are there from time to time we will use them. From a responsibility point of view ones we are going to uphold future responsibility for we need to determine what we actually require to carry out the core of the duties which is maintenance. Then if we need a culvert to access the drain then we potentially only need one access point.

Cllr Cooper questioned repair liability for the original bridge not the extended widened bridge, and who widened the bridge. The Operations Manager responded he does not know who widened the bridge. At some point there has been some repair as in the photo there is newer brick on the top of the headwall.

The Chairman concluded that in order not to set a precedent for the future we probably need to come to an agreement with the landowner for a contribution and then hand it over to riparian ownership and refer this to the Structures Committee. Mr K Casswell asked if this was the only access to the farmyard - yes. The Finance Manager also added that it only serves one landowner.

Mr Leggott stated that this can be dealt with on the Structures Committee but he would like it to go with a comment from some legal representative who can look at this and give a view of the legal situation.

Mr Atkinson stated that this is not a farmyard the properties have been sold off for development, the Chairman added that he believed this is being developed as units and housing. The Chairman asked if any farm vehicles use it and Mr Atkinson responded yes.

The Chief Executive responded to the question Cllr Brotherton asked regarding bridges, he referred Members to the Boards Structures Replacement Policy, which should be followed.

(iv) Graft Drain Improvements

The Operations Manager stated this has been discussed the Graft Drain has a funding allocation for the continuation of these works.



(l) Pumping Station Schemes

(i) Donington Northings Pumping Station – Weedscreen Replacement

The Operations Manager stated that within next year's budget there is an allocation of £90,000 to replace this weedscreen cleaner this is one of the early ones circa 1998/99.

(ii) Donington Mallard Hurn Pumping Station

The Operations Manager stated this is the next station that will have a new roof.

**Drain Maintenance**

(m) Annual Maintenance Summer - Cutting/Flailmowing

The Operations Manager referred to his detailed report in the agenda papers, stating that it has started later this year with both elements of the works and looking to be substantially complete by early weeks in November and programmed to be completed by second week of December 2017.

The Operations Manager added that dependent on the assessment of what type of growing year we have had whether we need to assess the high profiles and what exactly we do programme whether we cut the high profile watercourses again.

We have recovered an element of work for rechargeable hand roding contract on SKDC, Mayflower and some hand roding works for the EA as part of the PSCA which are almost complete.

Mr Barker asked about the three Twiga's commenting that sometimes we are lucky if we have one working, these machines reliability is not what the Board should be expecting and the service we are getting through our Agents/Spearhead in Italy is not good enough. He asked if any other Board has as many Twiga's as this and next year we should pressure the Agents to have one as a standby, as one Twiga is not a year old and breaking down, due to engine faults. The Operations Manager responded, he echoed his concerns, he has had serious conversations with Irelands and Spearhead and will be having a meeting once we have completed the cutting season and we have all the information about the breakdowns and how the team are going to make that relationship better, arguably our concerns are yes the reliability we have had and how we address it. Mr Barker said it's costing us. The Operations Manager responded we are covering with other machines and hiring in machines so programme wise we are still on programme yes we have struggled, no more we have with the excavators within the season.

Mr Ash asked if there was an alternative to the Twiga, the Operations Manager stated yes it is a new Herder machine, we have received an invitation for a self-propelled Herder machine in Holland but unfortunately are unable to attend. We will push very hard to get one of these machines on demonstration as soon as we can and let the competition know that is what we are doing.

The Chairman commented that by owning three of these machines we are coming from hopefully a position of strength. We do not think there is another drainage board that owns three of these machines, Irelands and Spearhead it is not their fault it is the Italian Manufacturers that simply are not providing a buffer stock of spare parts to Spearhead and Irelands. Its seems to be exaggerated because they are not turned around quickly as there is not a stock of spare parts and it's not being mended and the length of down time is due to this.

Mr Barker suggested that you send Spearhead an invoice for the cost of hiring replacement machinery.

Mr K Casswell added that the reason we purchased the Twigas was the first one was one of the most reliable machines which is disappointing that this has declined so it's something to do with manufacturing in Italy, or change of product parts. The Operations Manager stated it does not matter what stops it working it is the time from when it stops and when it re-starts that is concerning.

