

A MEETING OF THE SOUTH HOLLAND INTERNAL DRAINAGE BOARD WAS HELD IN THE BOARD ROOM, MARSH REEVES, FOXES LOWE ROAD, HOLBEACH, LINCOLNSHIRE ON TUESDAY 3 FEBRUARY 2009 AT 10.30 AM.

Elected Members	Appointed Members
* J L van Geest	South Holland D C
* N J Grundy	J M Atkin
A G Hay	* F Biggadike
* G A Hay	* S M Booth
* S A R Markillie	A Casson
* D Sly	P A Espin
* S Taylor	S Keeble
* R C Thompson	* P S Przyszlak
J W Ward	M R Taylor
* D R Worth	* P M Walls
	* D J Wilkinson
	South Holland D C/ Boston B C
	* Mrs R M Rudkin
	* Present (67%)

Mr S A R Markillie in the Chair

In attendance:

Mr P J Camamile (Chief Executive),
 Mr K L J Vines (District Engineer/Health and Safety Officer),
 Mr A D Price (Operations Manager/Health and Safety Supervisor),
 Mr G R Dann (Planning/Enforcement Officer), Mrs K M Daft (Finance Officer)
 and Mrs M E Creasy (minutes)

ID	South Holland IDB, Minute	Action
01/09	APOLOGIES FOR ABSENCE	
01/09/01	Apologies for absence were received on behalf of Messrs J M Atkin, A Casson, P A Espin, A G Hay, M R Taylor and J W Ward.	
02/09	MINUTES OF THE LAST BOARD MEETING	
02/09/01	The minutes of the last meeting of the Board held on 4 November 2008 were approved and signed as a true record. Arising therefrom:	
02/09/02	Audit Plan 2007/08 and 2008/09 (45/08/02)	

The Audit Commission had appointed Grant Thornton LLP as external auditors for 2007/08 and 2008/09 and they had just completed the audit for year ending 31 March 2008. The Board would be issued with the Opinion for year ending 31 March 2008 in due course. In future the appointed auditor had pledged to provide the Opinion within the timescale set out in the Regulations. RESOLVED that this be noted.

02/09/03 Angling Committee and Holbeach Angling Club (45/08/04)

At the meeting on 19 November 2008 it had been agreed that the fishing licence fee for the Holbeach Angling Club would be frozen for a period of two years after which time it would increase annually by RPI. RESOLVED that this be noted.

02/09/04 Pitt Review (45/08/06)

The Chief Executive had met with Terry Huggins, Chief Executive of South Holland District Council and Roger Gambba-Jones, Portfolio Holder for Sustainable Communities, South Holland District Council on 30 January 2009 to discuss the implications of the Pitt Review and the impending Floods and Water Bill. RESOLVED that this be noted.

03/09 PERFORMANCE SUB-COMMITTEE MEETING

03/09/01 The unconfirmed minutes of the Performance Sub-Committee meeting held on 13 January 2009 were considered in detail and approved. Arising therefrom:

03/09/02 Review of Objectives for 2008/09

The Performance Review for 2008/09 (a copy of which is filed in the Report Book) was considered in detail and approved.

03/09/03 Objectives for 2009/10 (04/09)

It was agreed and thereby RESOLVED to approve the objectives for 2009/10 as follows:

- (i) To ensure that total expenditure does not exceed the expenditure budget for 2009/10 and plan for next year's rate requirement to equate to no more than an inflationary increase.
- (ii) To ensure that the Finance Officer undertakes all aspects of the role as specified.
- (iii) To implement Part 3 of the DEFRA Implementation Plan following on from the review of IDBs.
- (iv) To approve the Indicative 5 year maintenance programme.

