

BLACK SLUICE INTERNAL DRAINAGE BOARD

MINUTES

of the proceedings of a meeting of the Structures Committee

held at the offices of the Board on
21st March 2018 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 P Green (Works & Engineering Manager)

1246 APOLOGIES FOR ABSENCE - Agenda Item 1

Apologies for absence were received from Mr W Ash.

The Chairman welcomed Paul Green (Works & Engineering Manager) to his first Committee meeting.

1247 DECLARATIONS OF INTEREST - Agenda Item 2

(a) Culvert 2931 - Minute 1070

A declaration of interest was received from Mr V Barker with regard to Minute 1251.

1248 MINUTES OF THE STRUCTURES (NEE CULVERTS & BRIDGES) COMMITTEE MEETING - Agenda Item 3

Minutes of the last meeting held on the 18th January 2017, copies of which had been circulated, were considered and it was agreed that they should be signed as a true record.

1249 MATTERS ARISING - Agenda Item 4

(a) Anglian Water Pipe - Minute 1066(b)

Mr R Leggott asked if the Anglian Water pipe issue has been resolved, Mr Barker added that the drain has been done out and both pipes are still there.

The Operations Manager responded yes the one referred to is adjacent to Gosberton Road and he believes that the culvert was put in by Anglian Water to carry those main across the drain and there are two individual crossing points within the same drain the responsibility belongs to Anglian Water. He further added that it is a length that the Board is considering 'giving up' it is currently Board maintained. Mr Leggott asked if it deteriorates then the Board may need to remove it, the Operations Manager agreed yes if it deteriorates we would look to remove it and recover the Boards costs.

Mr Barker believes the culvert could not be removed as it is supporting the Anglian Water pipe, the pipe is inlayed into the soil. The Operations Manager responded yes we may need to investigate more and if the culvert is causing a blockage while it is still a Board maintained drain then the way forward is to address that blockage, Mr Barker stated that the blockage, has been cleared from the culvert.

The Chief Executive asked if this pipe was one of the large diameter pipes that we often come across and unfortunately have hit one of the air valves before, these pipes are in a couple of places across the South Forty Foot Drain. Mr Barker responded no this is one of the smaller pipes, the original one went into a plastic pipe supplied from an Italian supplier in 1976 which has fractured in many places Anglian Water replaced it with another pipe running parallel to it.

(b) Review of Structures Committee Membership - Minute 1068

The Chief Executive reported that he had contacted three different Board Members with the suggestion to fill a vacancy on this Committee. All three were initially very interested but when he explained some of the areas this Committee get involved with, all three unfortunately declined.

The Chief Executive has spoken with the Chairman and the suggestion is to go back to the Nominations Committee who will sit at the end of this year which is an election year in order to look at the continuation and see if this Committee can co-opt a Works Member.

The Chairman asked if this Committee could co-opt a Works Committee Member – the Chief Executive responded if this Committee is happy to co-opt from the Works Committee then we can bring Works Members onto the Committee, Members generally agreed yes. Mr Holmes reminded the Committee we have a Works Member on the Environment Committee.

1250 REVIEW OF THE STRUCTURES REPLACEMENT POLICY - Agenda Item 5

The Chairman presented agenda item 5, which is a review of the Structures Replacement Policy, stating this was fairly well reworked at the previous meeting. The Chief Executive stated this is an annual meeting so clearly it is right and proper we present to the Committee annually for review. He stated the Officers have not seen anything that requires immediate attention he asked Members if they had any suggestions.

The Chairman added the policy was adapted last time to pre-empt any situation which might arise and we have not had any situations arising which have not been covered. The Chief Executive reported that this Committee agreed to give notification to all drainage ratepayers that the Board had amended the Structures Policy and a copy of the policy was included - we did not have a single response, we can only assume that it was accepted.

Mr Leggett asked if a copy had been sent to Lincolnshire County Council, the Chief Executive responded he did not know, if they are a drainage ratepayer they most certainly would have had a copy. Mr Leggett referred to section 6 in the Policy "structures carrying Highways maintained by LCC". The Chairman added Highways and footpaths, the Chief Executive responded that this will be picked up as an action point from the minutes this will be sent out to Highways or any other organisation which is listed within this document. The Chairman believes this is a very good point, a copy to the Highways Department particularly that they can refer onwards. Mr Robinson asked if Boston Borough Council are a ratepayer perhaps they should have a copy also.