(n) Prior Notice Given for Summer Cutting

The Operations Manager stated as referred in the agenda papers notices have been issued.

(o) Summer Crop Loss/Damage Compensation

The Operations Manager stated as referred in the agenda papers adding the cutting programme was sent out in the drainage rate brochure.

(p) Winter Crop and Land Loss Compensation

The Operations Manager stated as referred in the agenda papers.

(q) Proposed Desilting, Bushing & Cleansing Works 2017/18

The Operations Manager presented a slide detailing locations of work completed adding that all machines are tracked producing a layer on mapping in the form of a data point. From this information we produce a layer manually input onto the map which gives information what machines works where and capture this yearly and look back historically and see what works have been done where and when.

(r) Proposed Alternative Works Program

The Operations Manager referred Members to the proposed changes and the period we allocate different elements of the work that we do, some of it is quite obvious. For this financial year it is proposed to move some of the scheme budget into next year which is where the construction works will be programmed.

Proposed Revised Summer Cutting Maintenance Program

The Operations Manager stated we discussed at a previous meeting a revised maintenance programme for summer cutting programme with the old Operations team, he would look to develop this further and look at

changing the way we carry out summer maintenance and develop this over the coming years. We look at alternative bank cuts or we decide some sections don't need cutting every year and just flailed so that is how we are going to develop that programme and recover some of the budget we spend on that. Mr Rollinson stated that it is a good time with a new operational team in place when they are meeting landowners and specific issues with alternate bank cuts and it is a good time to go forward with this. The Chairman added the elected members and ratepayers are the eyes and ears of the Board and we have got to be proactive to some of these situations rather than reactive. If the field has been cut a phone call to Paul or the Operations team to notify them that it is clear would not go amiss and any other problem on a Board maintained drain.

The Operations Manager added that some drains where scheme works have not been identified, we may pass through once a year when we are cutting the drain. Therefore the same message goes out to all operators if you see something that does not look right don't assume we know about it the Operations team would sooner get a report from all of them than none at all.

(s) External Recoverable Works

The Operations Manager referred to the agenda papers. Cllr B Russell referred to the amounts of rechargeable works, the Finance Manager responded that most of this is the works at the South Forty Foot Drain with slight increase in PSCA works as well. Mr K Casswell concluded that this is a great credit to the Boards Officers to have achieved this amount of money from the EA and it is a joint effort to get this done and we should be very proud of what we have achieved. Royal Smals have managed to get additional works for the dredger machine.

(t) Health & Safety

The Operations Manager informed the meeting that our health and safety consultants Copes Safety management have appointed a new adviser to the Board as the previous one had retired. The next visit is in December 2017 this is generally a visit to Swineshead depot and working sites in and around the district.

Mr K Casswell reported at the ADA Board meeting, Health & Safety was brought up, in a presentation by Ian Benn. ADA are finding this a very serious situation and would like to collate lots of the Boards to see what is going on because drainage boards are allocated within Agriculture who's H&S record is dire so they are hoping to get something from the Boards to see how good most drainage board's H&S is.

It was RESOLVED that the Engineering Works Report should be received and adopted.

1189 PROPOSED LARGE DEVELOPMENTS

(c) Viking Link Project

The Chief Executive firstly presented a slide which states;

Planning applications have been made by Viking Link and responded to by the Board with regard to surface water discharge, Section 23 culverting, and the 9m byelaw. The Board has stated the requirement for all underground cable crossings to be no less than 2 metres (+ VKL safety distance) under the hard bed of ALL watercourses. This has been agreed with Viking Link via a Memorandum of Understanding, similar to that agreed with the Triton Knoll project.

The Chief Executive presented a slide stating that this is currently in the second round of the Construction Community Fund in relevance to the location of the Viking Link from Sandilands (between Mablethorpe /Skegness) to Bicker Fen. There is a one off £500,000 Community Fund to be spread over two years and there is an annual £40,000 fund for every year that this link is in operation. The parameters are within 5km of the site of the Bicker Bar Wind Farm, inside that 5km radius we have 10 pumping stations. The Chief Executive stated that it is his intention to put together an application for funding for some of the Boards pumping stations. If anyone is more interested on 9<sup>th</sup> November 2017 3pm-7pm at Bicker Village Hall is a presentation on this Community Fund.

