

# WITHAM FOURTH DISTRICT INTERNAL DRAINAGE BOARD

## MINUTES

of the proceedings of the **Board** at a Meeting held at the Board's Offices, 47 Norfolk Street, Boston on **Wednesday, 7<sup>th</sup> February 2018**

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Present: - J.E. Grant (Chairman)

Messrs: T. Ashton R. Leggott  
C. Brotherton N. Jones  
B. Bowles B. Pierpoint  
M. Cooper P. Richardson (Vice-Chairman)  
C. Hardy P. Skinner  
H. Drake J. Ward  
A. Harrison R. Williams  
R. Hall-Jones J. Woods

### 1 **CHAIRMAN'S ANNOUNCEMENTS**

#### 1.2 **Funded Support Role**

The Chairman confirmed that the RFCC had agreed to fund a 3 year IDB support post to help deliver Capital Projects through the EA programme.

#### 1.3 **Tidal Surge on Thursday 1<sup>st</sup> February 2018**

This had not been as bad as first anticipated but was a good opportunity for the Board to practice their emergency procedures.

#### 1.4 **ADA Board Meeting – 13 February 2018**

Robert Caudwell will be chairing his first meeting as ADA Chairman. Robert lives within the Board's district and the Chairman urged any members to contact him or Robert Caudwell with regard to any issues.

#### 1.5 **Andy Carrott**

The Chairman confirmed that Andy will be retiring as Engineering Manager at the end of September 2018. Andy has worked for the Board for 36 years. Ed Johnson, the Assistant Engineer, will be taking over the role. Andy will continue working for two days a week for a six month period to assist with the Triton Knoll project consent work and other work.

#### 1.6 **Other**

The Chairman welcomed Barrie Pierpoint to the Board following Maureen Dennis' retirement. The Chairman said he hoped that Barrie would enjoy his time with the Board and urged him to participate fully in the meetings.

The Chairman advised that George King (Ruth King and Sons) would be joining the meeting at 3pm purely as an observer, when planning matters were discussed.

Mike Cooper advised the Board that sadly Maureen Dennis' husband had passed away last Weekend and the Chairman offered his condolences.

### 2 **APOLOGIES**

Apologies for non-attendance were received from:-

Messrs: R. Austin  
P. Bedford  
C. Crunkhorn  
C. Rylott  
A. Saul

3 **DECLARATION OF INTEREST ON ANY GENERAL ITEM**

Declared an interest in discussions about Sea Banks–B. Bowles.

Declared an interest in discussions about Triton Knoll/Viking – J. Grant, P. Richardson, R.Leggott

Declared an interest in discussions about development issue in Boston – A. Carrott, M. Cooper

4 **MINUTES**

4.1 **Board Meeting – Wednesday 13 December 2017**

The Minutes of the Meeting of the Board held on 13 December 2017 were submitted and agreed as accurate and signed by the Chairman.

**Matters arising:**

4.1.2 **Letter to Lord Gardiner of Kimble - Update**

The Chairman confirmed that this had not yet been completed. Professor J. Newman had now been appointed Senior Herbicide Adviser to the EA in Lincoln which would hopefully result in a much closer working relationship. He had already provided assistance in relation to an emergency application. The Chairman had been in contact with Lord Gardiner's PA and he and the Chief Executive would be working on a response shortly.

*B. Bowles - asked if there was an update regarding waste disposal at Hobhole?*

The Assistant Engineer confirmed that he had made contact with a material exchange company that would dispose of organic waste at the cost of £30 per tonne plus transport costs. However, they required plastic to be sorted from the rubbish which would be time consuming. However, our Engineering Assistant has made enquiries with North Sea Camp if low risk offenders provide labour which would be supervised. This is already being done as part of Operation Flyswat. The Chairman added that a risk assessment would need to be completed and the Assistant Engineer confirmed this and that we would also need to provide adequate PPE. Once the material had been sorted we could store it then arrange disposal. The Assistant Engineer estimated this would be 4-5 lorry loads through the year.

5. **MINUTES OF FINANCE & GENERAL PURPOSES COMMITTEE – 17 January 2018**

The Minutes of the Meeting of the Finance & General Purpose Committee held on 17 January 2018 were submitted and agreed as accurate and signed by the Chairman.