ID South Holland IDB, Minute	Action
<ul style="list-style-type: none"> (v) To complete capital works as planned within the agreed timescale/budgets and obtain grant aid to part fund these schemes. (vi) To review the Board's arterial network and develop a criteria by which future adoptions and abandonments are to be considered. (vii) To start visually inspecting free span bridges where the Board has been found to have some responsibility. (viii) To review the Board's Investment Strategy/Policy in the light of the present banking crises, using external consultants. 	
<p>03/09/04 It was agreed and thereby RESOLVED to meet next during August 2009 here at the Board's offices. The date and time of the meeting would be confirmed by the Chairman.</p>	
<p>04/09 ESTIMATES FOR 2009/10 CHAIRMAN'S COMMITTEE MEETING</p>	
<p>04/09/01 The detailed estimates (a copy of which is filed in the Report Book), together with the recommendations arising from the minutes of the Chairman's Committee meeting held on 13 January 2009 were considered in detail and approved. Arising therefrom:</p>	
<p>04/09/02 Countryside Stewardship Scheme</p> <ul style="list-style-type: none"> (i) The recommendation made by the Chairman's Committee to reject the Environment Officer's proposal to employ Brown and Co to manage the grazing of the site, was approved by the Board. RESOLVED that this be noted. (ii) It was agreed that the Board would need to consider what to do with the site when the current Countryside Stewardship Scheme Agreement ended in 2010. This matter would be considered at the next Plant and Development Committee meeting in order to make a recommendation to the Board. RESOLVED that this be noted. 	PJC
<p>04/09/03 Capital Programme: 2009/10</p> <p>The Capital Works Estimate for 2009/10 as prepared by the District Engineer, totalling £640,000 was considered in detail and approved. Applications would be submitted for grant aid of 45% on all schemes where possible to reduce the net cost to the Board. RESOLVED that this be noted.</p>	
<p>04/09/04 Maintenance Programme: 2009/10</p> <p>The Maintenance Works Estimate for 2009/10 as prepared by the Operations Manager, totalling £1,274,330 was considered in detail</p>	

and approved.

04/09/05 Consortium Charges: 2009/10

The Administration and Support Costs Estimate for 2009/10 totalling £307,382 as recommended by the Consortium Management Committee on 8 December 2008 was considered in detail and approved.

04/09/06 Earmarked Balances and Reserves Policy: 2009/10

- (i) It was agreed and thereby RESOLVED to approve the Earmarked Balances and Reserves Policy for 2009/10 (a copy of which is filed in the Report Book).
- (ii) It was agreed and thereby RESOLVED to approve a transfer of funds from the General Reserve to the Fixed Plant Renewals Fund that would leave approximately £500,000 in the General Reserve as at 31 March 2009.

05/09 FINANCIAL YEAR 2009/10

LAY AND SEAL THE DRAINAGE RATE AND SPECIAL LEVIES

05/09/01 It was agreed and thereby RESOLVED to approve the net requirement of £1,995,296 for 2009/10 as presented (a copy of which is filed in the Report Book).

05/09/02 It was agreed and thereby RESOLVED to increase drainage rates by 2.10% to 10.756p in the pound for 2009/10, which equated to an increase of 3.51% in Special Levies due from South Holland District Council, given the shift in their proportion of the Board's expenditure arising from development during the course of the year (Option 2):

Agricultural Drainage Rate	£884,550
South Holland District Council	£1,092,513
Boston Borough Council	£779
From General Reserve	£17,454
	£1,995,296

06/09 OPERATIONS REPORT

06/09/01 The Operations Report was considered in detail and approved (a copy of which is filed in the Report Book). Arising therefrom:

06/09/02 Employee sickness (3.1)

It was noted that Mark Pitts would have been absent from work due to ill health for six months during w/c 9 February 2009, after which time he would go on to half pay.

07/09 ENGINEERING REPORT

07/09/01 The Engineering Report was considered in detail and approved (a copy of which is filed in the Report Book). Arising therefrom:

07/09/02 Emergency power back up generator/connections facility at pumping stations (1.4)

It was agreed and thereby RESOLVED to delegate authority to the Board's Plant and Development Committee to approve the purchase of a new or re-conditioned generator/connections facility.

07/09/03 Catchment Modelling (1.5)

The District Engineer noted that the catchment modelling programme would be completed in 5 years, if the Board received Grant Aid from DEFRA/EA (at 45%) but if Grant Aid was not approved by the EA Project Appraisal Board the programme would take 10 years to complete.