The Chief Executive stated the BSIDB, Lindsey Marsh IDB and Witham 4<sup>th</sup> have joined forces with our legal team to assure Viking Link go under every watercourse to implement the 2m plus the Viking Link safety distance under every bed of watercourse. Predominately directionally drilled and clearly they have other interests with Network Rail, EA and Highways.

Mr K Casswell asked about the protection of their site against flooding because it's not the highest place in the fens. The Chief Executive responded that they can be approached to consider this. Mr Rollinson added that the Sub Station is in the lowest place and most likely to flood.

(d) Proposed Development - BB/0367/17

Declaration of interest received from Mr R Leggott, Cllr Brookes, Cllr Cooper and Cllr Skinner.

The Chief Executive presented a slide showing the proposed development he added that all the information provided is either public knowledge or permission has been gained from the developer;

Outline application for up to 1200 dwellings and associated infrastructure at land off Endeavour Park, Boston. Surface water disposal proposed to SUDs via a series of interconnected balancing ponds across the development, with a restricted discharge into Drains 12/1 & 12/4. The 9m byelaw distances appear to have been adhered to.

Probable new culvert in the North Forty Foot Drain to connect site to North Forty Foot Bank and possible future link road.

(e) Proposed Development - BB/0317/17

Declarations of interest received from Cllr Brookes, Cllr Cooper and Cllr Skinner.

The Chief Executive firstly presented a slide which states;

Hybrid full & outline application for up to 200 dwellings and associated infrastructure at land off Wyberton Low Road, Boston. Surface water disposal proposed to SUDs via a series of interconnected balancing ponds across the development, with a restricted discharge into Drain 6/20. However, there are identified 9m byelaw & access issues to Drain 6/20. The access route, show buildings well within the 9m byelaw distance. There is also an issue with proposed trees blocking access. The Board has held a meeting with the developer stating in no uncertain terms that as Drain 6/20 is a critical watercourse, all proposed obstructions must be removed from within the 9m byelaw distance. The Board is awaiting new proposals.

The Chief Executive highlighted to the Members that this is a significant, high profile watercourse and it is cut 4/5 times per year to keep it clear but we have instructed the developer to go back and re-consider the footprint of the house and garages which are contravening the 9m byelaw.

Cllr Austin asked about the bridge which will be required to access this development over a Boards watercourse, the Chief Executive responded that the bridge is in a similar location as an existing one and that bridge will be defined by LCC specification as it will be adopted by LCC.

(f) Proposed Development - BB/0244/17

The Chief Executive firstly presented a slide which states;

Outline application for a residential development at land off the High Street, Swineshead (currently Woods Nurseries). Surface water disposal proposed to SUDs to a new discharge into the watercourse on the northern boundary, which discharges to Drain 4/39 to the east.

The Chief Executive explained that during the course of this application the Officers will be reviewing the discharge point and the future maintenance of the riparian drain down to Drain 39, in all probability a drain to be looked at to encompass for future maintenance with regards to adopting it. It will become a significant watercourse over the years.

(g) Proposed Development - Ashwood Homes Phase 2

The Chief Executive firstly presented a slide which states;

Proposed continuation of the development currently under construction off Station Road, Swineshead. Surface water disposal proposed to SUDs to a new restricted discharge into to Drain 4/44 to the east. Proposed new access culvert to connect to Phase 1 to the north. No structures within 9 metres of Drain 4/44.

The Chief Executive stated this is an imminent plan, and Ashwood Homes have given permission for this to be shown to the Board for information. He is pleased to see that due to more early development negotiations developers are choosing to meet the Board to talk about the byelaws powers and scenarios.

The developers then come back with plans that the Officers are going to recommend for approval because they have no impact on additional surface water flows over and above the green field run off rate into the Boards systems and nothing is being constructed to obstruct our maintenance within the Boards 9m byelaw access.