5.1 **Matters arising:**

**To approve the Adoption of Officer's Estimate**

The Engineering Manager confirmed that all estimates had been sent to the various committees before Christmas 2017. The estimates had all been approved by the Finance Committee and this had resulted in a recommendation for the drainage rate increase.

The Chief Executive referred the Board to his memorandum which gave full details of what had been discussed, all figures and reserves which he had gone through in great detail at the meeting. He was willing to repeat this for the benefit of members not involved in the committee if anyone required him to do so. There were no questions from the members.

T. Ashton proposed that the Chief Executive's estimates be adopted

R. Leggott seconded this proposal.

C. Hardy proposed that the 2% increase in drainage rate be supported and applied

R. Williams seconded this proposal.

A vote was taken and it was unanimously:

- RESOLVED** i) The Chief Executive's Estimates for 2018/2019 be adopted.
- ii) that the rate be levied in the Sub District 1 (*the former Borough Area of Boston*) to be one half of the full rate:

**7.908 pence**

- iii) that the rate be levied in Sub District 2 (*the remainder of the Internal District*) be the full rate:

**15.815 pence**

- iv) that the Special Levies on Local Charging Authorities be set as follows:

Boston Borough Council	<b>£1,043,912.57</b>
East Lindsey District Council	<b>£ 363,943.48</b>

The Rate was duly sealed at the meeting and would be published in the local press in the usual way.

## 6. **MEETINGS WITH OUTSIDE ORGANISATIONS**

The Chief Executive went through the Outside Meetings Report.

- (i) With regard to the SAAA meeting the Chief Executive, who sits on this Board, was pleased to confirm that the appointment of this body had resulted in savings of approximately £2 million for the sector, which had pleased DCLG.
- (ii) Both Tom Ashton and the Chief Executive had attended the Lincolnshire Flood & Water Management Partnership Strategy Meeting in January. The review of the partnership had been completed and the strategy document was now being reviewed.

*T. Ashton* - added he thoroughly believes that the time taken to attend these meetings and discuss the strategy is the reason for the success we have in Lincolnshire. This does not happen elsewhere in the country.

*R. Leggott* - asked if it was possible to have a paper copy of the ADA Gazette?  
The Chief Executive said that he would arrange this.

- (iii) At the RFCC meeting everybody was happy with a 1% increase in the local levy rate with the exception of Northamptonshire Board. There had been no increase in the EA precept paid by IDB's.
- (iv) The Chief Executive had been invited to a very interesting meeting regarding climate change at Riseholme Hall in Lincoln.
- (v) The Chief Executive confirmed the dates for the next three ADA meetings:-
- ♦ Lincs ADA Branch Meeting – 20<sup>th</sup> February 2018 at Holbeach
  - ♦ ADA Board Meeting – 13<sup>th</sup> February 2018 in London
  - ♦ Lincs ADA Annual General Meeting – 26<sup>th</sup> April 2018 at Woodhall Spa which this year would also include an outside visit by coach to certain sites of interest.

## 7. **CHIEF EXECUTIVE AND FINANCE MANAGERS REPORT**

The Chief Executive went through his report and advised that the memorandum circulated with the Finance and General Purposes minutes showed details of the actual 9 month figures to 31.12.2017.

### 7.1 **Compensation**

There were no compensation payments to report although there were some in the pipeline because of the mudding works carried out on the Fodderdyke Drain.

## 7.2 Ratings Matters

As per the report as at 31<sup>st</sup> December there was approximately 8% of the original rates to still be collected and this had now decreased to approximately 5%.

## 7.3 Grant in Aid

It had been reported at the Finance committee meeting in January that over the past 3 years (not including the Wrangle project) the effect on the rates, had we had to fund the various projects directly, would have been 47%. The Assistant Engineer was now helping with the applications for further funding. The Wrangle Sea Banks Project which is due to start in April will ensure that 5.8km of sea banks are increased to 7m and this has mainly been funded by DEFRA with £500k funding from the EA. We are now looking for new projects for next year and if any members would like to make suggestions for possible future projects, these would be welcomed.

The Engineering Manager confirmed that there were changes to the Grant-in-Aid scheme which would cap maintenance and any unused money may be able to fund de-silting works. The Assistant Engineer confirmed that any work up to £100k could be signed off by a local Flood Risk Management Officer but this may increase to £500k in relation to surface water discharge projects.