Mr Barker asked how much is the contribution made by the Board. The Chairman responded that there is a formula depending on the usage by the Board over that culvert or bridge. The Chief Executive referred Members to section 6.6 (b) – the end result is if the landowner/ tenant cannot agree with the benefit contribution calculation it comes back to this Committee to be agreed in line with 6.6(b)(iii). Mr Barker asked does the size of it come into it, the Operations Manager responded that if it has a value to the Board then that value is quantified by the distance we have to travel to use it if it's not there - if we had to travel to the next crossing point that's where the value to the Board comes over the 20 year life of the structure. Mr Barker thought it was relevant to the size of the culvert, so size is out – ok.

The Chairman then went through the document page by page, and asked if any Members had any amendments. The Chairman then noted in the minutes that we have reviewed the Structures Policy and recommend to the Board for approval.

The Chief Executive stated that a revision date be placed on the policy.

1251 REVIEW OF ACCESS BY THIRD PARTIES USING PUMPING STATIONS AS CROSSING POINTS - Agenda Item 6

The Chief Executive outlined that this agenda item has come about following a review as agreed in minute 1070.

The Chief Executive stated that a review will be carried out on all structures predominately pumping stations structures with regards to third parties crossing them for numerous reasons and at numerous pumping stations. He stated he has only listed a few of the pumping stations where we are clearly aware of them being used as crossing points, for vehicles, livestock, pedestrians. He stated he has spoken to our Solicitor who has proposed some points for consideration – items 1 to 4 on page 14 which can be discussed in more detail but quite simply each agreement will be bespoke with each person who's using the crossing points.

The Chief Executive presented some photographs on screen at Ewerby pumping station whereby livestock are driven over the suction bay. He described a scenario whereby a workman at night slips on a cow pat, cuts his head on a railing and falls into the water – who's responsibility is it, where's the liability? Therefore the agreements will cover liability and responsibility. The suction bays were not constructed to carry weights of this kind ie tractor/trailer therefore adequate insurance cover for structural repair would also be required. He explained that each pumping station is bespoke, moving forward we would post a notice on each side of the crossing point to inform said third parties that we are proposing to close this crossing point off and invite them to correspond with us to arrange a meeting to discuss further. The discussions will go along a line of common sense - I would like to make sure you are adequately insured for injury, adequately insured for structural damage and within that process there will be an agreement with you with regards to percentage covering costs to erect said gates and locks and in exchange for that agreement and financial settlement a chain and a lock will be put round both sides and you will have your own padlock so you can cross it in line with the agreement – we will leave this to solicitors.

The Chief Executive then presented on screen Black Hole Drove it can only be used as a pedestrian crossing point, but it's quite a remote crossing point and he believes there are quite a few people who use it ie fisherman, dog walkers. He explained that he has spoken to a legal brief to find out if the Board can be challenged with regard to what we are wanting to do, - the Solicitors have come back and said “no you cannot be challenged”.

The Chief Executive then presented Swineshead pumping station photographs showing replacement railing which have just been completed. He would argue, although he has not pursued this, they have been pushed over by continual cattle movements whilst livestock have been grazing the EA banks. If this is the case in the next few years the railings may get pushed over again by cattle using those banks. The tenant on that EA bank is probably going to want to continue to use the access for the cattle so that agreement will be ok if kept clean but if and when we find damage to hand rails we will replace it and charge the tenant for it.

Mr Robinson asked if there could be an issue if they “have been doing it for a number of years”, the Chief Executive responded that yes this was his concern but apparently, there is not, again we await legal opinion.

Mr Barker asked in his own case the Dowsby Lode he has a letter with permission to put a bridge across for the said grazing he has never done it but do these people have a letter of agreement to have a bridge across. The Chief Executive responded we are hoping to glean this from them once they see this notice and show us the agreement and then we can discuss and agree a way forward.

The Chief Executive referred Members to the screen displaying Great Hale pumping station showing recent tyre tracks. He stated to the north of the pumping station there is a network rail line, there are new owners of the large area of land on the north side and also a smaller field which is on the south side of the Great Eau pump drain.