## 1190 BYELAW MATTERS

### (a) Ashwood Homes Development

The Chief Executive presented a slide detailing a current development by Ashwood Homes. He stated originally on the planning application everything was outside the 9m byelaw and there were no issue and it also met SUDs requirements. He pointed on the slide an orange block which is a garage which is now inside the 9m byelaw line. The Planning Officer noticed this contravention and immediately called Ashwood Homes asking them to suspend works – which Ashwood Homes have done. Ashwood Homes responded that the byelaw line was indicated by a line that the topical graphical surveyor indicated the top of the existing bank (blue line on diagram), the red line is the actual 9m byelaw measurement and this shows that the foundations for the garage are within the 9m byelaw line. Ashwood Home applied to relax the byelaw to be reduced from 9m to 6.5m and retain the garage in that location.

The Chief Executive has spoken to the Operations team, due to restricted access we do only maintain this watercourse from the field side realistically from a mechanical point of view it does not give machinery too much trouble. The ground workers have moved a temporary fence, which delineated the 9m byelaw line and poured the foundations for the garage. The request is a relaxation for the garage to be 6.5m from the top of the drain and the relaxation of the boundary fence (removable) to 6m from the bank top.

Mr Rollinson stated that bearing in mind that this application is phase 2 of the above application if this is left then you do not know what might happen next. Mr Leggott added that a rule is a rule.

The Chairman asked Members for their decision, Members recommended not to the relaxation of the byelaw; Mr Ash proposed and Cllr Brotherton seconded.

### (b) Resident at 160 Six House Bank, West Pinchbeck

The Chief Executive presented a slide showing the proposed development to relax the 9m byelaw to allow erection of a replacement dwelling stating there are several other dwellings north of this which have previously had relaxation of the 9m byelaw again because the Board maintains the watercourse from the west side.

The Chief Executive added that this applicant has two applications to submit that he was also proposing to pipe the drain and if he received that byelaw consent to pipe (which has been done on other sections along this drain) he would not have to apply for this relaxation because the relaxation from a piped watercourse is from the outside the pipe which is further away from the top of the bank.

The dwelling has received planning permission subject to the conditions that the Board implies.

The Chief Executive outlined on the map existing and other buildings built along this drain which have had the byelaw relaxed.

Mr Leggott asked if a structure had been in existence before the drain has been piped and falls under the 9m byelaw there is nothing that can be done.

The Chief Executive stated that the Board has previously consented relaxations along that length of drain.

The Chairman clarified that if the access is only from the alternate bank and the properties/structures are within the 9m byelaw alongside it on that bank. The Members recommended relaxing the 9m byelaw proposed Mr K Casswell and seconded Mr J Wray. Against Mr Barker and Cllr Austin.

## 1191 EXTERNAL STUDIES, STRATEGIES & AGREEMENTS

### (a) Boston Barrier

The Chief Executive stated on the 26<sup>th</sup> October, Matt Warman MP asked the Under Secretary Dr T Coffey has she received the Public Local Inquiry report for consideration which she responded yes she confirmed they have received the Public Inquiry which is now being considered by lawyers and in the meantime the Environment Agency is continuing to make the preparations needed in order to start the Barrier as soon as possible.

Mr N Scott added to this that with his works at the Docks, they have been forewarned that works are due to start November 2018 and will shut the wet dock for 8 months and they are expecting approval in November 2017.

### (b) Black Sluice Catchment Steering Group

The Chief Executive updated Members on the Steering Group, this perhaps has been overtaken by other organisations, strategies etc it still meets and takes an overview of all the different strategies and agreements in the catchment and the next meeting is on the 4<sup>th</sup> December, Mr K Casswell and the Chief Executive will be attending. It is very well informed and has leaders from various organisations, an overview and expert opinion is given and taken from that Committee.

### (c) EA/BSIDB Public Sector Cooperation Agreement

The Chief Executive presented a slide which detailed the works completed on 125km of main rivers for the EA. These main rivers are cut/flailed and have a bank top flail which the EA call a Health & Safety cut – the Chief Executive highlighted that the Officers have indicated to the EA that the cut is encouraging trespass and following any de-maining in future we will talk to landowners and in all probability we will not undertake that bank top cut therefore reducing the invitation to trespass. He stated that the Operations team are undertaking significant amounts of work and the Aebi machine has really come to the forefront of its capabilities.