## 7.4 Pay and Conditions Meeting

The Vice-Chairman confirmed that he chairs this committee and it appears that the existing Public Sector 1% pay cap will not apply and the Board will revert to the old formula for calculating increases which gives an increase of 1.98%. There is a meeting with the unions listed for 8<sup>th</sup> March 2018 where the 1.98% can hopefully be agreed. However, there are steps in place to re-evaluate the White Book but some Boards choose not to use it. However, this will be raised at the ADA meeting on 20<sup>th</sup> February 2018. The Vice-Chairman believes that until this issue is resolved, the 8<sup>th</sup> March meeting will need to be delayed as it will not be possible to negotiate a settlement. The Chief Executive confirmed that notwithstanding this the Board need to approve a 1.98% increase. This is within the 2% increase included in the budget.

T. Ashton proposed an increase calculated by using the old formula of 90% of the average earnings as published in the Financial Times just for this current year. R. Leggott seconded this proposal.

R. Leggott proposed an annual increase of 1.98% with effect from 1<sup>st</sup> April 2018. This was seconded by B. Pierpoint. It was therefore:

**RESOLVED** that the annual increase of 1.98% apply from 1<sup>st</sup> April 2018

## 7.5 Solar Panels

Members were given a summary report and the Chief Executive confirmed that the solar panels had performed better than expected for the first four years of operation and were a good investment and it was envisaged that they would have paid back the initial outlay within seven years.

## 7.6 North Holland Study Tour

The Chief Executive presented a slideshow of the recent tour to the Netherlands to study flood risk management, which had been very informative.

*T. Ashton - confirmed the percentage of land mass at risk there is far greater than UK Land mass but the difference there, is the population's support for flood management*

At 3.05pm Mr King joined the meeting

8. **ENGINEERING MANAGER'S REPORT NO. 4/18**

The Engineering Manager went through his report, highlighting those areas of importance for Board Members

8.1 **Maintenance Works**

The Engineering Manager confirmed weed control was going very well. Flailing had been flat Out, bush cutting/tree control work had started and approximately 4000 faggots will be made for stock.

R. Leggott - *asked if faggotts had a shelf life?*

The Engineering Manager confirmed that they would need to be used by the end of the summer. The Engineering Manager confirmed that a number of manhole covers had been replaced.

8.2 **Waste Management**

There had recently been lots of rubbish dumped around the district which had been cleared as part of Operation Flyswat.

M. Cooper - *asked if Amber Hill formed part of our district as he was aware that asbestos had been dumped there*

The Engineering Manager confirmed this area was covered by Black Sluice.

8.3 **Planning Matters**

There had been many planning applications made and were keeping us very busy bearing in mind the figures shown only covered part of the month of January.

8.4 **Mareham Le Fen development for Ruth King (Reepham) Ltd**

The Chairman confirmed that Board Members had all seen a copy of the letter received from Freeths Solicitors instructed on behalf of the developer and a copy of our Counsel's advice. He did not intend to deal with this correspondence today and asked the Engineering Manger to update the Board.

The Engineering Manager confirmed that running parallel with the legal discussions there had been a very constructive meeting at ELDC with LCC, and the developers. On behalf of Mr King, a proposal had been put forward which complied with the Land Drainage Act and with which all parties were happy.

The proposal was the developer secures funds for the rectification of pipe defects. The developer permits the Board to carry out those works subject to pipe/land owner agreement, under Section 20 of the Land Drainage Act, prior to or in conjunction with the development. If that pipe/land owner agreement cannot be reached, the funds remain available to fix the pipe should it become a nuisance in the future, using the Board's enforcement powers under Section 25 of the Act.

The funds required for the works are £25,000.

The developer has confirmed agreement to proceed in principal.

The Engineering Manager asked the Board if they would be willing to approve this arrangement.

In the event the Board are happy to approve the arrangement, then the Board should further consider funding an increase in pipe size to future proof the pipeline in respect to climate change. Once the pipe is in good order along with the proposed increase in pipe size, the Board is requested to consider adopting the pipe to ensure it is maintained in the future.