08/09 ENVIRONMENTAL REPORT

08/09/01 The Environmental Report was considered in detail and approved (a copy of which is filed in the Report Book). Arising therefrom:

08/09/02 Great Water Parsnip Project (1.5.1)

The Environmental Officer reported that the great water parsnip plant was included on the Board's Biodiversity Action Plan (BAP) list of priority species. A Registered UK Charity named, 'Plantlife' had identified that the Fens were once heavily populated by this plant and had started a survey outside the Board's District to establish whether or not there was any evidence of its continued existence. They were requesting permission from the Board to extend the survey and include adopted watercourses within the Drainage District. It was noted that 'Plantlife' would permit the Board to include the results of the survey in the Board's BAP. It was agreed and thereby RESOLVED to allow 'Plantlife' to survey the Board's watercourses during this calendar year, subject to the Charity paying for and issuing proper notice to each respective landowner.

LM

08/09/03 Lawyers Sluice – Hibernacula for bats

It was agreed and thereby RESOLVED to develop a hibernacula for bats at the sluice when it was filled in, subject to the following conditions:

LM

- (i) The hibernacula shall not compromise the structure of the sluice

outfall.

- (ii) The Environment Agency (EA) shall agree to take on the legal responsibility for the hibernacula in addition to the in-filled sluice. This obligation must be included in a legal agreement between the Board and the EA.
- (iii) The hibernacula shall not compromise, cost or delay the Board from in-filling the sluice.
- (iv) The Board shall not be liable to pay for the construction of the hibernacula or its future maintenance.
- (v) The EA shall agree to absolve the Board of all liabilities howsoever arising from the hibernacula, particularly with regard to public safety. This obligation must be included in a legal agreement between the Board and the EA as previously referred to in 08/09/03 (ii).

09/09 PLANNING REPORT

09/09/01 The Planning Report was considered in detail and approved (a copy of which is filed in the Report Book). Arising therefrom:

**09/09/02 Application for relaxation of Byelaw 10
To erect a bungalow at Ropers Bridge Garage, Whaplode (2.1)**

Members considered an application for consent to demolish the existing garage building and erect a two-bed bungalow no closer than 6 metres from the brink of the Board's Whaplode River, together with the erection of a new wooden fence no closer than 1 metre from the brink. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into the Board's Standard Deed of Indemnity and the foundations of the new extension being constructed to the depth of the adjacent watercourse.

**09/09/03 Application for relaxation of Byelaw 10
Full planning application H12/1248/08
Extension to dwelling at 84 Daniels Gate, Long Sutton (2.2)**

Members considered an application for consent to extend a dwelling at 84 Daniels Gate, Long Sutton no closer than 6 metres from the centreline of the Board's Falls Drain Old Route pipeline. It was noted that it had not been possible for Officers to establish the exact distance between the Falls Drain Old Route pipeline and the proposed extension. It was agreed and thereby RESOLVED to consent to this application providing the extension was actually no closer than 6 metres from the centreline of the Board's Falls Drain Old Route pipeline, subject to the applicant entering into the Board's Standard Deed of Indemnity and the foundations of the new extension being constructed to the depth of the adjacent watercourse.

GRD

**09/09/04 Application for relaxation of Byelaw 10
Extensions to dwelling and new oil tank at Willow Cottage, Back Bank, Whaplode Drove (2.3)**

- (a) Members considered an application for consent to extend a dwelling at Willow Cottage, Back Bank, Whaplode Drove no closer than 1.45 metres from the centreline of the Board's Postland Drain. It was agreed and thereby RESOLVED to refuse consent on this occasion.
- (b) Members considered an application for consent to locate an oil tank at Willow Cottage, Back Bank, Whaplode Drove no closer than 2.50 metres from the brink of the Board's Postland Drain. It was agreed and thereby RESOLVED to consent to this application providing the oil tank was self banded or double skinned and sited on loose-laid paving slabs, subject to the applicant entering into the Board's Standard Deed of Indemnity.