The Operations Manager confirmed there is high probability that we will be receiving the same amount of work in future years.

(d) Water Resource East Case Study Group (WRE)

The Chief Executive reported on the WRE Study Group stating its rebranding as the "South Lincs Water Partnership" he referred Members to the report on page 28 of the agenda. He added that a correction to the equated size is "Grafham Water Reservoir not Grafton Water", and its not "3 times Covenham Reservoir its 7 times". The high water transfer volume via catchment from the north and he tried to explain this to Members the volumes which are being discussed which is water being transferred per day, 365 days per year for over 100 years is 150 mega litres of water per day. Which equates to 33 million gallons of water per day, or 60 Olympic size swimming pools a day.

This project is still at concept stage if it comes to fruition the scheme is guaranteeing to move 55millions tonnes of water a year through the Boards catchment.

The Chief Executive stated that the Officers have signed a confidentiality agreement in relation to the question the 600 hectares/1,500 acre reservoir it's a large reservoir in all probability the top bank will be circa 15 metres above ground level. To hold 50 million cubic metres of water. Realistically the link is already there from the River Trent to the River Witham and a new link from the Witham to the South Forty Foot – locked each end and this is about 1.5 metre of fall – the navigation link in Boston and a further link from the South Forty Foot anywhere south of the A52 and north of Black Hole Drove. The engineers have stated that the further north they go it balances in level with the River Glen, bottom end of the South Forty Foot is 3.5 metres differential between the South Forty Foot and the River Glen. And that then means quite substantial locks on both ends of the canal that navigation link cannot take 33 millions gallons of water every day so there will probably be an Anglian Water pumping station pumping water from that point to where ever the reservoir is going to be built. The Reservoir will have a filtration/cleansing unit before water is pumped further south.

The Chief Executive direct Members to the WRE website stating there is a lot of information. The current Chairman of ADA (Henry Cater), who stands down at the ADA Conference after 10 years, is in place as the Chairman of the WRE project. The benefits are the increase in resilience and flood protection the project will offer the South Forty Foot by increasing volumes of flows particularly down the Southern end therefore one bank will have to be moved and both banks raised and strengthened.

Mr Barker explained the reservoir could be in three different sites, the fens, away from the fens ie the next valley to Rutland Water, or going south to Peterborough where the old London Brick pits. The Chief Executive responded that Anglian Water have employed Mott McDonald for the past 2 years who have been investigating the whole of the catchment and beyond in regards to suitability regards to ground structure predominately clay, lack of residential property and infrastructure as new infrastructure will have to be built.



There is another meeting coming up in a few weeks and the Chief Executive put this to the ADA Environment Committee and its general response received after looking at Grafham water website states that they embraced it because there was new villages, sailing clubs, outdoor adventure centres. There were some large landowners that welcomed the possibility of their land being part of the construction site seeing it as a positive.

Cllr Brotherton and Cllr Austin left the meeting.

(e) Rationalising the Main River Network (RMRN) - De-maining

The Chief Executive stated that this is moving forward, three public drop in sessions have been completed and he reported on the quality of attendees, in the questions asked. The formal online consultation will go online in December as indicated and if there is no setbacks, no objections etc and we as one of the receiving risk management authorities agree to proceed this will be transferred in July 2018. If there are complications and they can be resolved and they can be resolved it will be December 2018.

This includes the 7 lengths of main river the Board is looking at to de-main. This is a pilot project and the purpose of this project is for the Board to identify the issues, formulations of transfer, so these can be sorted for future de-maining systems which can then be passed out to other I.D.B's or any other risk management authorities who volunteer to receive any main rivers that the EA want to de-main. It's a voluntary project, there are several of these main rivers that arguably one would ask why were they ever with the EA to start with.

Mr Leggott asked about the commuted sum, the Chief Executive responded that it is £83,320 and on the day of transfer, it will be transferred to the Board. The bridges in question have been maintained regularly and they have been inspected and will be put on the Structures Committee agenda for review as the Board has the choice to do what they recommend to the Board.