The new owners are crossing Great Hale suction bay with a 8/10 ton tractor and at harvest with a 10 ton trailer full of 15/20 tons of grain these suction bays were not designed to take these weights. He posed the question would these people using that as a crossing point with heavy agricultural equipment be adequately insured, and the day that collapses are they adequately insured?

Mr Holmes and Mr Barker both said no it will be too late, that is a tenanted farm and the tenant who may have done the damage may not be the tenant necessarily in situ when it collapses.

Mr Barker added when it collapses with a tractor and trailer dragged into the drain and there is a serious accident at that point it is too late we need to have weight limits put up and to be observed and the owners and occupiers of the land on both sides to have recorded letter sent to them accordingly. It's our own insurance.

Mr Robinson expressed it could be a sprayer or anything else which falls into the drain which could mean a pollution issue as well. The Chief Executive responded that the preferred line and approach is that we have a Structural Engineer calculate a weight limit for any crossing points that we know are being used by vehicles. A weight limit sign is placed either side of the pumping station and an agreement is made that nothing travels over that structure above that weight limit, Mr Barker added it should be put in a letter to the occupiers/ tenant on both sides.

The Works & Engineering Manager stated we have carried out a duty of care by putting the signage up that is the maximum and that is on site.

Mr Holmes believes it should be a zero tolerance approach to the whole thing, they are Board structures and they were not designed for traffic and certainly not designed for heavy traffic. He added that the liability of anything going wrong, if it collapsed and for someone to slip into the drain and the structural damage to the actual crossing it might also be damaging the building he felt we ought to gate and lock them and that's it.

Mr Holmes then concluded that perhaps put a 2 or 3 month warning sign stating this is private property and the Board will be locking it and this is due notice that we are going to do it, so they can make other alternative provisions. The Chief Executive clarified that this is a closure notice as such in all instances.

Mr Holmes remarked that Black Hole Drove its pedestrian access we should probably put a sign saying its pedestrian ie at your own risk. Mr Barker added Black Hole Drove is already gated and locked on the eastern end. The Chief Executive added that other pedestrians do still go over the gate. Mr Barker thought it might need a different type of gate.

The Chairman remarked that each pumping station is an individual case there maybe some history that needs investigating on each individual case some of these crossings look like they have been put in for the benefit of landowners on both sides as much as for the structure of the pumping station. Cllr Skinner there will be an established right of way if it is being used over a certain period of time.

Mr Leggott acknowledged and agreed with the issue of public notices on site but felt the weight limit should be zero obviously carry on with the structural surveys which will give the Board expertise from a third party on why they intend to close access.

The Chief Executive explained the purpose of bringing this to the Committee today was to get a general opinion that everybody is ok this is not going to be fixed over night it will take some months to develop but there is not any general objections to moving forward with legal assistance to promote the best way we can go forward with regard to restricting access particularly vehicle access across the outfall or suction bays at pumping stations.

Mr Robinson asked why was the access at Great Hale pumping station so much wider than the crossing at Swineshead or Black Hole Drove, could there be a reason why they are different in widths. The Operations Manager responded that in this particular case the Board use this for access because BSIDB need to get across to the back of the station where the dump area is to clear it. Mr Robinson clarified that you will put a weight limit on getting across then BSIDB will send a big digger across. The Operations Manager responded that we need to be assured from our own point of view that it's safe to cross. Paul Green clarified if it is a private issue you can have a managed way of getting across under strength structure, you can manage your way across there because it's your own site if it is public accessing the route then you have a public weight limit to protect the public because you cannot manage what they are taking across.

Mr Leggott added I think our insurers might be very interested in that.

The Chairman stated that he believes it divides into parts one being damage partly by vehicles or damage to the structure it also divides into the liability the Black Sluice for personal damage in terms of personal accident. The insurers and solicitors consulted to see how waterproof/watertight any signage negating our liability would be on these structures whether you can opt out of liability for personal accidents particularly. The Chief Executive stated we will continue to develop this process in all probability we will put it into a policy and if that policy goes to the Board prior to the next sitting of this Committee it is going to take some time.