R. Williams - *had grave concerns with this plan and asked if the flood situation in Watery Lane would be improved following the works.*

The Engineering Manager confirmed that this was a totally separate issue which would not be dealt with within the specific development. This was part of a wider issue which needed to be discussed and, in any event, Watery Lane was outside of the Board's area.

*A. Harrison* - asked if the pipe would be following its original route  
The Engineering Manager confirmed it would

*T. Ashton* - was pleased to see the Board working with ELDC and the developer and felt this would greatly assist the parties to reaching an acceptable solution.

*C. Hardy* - confirmed the total length of pipe was being replaced for which the developer would pay and the Board would fund the cost of the larger pipe.

The Engineering Manager confirmed this was correct.

*R. Leggott* - agreed this was a sensible solution but questioned whether LCC would be able to replace the culvert within the timetable.

The Engineering Manager had received assurance yesterday that this work had been scheduled for the next financial year.

The Chairman asked the Board if they would be willing to approve the following three points

- the estimate for the works and to proceed as per the proposal using Section 20 or Section 25 powers as outlined and accepted by the developer.
- funding a pipe size increase
- adoption of pipeline once it is placed in good order

*T. Ashton* - was happy to propose the 3 points be accepted

*A. Harrison* - seconded the proposal

A vote was taken and it was therefore unanimously:

**RESOLVED**

- the estimate for the works was satisfactory and to proceed as per the proposal using Section 20 or Section 25 powers as outlined and accepted by the developer.
- funding a pipe size increase
- adoption of pipeline once it is placed in good order

Mr King left the meeting.

## 8.5 **Land off Wainfleet Road, Boston**

The Engineering Manager ran through a brief history of the background to this item.

The Engineering Manager confirmed that, based on the current application, the Board should consider consenting the attenuated discharge (at 1.4l/sec/ha of impermeable area connected or 5l/sec whichever is the greater) to Sewer 4/87. In October 2017 the pipes (600mm diameter) were cleaned out and camera-surveyed and are generally in good condition although an open section of dyke near the pumping station needs clearing out.

With regard to the separate issue of the potential future development, this would be a major development for the town and his concern would be not to over-load the pumping station. The Engineering Manager's suggestion in this instance would be for the developers to provide a new outfall which would take the water north to the Cowbridge Drain. The developer also owns the land between the existing site and the Cowbridge Drain so would not require any other landowner's agreement to this. The developer is not prepared to do this within the current application as the costs to him would be disproportionate at this stage

The Board was also asked to consider the following points:

How discharge consent could be linked to construction of a new outfall.  
How a development restriction can be secured.  
How agreement to redirect drainage can be secured.  
Modelling of the catchment to determine the level of development discharge that could be accepted.  
Consideration of an IDB contribution to the investigation of an alternative drainage outfall, if such an outfall can be of benefit to the Board.  
IDB adoption of the off-site drainage if/when constructed.  
Whether an agreement in respect to a new outfall and restriction on development could be written into a covenant attached to the land.

M. Cooper - *asked if the developer could build the first part of the outfall even if the land was not subsequently developed further.*

The Engineering Manager confirmed that he would be in effect and it could be designed in a way to enable connection in the future.

M. Cooper - *said that if there were open ponds on the estate to assist with drainage there was a danger to children.*

The Chairman said that we needed to be inventive to ensure flood protection was provided to the existing householders. Perhaps swales could be considered.

T. Ashton - *confirmed with regard to covenants this would need to be a legal agreement between the Board, the landowner and the developer. He suggested the developer be asked to provide an undertaking to the Board to future proof the potential development.*

The Chairman agreed that was an option but there could be different developers involved so the undertaking would need to be given by the landowner.

R. Leggott - *fears for Boston East Pumping Station and felt the Board should be looking at what could be done to take the water to the Hobhole Drain*

The Engineering Manager advised the advantage of diverting the water to Cowbridge Drain would be that the work would all fall upon one landowner – the developer.

P. Skinner - *agreed that whilst there was only one developer, plans should be put in place to direct the water to the Cowbridge Drain*

The Engineering Manager confirmed that it would be very difficult for the Board to apply conditions to the discharge consent. The application proposes surface water management using SUDS principals

The Chairman stated again the pumping station must not be overloaded. The Engineering Manager confirmed it would not be overloaded as the water from the land drains into the same system now and it copes adequately.