(f) Black Sluice Pumping Station (Boston) (BSPS) Transfer – Effectiveness Initiative

It was agreed and thereby RESOLVED to exclude the public from the next part of the meeting due to the confidential nature of the business to be transacted, in accordance with section 2 of the Public Bodies (Admission to Meetings) Act 1960.

Mr Leggott left the meeting.

(g) SFFD Embankment Armouring to 'Low Spots'

The Chief Executive reported that the EA are about to commence armouring of the low spots on the South Forty Foot, he is not aware of the where these low spots are. This information will soon be released. The EA need to be visiting the adjacent landowners whether they be agricultural, commercial or residential to inform them they are deliberately armouring low spots to allow water to flow over those low spots. The EA have informed the Chief Executive that they are going through this process.

(h) SFFD De-silting Works

The Chief Executive informed the Members that negotiations are taking place to recommence the works. He stated the third lagoon site is nearly signed up in order to pump into this through the next section from Neslam Bridge to the A52 and then with a view over the next two years from the A52 to A17 Swineshead Bridge. The Operations Manager added there is an indication that money is available in the budget for next year but it will not be released until October 2018.

The Operations Manager referred Members to the capital scheme budgets on page 30 stating this shows where we have trimmed budgets to identify those costs so the Grant in Aid Schemes for the North Forty Foot and Sempringham Fen can be supported. There is an anomaly around the Graft Drain improvements where we have taken and moved figures in detail for 2017/18.

The Finance Manager clarified that the Grant Drain improvements negative reallocation for the local levy contributions should be a negative of £7,500 and the £5,000 you see on the drains scheme column which needs to be moved over and this was previously discussed earlier to give the Board contributions to get the local levy contributions from the RFCC.

1192 TO RECEIVE PERIOD 6 MANAGEMENT ACCOUNTS - Agenda Item 8

The Finance Manager referred Members to pages 41 - 45 of the agenda papers;

- On the Rates, demands were sent out late but we are forecasting at year end there will be a favourable budget by £154.
- Interest budgeted for the year was £5,000 this is not expected to achieve £1,000 because of the state of the current investments.
- Monies spent within the development fund is for works required on the Q1 development so they have been paid for by the developer so the money has gone into the development fund and some of this has been spent on improvements in that area.
- Expenditure schemes as per the Engineers report because of the change in the works programme some of the budget has been differed into next year therefore, there will be a higher spend in the next year when the construction works are conducted between April and July.
- Pumping Station Maintenance, received a Woldmarsh bill which has some of the Electricity bills which are waiting to be analysed, the positive is that we are starting to get bills.
- Drain maintenance £64,000 less than the budget due to the South Forty Foot desilting. This will allow additional work in January, February and March to adopt the new works programme with financial impact.

(a) South Forty Foot Scheme

The Finance Manager referred Members to page 42 of the agenda papers, stating the Audit & Risk Committee requested that the Executive Committee be kept apprised of the situation with regard to the South Forty Foot Scheme due to the size of it.

There has been no movement on this scheme budget due to the works stopping temporarily and the Chief Executive is working with the EA to make sure all expenditure is recovered. The Chief Executive added we are £60,000 in reserves because of the works undertaken in relation to the money being paid and we are looking to recover an additional £194,000 due to the next five years of work involved with lagoons, spreading and levelling soil, soil testing, land agent fees etc. He has not yet received the order from the EA but the Officers within the EA are making moves to expedite this, he has made them aware that the Board is eating into the reserves by the sum of £60,000 to date.

(b) Balance Sheet

The Finance Manager referred Members to page 44, stating a few items to be highlighted;

- Debtors is showing £136,292 compared to £40,263 last year this is PSCA for the EA £66,000, SKDC £30,000 and Chestnut Homes £35,000 for the Q1 Development – these have all now been paid since the end of Period 6 when this was prepared.
- Work in Progress is showing £116,532 compared to £27,845 last year this is the £60,000 for the South Forty Foot Scheme with the EA and also £54,000 PSCA works for the EA waiting to be invoiced.
- Accruals liabilities showing £(196,847) compared to £(33,516) last year this is £167,000 flood defence Grant in Aid money which was transferred from 2016/17 of which two of these schemes are not progressing, this money will be returned to the EA, the remaining schemes will be completed by the 31<sup>st</sup> March 2018, within this financial year. This also includes £30,000 of estimated electricity bills.