Mr Robinson asked are we going to do a structural check of these pumping stations or are you going to put notices up when do you propose to do this. The Chief Executive we know what we want to do its understanding the legal responsibility and running order so we will seek advice again on that and we will follow that advice because we will be challenged.

Cllr Skinner stated that unfortunately we have identified that a problem and recorded it under the 1999 Management Health & Safety Act we have now made ourselves duty bound to actually deal with that quite quickly. The Works & Engineering Manager stated that it is an instant response, Cllr Skinner agreed yes.

Mr Leggott believes the instant response is the surveys for a start.

Cllr Skinner stated if you have identified anything and there is potential risk there you have to stop it. The Works & Engineering Manager stated closure until the surveys says we can take this type of traffic over there. Cllr Skinner agreed yes this is in essence where you are.

The Chief Executive asked is it the direction of this Committee that we close immediately all suction bays or outfall bays we identified are being used by vehicle traffic. Cllr Skinner responded I don't think you have a choice until you can open legitimately following a full structural survey. The Works & Engineering Manager added that perhaps an example of a consequence – if on one of the large pumping station it could be during an event you have a vehicle going across there and it collapses and puts that pumping station out of action for a very long time and then you have the insurance of the flooding fields and properties due to that pumping station being out of action so it can get big very quickly.

Cllr Skinner added that it also makes it awkward for the Board as well be careful it's quite a double edge sword we have identified it now.

Mr Holmes asked how many of them would it seriously impact the operations team if they were shut and we were adhering to our own closure ie with access to weed dump with a tractor and cart. The Operations Manager responded at Great Hale pumping station if we were doing a managed crossing, we would just cross with the teleporter. Mr Holmes asked would that not be above the weight limit then? The Operations Manager responded that's unknown that's the question it's not going to be a 20 ton vehicle it's a 5 ton vehicle, and it's also a managed crossing.

The Chairman asked do regular non Board users also classify as a regulated crossing if they have permission to use, have the key to the gate and a letter saying they are allowed to cross does this classify as a regulated crossing therefore not necessarily governed by the Board weight limit.

The Chief Executive responded regarding Ewerby that the EA tenant is transporting livestock and taking them over the suction bay side I would think if he had not got that means of crossing it's pretty difficult – it's a very remote area he obviously tenants either bank. Mr Holmes reinforced that is not the Boards problem. Mr Robinson added that if you have a Health & Safety issue it's an issue whatever way you look at it. The Operations Manager concluded that if you cannot manage the risk you have to remove the risk this is the stance the EA have taken they have quantified all their crossing points as zero capacity. Mr Holmes suggested that the precedence has already been set maybe this could be used.

Mr Leggott commented liability for damage most farmers have a public liability and they might have to up it a bit if they told the insurance agent what is to be included but it is possible to deal with this for owner occupiers if they have to take up the responsibility of damage to any of these properties. Mr Holmes queried if it could be proven their liability if it was them that caused the collapse. Mr Robinson also queried if it's damage was now or was it damage in the past that has now compounded. The Works & Engineering Manager concluded it is the responsibility of the Board to make it clear these structures are either fit for purpose for a certain level of vehicles or not.

He explained that if there is an issue, it is a Board structure and the Board has not told people whether it has the strength to take vehicles and he doubts that an Engineer would be able to say any of those concrete slabs could take any more than 7.5 ton capacity they would want intrusive testing to see what they are actually made of in the first place.

The Chief Executive clarified that at this moment in time we have identified certainly three pumping stations that either the outfall or the suction bay are being used by vehicle traffic by third parties because we have identified that risk and the uncertainty of weights and we will go and temporarily or permanently close those crossing points, leave notification on site how we are best contacted by the people who have previously used those and continue to investigate the correct legal process to follow reference vehicle, pedestrian and livestock crossing with a view to managing those crossings to eliminate Health & Safety issues and future structural damage.

Mr Robinson asked are you then proposing to just turn up and put a barrier across or are you contacting interested parties beforehand as a courtesy.

The Chief Executive stated, subject to approval of this Committee, his proposal will be to immediately close them leaving notice of how we can be contacted by the third parties who are using them so if required and be involved with a controlled crossing ie what we are prepared to let cross in the time being while we follow the legal weight issue, each one is bespoke and unique.