R. Hall-Jones - *asked if it would be a major job to increase the pipe size*

The Engineering Manager confirmed yes but not required at this stage.

T. Ashton - *confirmed that this application had effectively been agreed, as the run rate had been controlled to the existing rate. He asked how much water would pass through in an average summer.*

The Chairman said that the landowner could refuse to enter into such an agreement and that situations such as these rely on good planning/adoption and agreed ways to make it work to future proof developments. Just because the landowner wants to do something – we, as the Board, may not agree.

C. Brotherton - *agreed we needed to be looking to the future*

J. Ward - *added if the drainage was by way of SUDS then he agreed but what happens if management company go out of business*

The Engineering Manager confirmed that some drainage boards adopt their systems.

J. Ward - *asked if this Board had ever done that*

The Chief Executive confirmed that the Board had never had the opportunity to do so. The Engineering Manager added that we could not make this a condition because the cost of employing a management company was less than that of a drainage board.

The Chairman added that it was not a big job to widen the dyke and to put pipes under the Road and then widen the dyke at a later date. The Engineering Manager confirmed there was no existing dyke.

*T. Ashton - asked if the Board denied permission to discharge would we be open to challenge*

The Engineering Manager confirmed that we would be because there are no reasonable grounds to refuse the permission.

*B. Bowles - agrees with T. Ashton but also agrees with the Chairman. The developer, landowner, BBC and the Board should all get together to discuss the wider picture. ELDC attend PAD meetings but in Boston there seems a lack of interest.*

The Engineering Manager agreed with this and felt all parties, including Anglian Water, should be involved in discussions.

*M. Cooper - agreed this needed to be addressed*

*T. Ashton - believes consent to discharge cannot be denied but it would be in the Board's interest to have further discussions with regard to an outfall to the north.*

*M. Cooper - added the green area was not included in plans for the next 30 years*

The Chairman agreed this deserves further discussions for any other potential future development.

*J. Ward - asked if the Board could contribute towards the cost of the outfall to the North*

The Chairman said that if we were looking to adopt then we should not be funding the project. The Engineering Manager asked if the Board were prepared to incur costs for modelling of the catchment and the Chairman said no.

*T. Ashton - said he was happy to propose that there be further discussions*

*B. Bowles - was happy to send the proposal*

*M. Cooper - advised time limits applied and the process was well underway.*

The Engineering Manager repeated that consent for discharge could not be reasonably refused.

*T. Ashton - proposed officers have delegated powers to make the decision.*

The Chairman maintained why the Board should be put under this type of pressure to make a decision.

*M. Cooper - reiterated that this land was not included in plans for the next 30 years*

The Engineering Manager added the developer accepts that an outfall to the North would be beneficial for future development but the Board was being asked to give consent for the current development. There was no extra burden on the existing drainage and it would be prudent to keep the land owner "on side" so that we could review the matter moving forwards.

*T. Ashton - withdrew his proposal and made a new proposal that consent to discharge is granted on the current site but discussions regarding the proposed outfall to the north should continue.*

*J. Ward - seconded this proposal.*

The Chairman asked if we had modelled the catchment and the Engineering Manager confirmed that he had just proposed this in his report but the fact remains that we need to consider this matter based solely on the current issue. Anything else needs to be considered separately. The Board needs the opportunity to discuss the impact of the potential development.

B. Bowles - was very disappointed that people could not work together to discuss this matter.

M. Cooper - advised there was a time limit to deal with the issue.

The Chairman was very unhappy that this matter had not been referred to the Board earlier and it should have been modelled upon receipt of the application.

M. Cooper - confirmed the council had only received the application on the 21<sup>st</sup>/22<sup>nd</sup> December.

The Chairman asked for a vote on this issue but stated he was very displeased as it was far too late to now be discussing the impact of a development of 200 properties. B. Bowles, R. Leggott and C. Brotherton abstained from the vote and it was therefore:

**RESOLVED** To grant consent to discharge on the current site with discussions to continue regarding future potential development.

## 8.6 Water Level Management

There had been a very wet period of weather in December over the Christmas period which had resulted in the diesel pumps being operated.