1193 TO CONSIDER PERIOD 6 FORECAST 2017/18 - Agenda Item 9

The Finance Manager referred Members to page 45 stating;

- Rechargeable profit has been amended for the South Forty Foot Scheme works and an additional £34,000 included.
- Special levies, an additional £19,000 of income because the budget was completed prior to the penny rate calculations in December 2016, this is a timing issue which has been corrected.
- Expenditure schemes £74,000 has been deferred to the next financial year.
- Pumping Station maintenance is expected a favourable outcome all depending on the rainfall.
- Drain maintenance there is a surplus due to the South Forty Foot PSCA works early on this year which has enabled a move in the works programme as the Operations Managers has referred to previously which is not going to have an impact on the Boards expenditure because the money saved earlier in the year will be spent to readjust that programme in January to March 2018.
- Administration Staff costs there is a small saving due to the change in personnel timed when posts were not filled, we are recruiting for a GIS & Environmental Officer at the moment.
- Equipment, there is going to be an over spend of £9,000 this was for the additional procedures put in place ie the monthly back up costs and the enhanced cyber protection upgrade.

The Chief Executive stated this agenda item is put to the Members for consideration with a view to formally going to the Board. He added some background by saying he is a ratepayer to Lindsey Marsh IDB and he received notice that they were to come onto the land to carry out enhancement works to one of the banks. He and his brother inherited the farm from his late father, he asked his brother to contact the Operations team at Lindsey Marsh IDB to ask about their compensation policy – having received this information the Chief Executive has contacted several other IDBs and realistically the Black Sluice IDB is the only Board which actively looks to pay compensation with regards to crop or land loss. He then realised that other IDBs do pay compensation for crop loss and land loss but only when requested. The Operations Manager and the Chief Executive have discussed this over the years, it is not so much the money which is budgeted for but it's the time and effort our Officers and Administrative staff use/lose chasing the administration to enable the payments to be made which vary from £10 - £1,000.

The Chief Executive highlighted to the Members the line in this agenda report for consideration;

**“The Board will pay compensation for injury (crop loss) suffered if requested.”**

The Chief Executive stated “injury” is the legal terminology for crop loss. The significant changes of crop loss by the area, and after talking with other IDBs in particular Lindsey Marsh IDB where it works extremely well, they pay a lineal measurement because they are working on tractor widths or tracked widths of damage crop. Clearly, it would be down to whether this is adopted, this is a proposal for this Committee to review. There will be a lot of emphasis put on the Boards operators to record one wheel on the headlands track, top of bank in the crop. Consideration as to whether the machine, excavator follow the flail or twiga following the same track, there could be lots of scenarios then this becomes a recording scenario by the operator and we can look on our mapping the length of the field and record the field on data sheets. This would mean that Officers do not then have to go out and meet with whomever to take lineal measurements and hand the crop loss form for signature, which is taking a lot of time for Black Sluice Officers.

The Chief Executive then referred back to the compensation rates detailed in the agenda papers and he commented that the Board very rarely track through fields of sugar beet, potatoes, brussel sprouts etc. Its predominately cereal and oil seed rape. The summer cutting ie weed cutting rates for all cereals and rape and detailed below is a valuation of the old system compared to the new system and the Chief Executive believes the Board offers very generous rates in regards compensation rate.

Cereals:

old system 1000m x 2.00m width x £1,495 per hectare = £299.00  
new system 1000m x 25p per metre = £250.00

Oil Seed Rape:

old system 1000m x 3.00m width x £1,495 per hectare = £448.50  
new system 1000m x 44p per metre = £440.00

### Summer Drain Maintenance (Weed Cutting)

The Chief Executive asked in the future commencing July 2018 if the Board travels through a standing crop there will be a compensation lineal rate paid for cereals at 25p per metre and oil seed rape of 44p per metre and root crops will be subject to private negotiations, there will be no compensation for grass land. Regarding the root crop compensation he believes there is a "green book" it is the agricultural based productivity and costing book released annually these are the books other IDBs use to calculate the value of the crop that year so if we do happen to go through sugar beet its that book rates to be used in a formula behind the compensation.