Cllr Skinner indicated that the EA have obviously done this, have we got the history on what grounds they have done this to use as a precedent – the Operations Manager responded our recent involvement in the work we carry out for them that's highlighted the fact all of their crossing points are zero rated.

Mr Holmes asked as these surveys could cost £200 / £250 each does it need Board approval or can this Committee approve these surveys. The Chief Executive responded probably not, therefore let the Officers get some quotations from Structural Engineers. The Works & Engineering Manager concluded that the Structural Engineers may need to break into the structure to see what condition the steel is in in order to assess it.

Mr Leggott suggested just out of politeness, he believed the Board should notify the tenant in question what is happening – Members agreed. The Chief Executive responded that he totally agrees, he will ask the Assistant Pump Engineer during his travels to make any visual inspections, to quantify which pumping stations are being used as crossing points and by what and try to identify the people involved. The Officers don't always know the tenants details therefore the purpose of a notice to contact the Board will be useful.

Mr Leggott asked, regarding funding is there budgetary funding available or can the Executive Committee sanction spending, the Chief Executive responded he will investigate and go direct to the Executive Committee.

1252 TO APPROVE THE PROPOSED STRUCTURES REPLACEMENT PROGRAMME - Agenda Item 7

The Operations Manager stated at the last Board meeting it was proposed we would reevaluate how we spend our budgets going forward we have decided we would take the current budget for culvert replacements in the current year 2017/18 into next year hence why we are showing both replacements spreadsheets.

Table 1: Proposed Culvert Replacements 2017/18

	Culvert Number	Location	Size		Cost Estimate
1	1253	Horbling Fen	40m x 0.6m	C	£8,000
2	1283	Aslackby Fen	12m x 0.6m	C	£5,000
3	755	South Kyme	12m x 0.9m	C	£7,000
4	1959	Gosberton	15m x 1.2m	C	£10,000
5	1795	Kirton/Frampton	12m x 0.6m	C	£1,500
6	2928	Kirton/Frampton	12m x 0.6m	C	£1,500
7	2880	Kirton/Frampton	4m x c1.2m	C	£2,000
8	2296	Kirton/Frampton	12m x 0.6m	C	£1,500
9	2878	Kirton/Frampton	11m x 0.6m	C	£1,500
10	2882	Kirton/Frampton	8m x 0.6m	C	£1,500
11	3817	Kirton/Frampton	18m x 0.6m	C	£2,000

The Operations Manager reported that for last years proposed replacements there are some long sections that will need further investigation. Culvert 1253 is a long section of pipe with both ends in poor condition and obviously it is difficult to assess the condition of it in its entirety without a camera survey. Upon completion the condition of the culvert can be assessed. He stated the "C" relates to the contribution required for each of those structures. The Operations Manager explained there is still an element of work in progress around what has been identified for potential replacement in 2017/18 due to the changes in the policy and where the responsibility regarding ownership still remains the same, the value around budgets etc changes because of the change in policy. Discussion with the landowners will be required to progress any potential replacement on 2017/18 structures and going into 2018/19 as well. If these structures are still required as crossing points then discussion on the specification costs for replacement would be required if the Board is the chosen path to replacement.

Mr Leggott asked does the cost estimate include the contribution is it net of the contribution in relation to the values. The Operations Manager responded yes the larger of the values because table 1 culverts No 1 – 4 values there cost to replace and that is the total cost to the responsible party and I believe the responsible party in No 1 – 4 cases are the landowner and going forward the smaller contributions are where these are value to the Board that's generic value to the Board over its life.

The Operations Manager stated that the contributions identified have not been agreed with any of the relevant landowners.

Table 2: Proposed Culvert Replacements 2018/19

	Culvert Number	Location	Size		Cost Estimate	
1	1684	Donington Northing	12m x 1.5m		£16,000	Full Contribution
2	1253	Horbling Fen	40m x 0.6m	C	£8,000	
3	1283	Aslackby Fen	12m x 0.6m	C	£5,000	
4	755	South Kyme	12m x 0.9m	C	£7,000	
5	1959	Gosberton	15m x 1.2m		£14,000	Full Contribution
6	604	Haconby Fen	12m x 1.5m		£18,200	Full Contribution

Mr Barker asked regarding table 1 regarding culvert no 1959 at Gosberton for £10,000 and table 2 which for the same culvert no 1959 is £14,000. The Operations Manager responded because the original costing was from a few years before which is on table 1 after then reviewing the cost to replace, with material, labour and plant costs having gone up leading to a revision of the cost.