## 8.7 Pumping Stations

### No 1 Pump and Gearbox

The gearbox has been returned and is being commissioned next week. There are a few issues regarding oil pressure but these should be quickly resolved. The Engineering Manager asked the Board if they would ratify the pump costs (pump £97,913) and gearbox (£65,317) costs plus VAT.

P. Skinner proposed approval of the expense.

B. Bowles seconded the proposal.

It was therefore:

**RESOLVED** that the expenditure be approved

## 8.8 Plant Replacement

### (i) Weed Boats

The Engineering Manager confirmed that the actual purchase price of the two weed boats was £140,857.

### (ii) Excavators

The quote received from JCB was the cheapest by a significant margin and the Chairman and the Vice-Chairman had approved the purchase using delegated powers.

### (iii) RB22

The Engineering Manager confirmed that an offer of £2,800 had been received and this would mean that the machine would be available for display at events and would remain in the area. The Chief Executive asked if the offer had been accepted as an offer of £4,000 had been received from another party.

T. Ashton *Was happy with the offer of £4,000 provided that the machine stayed in the area and the Board had access to it.*

P. Richardson *Had spoken to the person that had made the lower offer and he had confirmed that the machine would be stored in a shed to prevent the woodwork deteriorating and that the machine would be available for display as required by the Board.*

It was left that the Engineering Manager would deal with the conclusion of this matter.

## 8.9 Health and Safety Matters

### (i) Hearing Tests

Hearing Tests have now been provided for all staff that work at the pumping stations and in addition to employees who operate machinery.

(ii) **Weedscreen Cleaning**

This is carried out manually at Benington, Leverton and Wrangle Pumping Stations and improvements have been made to the harnesses and fall prevention equipment.

J. Ward *Asked if manual cleaning was cost effective?*

The Engineering Manager confirmed that it took two attendants approximately 30 minutes twice a week.

8.10 **2017 Rainfall**

The Engineering Manager confirmed that last October was the fifth driest on record.

8.11 **Rechargeable Works**

An estimate of £133,090.96 for additional works has been submitted to the EA and the Orders for works are now due. This figure includes 10% uplift in respect of administration and supervision.

8.12 **Consenting and Enforcement**

Members will recall at the last meeting permission was refused for a compound adjacent to Sewer 2/13 at New Bolingbroke. The Engineering Manager was pleased to confirm that the structure has now been removed, with the assistance of the recent high winds.

8.13 **Charity Event**

The Board has been approached by a swimming club who are doing a swim from Lincoln to Boston and have asked if they could have the use of our boat. However, the concern was the transportation issue and also the Health and Safety implications. A risk assessment would be required.

R. Leggott *- asked if we would be covered by our insurance for this?*

T. Ashton *- advised that the EA has a boat*

It was agreed that whilst it would be nice to help, in this instance it was beyond our remit and we should suggest that the EA be contacted for help.

A. Harrison *- asked if there was any update regarding the purchase of the spare engines*

The Engineering Manager said that he had chased this up but had not received any response. He will chase it up again.

9. **ENVIRONMENT REPORT**

The Assistant Engineer confirmed that there was nothing really much to update following his submitted report.

9.1 **El Regulations**

There had been 43 hours of sluicing carried out during unsociable working hours. We are currently awaiting analysis of their findings although this is a lengthy process.

9.2 **Operation Flyswat**

This was still an ongoing success and we had discussed earlier the possibility of extra labour in relation to waste management.

9.3 **Wrangle Sea Bank**

Vegetation work would be starting here at the end of the week.

9.4 **Witham 4<sup>th</sup> IDB Biodiversity Action Plan**

This basically shows the current status of the BAP and what has been achieved. We currently have 3 new owl/bat boxes.

M. Cooper *- asked where our mink traps were situated and had any mink been sighted.*

The Assistant Engineer confirmed they were placed at Hobhole Pumping Station and one had been sighted there. If mink are sighted in our catchment area then please let us know.

10. **ANY OTHER BUSINESS**

*J. Ward - raised the changes in the Water Licence transfer licence which were very unclear*

The Chief Executive confirmed he had distributed the ADA response and he agreed that the document was very badly drafted. The Engineering Manager confirmed that he has to submit an application in respect of water transfer at Anton's Gowt.

There was no other business and the meeting concluded at 4.35pm

**Chairman**