He then asked Members if they wanted to agree, or discuss with the Operations Manager which reference book or formula to use as long as it is a recognised format.

The Chairman asked for questions on compensation rates, Mr Rollinson felt that if the book was John Nix then he would be quite happy but then we did have a case of daffodils last year, the Chief Executive responded that then common sense would prevail and Officer specific negotiations on site.

Mr C Wray asked to clarify that currently the Board offers the compensation and this would mean subsequently "if requested", the Chief Executive responded yes – Mr Wray then added do you think this will have an effect on the current relationship you have with landowners this could be a very different relationship.

The Chief Executive explained that Officers chase farmers for damage crop where we get to make the offer, then landowners say no thank you for what the Boards does you can keep it.

The Chief Executive clarified that it is the hidden costs in the staff involved with chasing to be able to make the payment.

Mr Scott asked who are you chasing, you go through 100 metres of Dring farm who has to chase what. The Chief Executive explained that if the Board goes through 100 metres the Officers are going to meet with you to discuss 100 metres by what? To agree because the Board pays it by the square metre and it is chasing to agree the area.

The Chairman asked for an approval for the linear rate to be used, yes members agreed.

### Other maintenance works (de-silting/bushing)

The Chief Executive explained there is some confusion regarding notification and non-notification. With regards to notification you can prepare those fields but also there is a caveat within the notification we actually might not turn up due to problems or emergencies.

The Chief Executive would recommend to use rates £1,310 per hectare whatever the crop is in the field for spreading and levelling the desilting or the aggravation, disturbance of that crop. If notification is not given, ie sometimes we have to attend for emergency works or unscheduled works perhaps you have cultivated, drilled there is an enhancement on that rate be it cereal or oil

seed rape enhancement. That is in line with similar percentage configurations to the crop loss for the summer crop loss.

Cllr Rylott left the meeting.

Mr Scott believes that this is the Boards main interaction with the ratepayers and this is an emotive subject and these are the things which come back on you. A scenario is that you could get ratepayers suddenly finding a digger on the cropped land, then you have put the onus on the ratepayer to request the compensation to do the admin this is emotive. The linear thing is fine.

The Chief Executive stated if there is any change in policy this can be detailed within the Rating Brochure which is annually sent out to all ratepayers there will be a headline that there is a policy change, this is the contact for you to formulate a request for compensation to make it come across in the right way. We have the new Officer in the Operations team he is fronting engineering works, he has time now before the summer cutting to meet some of the larger farming fraternity and make contact we don't want to be in the emotive position we want to reduce the level of conflict.

The Chairman believed if we go to the linear payment which is correct the Boards Operations team will have that linear distance, but as farmers we would not have the distance so by going to linear payment it would be easier for the Board to pay it on the operators recorded track. The farmer cannot invoice it unless he goes and measures it or asks the operator by linear payment it would be far easier for the Board to pay rather than the farmer to invoice the Board.

The Chief Executive clarified that going back to the summer cutting it is a linear payment pay on linear but not on request it's just an automatic payment.

The Chief Executive added that some farmers decline the payment – Mr Barker asked what percentage of farmers turn the money down, the Chief Executive very low.

The Chairman confirmed to the Members that the recommendation is to go to linear payment but still the Board drives it in the same way as previously, rather than the farmer/landowner proposed by Mr J Atkinson, seconded Mr D Casswell.

Mr K Casswell left the meeting.

#### Permanent loss of land

The Chief Executive referred to the agenda item stating there are not changes recommend this will be the same process and the same rates and compensation as detailed. He asked for the Members ratification to continue the same.

The Chairman asked for approval for continuation of the same process regarding permanent loss of land, proposed Mr W Ash, seconded Cllr Brookes and abstained Cllr Russell.

1195 REPORT ON RAINFALL - Agenda Item 11

The rainfall figures were presented, copies of which had been circulated. The Operations Manager concluded that the Chairman had requested some detail from the Boards telemetry. He presented slides showing the information obtained for October 2017 which shows a very dry month, he then presented rainfall currently showing for up to 7<sup>th</sup> November 2017.

There being no other business the meeting closed at 16:44.