Culvert Surveys Carried Out 2010 - 2014

The Operations Manager presented a slide on screen detailing the culvert surveys carried out, this table has been presented at previous meetings because arguably we have not carried out any inspections since last year. He stated half of the ask is still to be completed this will be managed going forward obviously now there is more strength in the operations team. He has had discussions with the Works & Engineering Manager on how this can best be achieved going forward.

The Works & Engineering Manager stated we have 1300 culvert surveys still to inspect and the objective is to get them all inspected within the next 3 years therefore circa 450 per year. The proposal will be two gangs the lead Member in each gang will receive some training on how to inspect the structures so we can get consistency of the inspections. Over the next 3 years, we will carry on doing 450 per year and that will complete the full inspection list of the 2,500 structures and then we can review from what we have within that 2,500 to look at the condition, rating and how many we have in poor condition. Culverts deteriorate over time, so they are only as good as the day you inspect them and if its taking us 5/6 years to inspect the whole stock it's not a snap shot of them in the amount of time. The proposal is to maybe give a different priority to different structures depending on the consequence of the lowest structures and the quality/condition of those structures at that time so some may get inspected every 5 years some may need only inspecting 12 to 15 years – depending on whether they have just been replaced they should be standing there for 10 -15 years without a major incident.

Cllr Skinner reiterated this is part of the inspection regime is to identify what the next period of inspection should be, the Works & Engineering Manager responded that until we have got across all the structures we cannot carry out that review – the Operations Manager added that a management plan can

only be developed upon completion of all inspections. The Operations Manager stated arguably what has been completed in previous years has only been built around the surveys currently completed. Some culverts being identified which are in very poor condition and these have been replaced within the terms of the old policy. So obviously now there is a different policy a different remit so that changes things to some degree. We still need to get a grasp on what we have got out there and what condition they are in.

Cllr Skinner asked do we know the age of all of them. The Operations Manager responded we have got fairly indicative information on the database and obviously this Committee was built around the fact that the culverts we now have in poor condition are the steel Armco ones and yes we have concentrated on those areas. The majority of the culverts in South Kyme catchment were steel Armco which is one of the first areas inspected. Nine out of ten culverts were replaced because of the condition. Therefore replacement only as required. Obviously the whole catchment survey needs completing to determine a prioritised management plan.

The Chairman asked if there was a grading for the high consequence culverts or the inspection on just geographical areas rather than targeted culverts that you need to go and inspect ahead of yourself because they are high consequence culverts. The Operations Manager responded that we have tried to look at it methodically hence why that's what remaining which not saying that the Southern part of the area is any more or less consequential but it just seems there is quite a large amount in the southern area that are still to be inspected, but saying that there are less culverts in that area and the Board maintained drainage system is in the region of 60/40 split towards the North and the South.

Mr Barker queried the further inspections required is that you have identified something which is corroding and you think it needs inspecting, the Operations Manager responded generally it is that the water level is too high on the day of inspection therefore a thorough inspection has not been completed.

The Chief Executive added that if we pumped down we could invoke more damage to drainage system. As is there is a little bit of water pressure holding them together.

The Operations Manager stated previously inspections have been completed a day at a time using 3/4 teams. More focus on bulking that into a few more days/weeks inspections especially where reduction of water levels within the drain is required to complete all the culvert inspections remaining.

Culvert Survey Inspection Form

The Operations Manager presented on the screen, as a point of interest, a copy of the Culvert Survey Inspection Form. He stated this is the form that is completed, this is the information required based on the type, the size and material of the culvert, the condition type of upstream and down stream headwalls and any other points of relevance whilst completing the survey.

The Operations Manager explained from the completed inspections it is to get value from what the teams are going out to do – there would be no point in sending teams out and not getting value back it is explained in the training given that every box in relation to the culvert and the site in general is important information. If there is something in the comments box around siltation in the drain or something like that that is obviously beneficial for future works other than the condition of the culverts this is what is sought from these inspections.

Mr Barker clarified with noting condition on pipes, no way of saying if badgers are in pipes the Operations Manager responded its getting the value from those inspections whilst onsite its picking up everything onsite. We also mention this for the workforce on machines, to feedback and report back.

The Chief Executive clarified that these proposed culvert replacements are all within the designated Board budgets. The Operations Manager responded those high values where we have full contribution he has been in contact with all those landowners and some were in an agreement to replacement and some are still in abeyance. The others are within our budgets around replacement.

Proposed 2018/19 Schedule of Culvert Inspections

The Operations Manager presented slides showing maps of c25 and c27 culverts scheduled for inspection in the Heckington Fen area. Mr Holmes asked when you look at field access, when you send the teams out to inspect culverts do they look at everyone with the same thoughts whether the Board uses it for access to maintain drains or not. The Operations Manager responded yes for the purpose to be achieved, to get them all initially inspected, the teams go out with the same remit whether it is believed to be a Board maintained responsibility or not. It can then be identified if there is a future value to the Board whether its field access that is of use to the Board an offer of contribution would be made. The Chief Executive added that not every case is clearly visible at the time when we are there inspecting that culvert or bridge is being used by all or nobody. The Operations Manager concluded that there has to be a practicality around how we carry out the maintenance arguably if there is a drain with 10 culverts on it we might use all of them at some point, but can complete maintenance objectives with potentially only one. There is a practicality of any offer of a contribution made by the Board to continue the current accessibility to Board maintained drains, by reducing the future responsibility and cost to the Board responsible for going forward there is a difference.

1253 ANY OTHER BUSINESS - Agenda Item 8

(a) Drain 27/1 Culvert 604 - Haconby Fen

The Operations Manager presented a slide showing the above culvert which crosses the Haconby Fen pump drain that is falling into disrepair, it is still the original structure which dates back to c1850. He reported that he believes heavy vehicle use over the years, whether that be agricultural or commercial heavy articulated lorries, has promoted the condition certainly of the headwall and the structure as a whole.

The Operations Manager stated he visually inspected it, the actual brick arch integrity appears to be in a fair to good condition but does not mean its fit for purpose for what it currently or has previously been used for. Having spoken with the landowner in August 2017 the question came back to me from the landowner "what are you going to do with your culvert". The landowner believes the Board have full responsibility for the culvert both parties agreed to provide or not proof of ownership. A letter has been drafted asking for proof of ownership that it is which would be in their deeds, stating that it is BSIDB responsibility. The Chief Executive has requested legal opinion and an investigation into previous minutes, which is where the minutes from the Board which were taken to the Board meeting 14th February 2018 stated a responsibility to the Board. The Operations Manager stated that going forward we are looking not to set a precedence around what we decide to do with this culvert, he believes that it is not fit for purpose it needs replacement to continue its use.

The Chief Executive added we have looked onto Land Registry and it shows the property (culvert) belongs to the property owner. We have sort legal advice, and a letter is going in the post today, along the lines of;

"thank you very much, we understand the complaint, we have checked the Land Registry and here's the registries number, it has identified as your culvert, please provide us with paperwork to say any different"

"There is a small strip between the road and the culvert that looks like its Highways, otherwise the red line around their property specifically includes that culvert."

Mr Barker stated that the culverts either side had been replaced by the Board at the time of improving the drain. It would appear that the owner occupiers may have had some liaison over this culvert at the time otherwise the Board surely would have gone all the way through replacing them if this is the case. The Chief Executive responded that we have gone through the minutes and cannot find anything referring to this section of drain, we will continue to look because that will help our case.

Mr Robinson asked does this culvert only service one landowner? The Operations Manager responded that there are multiple interested parties currently within the existing barn there are a couple of barns but one is being developed at the moment as a residential property. Mr Robinson asked if this culvert was the sole access to the property, the Operations Manager responded yes and is still being used for agricultural purposes as well which he is led to believe is only agricultural and not commercial now.

Mr Holmes added there is no storage on the site, therefore no artic lorries using it. Mr Barker reported the section there is a fertilizer lorry going there occasionally. The Operations Manager outlined what was discussed at the Board meeting 14th February 2018, what the Boards responsibility for from the original date of the structure is as a crossing point what could the Board have responsibility for, is it to support the weight of a horse and cart or is it for commercial access?

The Chief Executive continued following that we have identified in the Land Registry title deeds for that property this structure is identified inside those that is why we have gone back to them with the above letter, if this is not the case please show us in writing what agreements have been made with this Board that it's our responsibility.

Mr Leggott pointed out that to get Land Registry there must have been something positive in some way to actually get its either a sale or a transfer or an application. Mr Holmes added if it is proven and they take responsibility for it and we have no responsibility for it at all is it going to impact greatly on our operations of the area I know you store machinery in the yard for security reasons we may need to be prepared that if they take ownership of the culvert that they may not allow Boards machinery to use it. The Operations Manager responded Boards machinery which was parked in the yard was a convenience at the moment if there is a future convenience then there will be an offer of a contribution but if not then Board's plant will find somewhere else to cross and park up.

Mr Leggott concluded I think our Officers are right to establish that it is their property now we can talk about conveniences and contributions later.

(b) Drain 22/10 Culvert No 1959 Gosberton High Fen

The Operations Manager presented a photographic slide on screen stating that unbeknown to us this culvert has been removed, these photos were taken last week. He stated that the Works and Engineering Manager spoke to the tenant on 16 March 2018 they started the works began before Christmas and the contractor has not been back since, other than to pull a bit of slippage out and the fact is we still have water held back. The Works & Engineering Manager has reminded the tenant he needed to go back in and open the conveyance of water. There will also be a letter to remind them of the Boards policy to carry out any works on any drains and to catch up with this paperwork. The tenant will need to get the contractor back to clear the watercourse and make sure that it stays clear as a matter of course otherwise the Board will go and charge to clear it.

The Chief Executive added some background, we visited site, this is under a farm track verges both side and on one side the culvert had collapsed on the top and was holding up water over time this has been cleared and washed through and discussions have continued about replacement, it is a well established and used farm access track by the owners and numerous tenants over the years. However the concern is they have not dug out the most northerly head wall so there is a backup of water. We have received contact from the owner upstream asking why is the water table being held up so our scenario is unconsented works why/ what the problem there is a process to follow and specification to adhere to if you are carrying out those works under our supervision inspection and guidance.

Mr Robinson asked if they are intending to replace it, the Chief Executive responded he is assuming yes.

Mr Barker felt that if you were doing the work yourself you would have asked the Board to lower the level in the drain to assist works which they have not done.

The Operations Manager explained the process that should have been followed has not been followed it would have been a straight forward application to pipe a riparian or a Board maintained watercourse irrespective of who maintains it that their application needs to be made to this Board, if it is within this district. That process has not been followed for whatever reason so retrospectively the application will need to be completed and the Board need to know what their future plans are. If the future plans are to replace the existing crossing point with a new crossing point then the specification will be provided for them. The assistance in lowering the water if that is the case, yes we will do the same as if we were the main contractor and we were replacing it, the water levels would need to be managed on site . Advice if they need to dam the flows then they need to continually over pump whilst the works are being completed but until we have the official correspondence back from them I don't know whether they are putting a pipe back in, if they don't want to put a pipe back in then we will have to satisfy ourselves that the banks are going to remain stable and are profiled correctly. Some revetment works may be required and recovery of costs from the tenant if the revetment and re profiling of the drain banks cannot be done satisfactorily by the contractor.

The Chief Executive concluded we are awaiting a consenting application to renew or not.

Mr Barker expressed that the Board has a digger at the dump at Gosberton if you did lower the drain you look at the outfall at that Surfleet drain into the Gosberton drain just to give the best levels back up there that are possible. The Operations Manager stated he has had a similar conversation with the adjacent landowner and he questioned during the recently wet period intermittently with that, he was concerned of high water levels when he rang me the water levels had been reduced and his question was what had we done to change that, and all we had done to change that was that the SFFD level had gone up and the Gosberton pump is pumping rather than gravitating so that is the reason behind it. Mr Barker suggested when the contractor was to work in the drain the outfall of that Surfleet drain into the Gosberton could just be tided up.

There being no further business the meeting closed at 15:42.