**09/09/05 Application for relaxation of Byelaw 10
To extend garden wall at 78 Backgate, Cowbit
Retrospective application for relaxation of Byelaw 10 (2.4)**

- (a) Members considered an application for consent to build an extension to an existing brick built boundary wall at 78 Backgate, Cowbit no closer than 6 metres from the centreline of the Board's Bell Dyke pipeline. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into the Board's Standard Deed of Indemnity. **GRD**
- (b) Members considered a retrospective application for consent to construct a patio area, fish pond, block-paved driveway, fencing, a brick-built pergola, dog kennel, low garden wall and planted borders that had already been erected 6 metres from the centreline of the Board's Bell Dyke pipeline without the Board's consent. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into the Board's Standard Deed of Indemnity. **GRD**

**09/09/06 Section 23, Land Drainage Act 1991
Application to pipe and fill approximately 22 metres of Moulton River adjacent to 90 and 92 Church Lane, Moulton (2.5)**

Members considered an application for consent to pipe and fill approximately 22 metres of the Board's Moulton River adjacent to 90 and 92 Church Lane, Moulton. It was agreed and thereby RESOLVED to consent to this application, subject to the following conditions:

- (i) An inspection chamber shall be constructed to connect the new piping to the existing culvert. The specification for this and the size, type and level of the new pipes to be stipulated by the Board's Engineer. A sloping headwall shall also be constructed at the other end of the new pipe.

- (ii) An environmental survey shall be undertaken at the applicant or developer's expense to establish if the culverting will have any impact on protected species. Any mitigation measures that might be required would be at the applicant or developer's expense.
- (iii) The Board shall undertake the work to pipe the drain, at the applicant or developer's expense. The site shall be cleared before the Board undertakes the work.
- (iv) The in-filled area of the pipe shall be retained by the Board and not be used by the new dwelling. Wayleave fees would not be payable since the new dwelling would not require access across the Board's land.
- (v) A commuted maintenance fee shall not be payable by the applicant/developer in respect of infilling the pipe, since the Board had previously considered piping this part of the drain at its own cost.

09/09/07 Delegated Consents Granted (3.4)

The Schedule of Delegated Consents granted by Officers was considered in detail and approved.

10/09 PLANT AND DEVELOPMENT COMMITTEE MEETING

10/09/01 It was agreed and thereby RESOLVED to schedule a meeting of the Board's Plant and Development Committee on Tuesday, 10 March 2009 at 9 am here at Marsh Reeves, Foxes Lowe Road, Holbeach.

**11/09 DRAFT TERMS OF REFERENCE
SUB-CATCHMENT PROPOSALS: INDEPENDENT REVIEW**

11/09/01 The Chairman updated members on progress made following receipt of the Minister's letter of 6 February 2008 requesting South Holland IDB and Welland & Deepings IDB to amalgamate by 2013. A meeting had taken place on 16 December 2008 with North Level District IDB, South Holland IDB and Welland & Deepings IDB that included the Chairman, Vice Chairman, Chief Executive and Engineer of each Board, together with Robert Caudwell, the Chairman of the Northern Regional Flood Defence Committee. At this meeting it was agreed that the Chief Executives would draft terms of reference for consideration by the respective Chairmen and Vice Chairmen. Once these terms of reference had been agreed we would then seek the support from each Board for David Noble OBE, the former Chief Executive of the Association of Drainage Authorities (ADA), to undertake an Independent Review and make recommendations accordingly.

11/09/02 It was agreed and thereby RESOLVED to approve the terms of reference as drafted (a copy of which is filed in the Report Book).

11/09/03 It was agreed and thereby RESOLVED to jointly appoint David Noble to undertake the Independent Review for a fixed price of £6,200, subject to North Level District IDB and Welland & Deepings IDB agreeing to equally share the cost with South Holland IDB.

11/09/04 It was envisaged that this Report would be available for the next Board meeting on 26 May 2009.

**12/09 DEFRA LETTER
LEGALITY OF CONSORTIA ARRANGEMENTS**

12/09/01 Members considered the letter of 22 December 2008 sent from DEFRA advising on the legality of IDB consortia. The advice contained within the letter appeared to support the arrangements currently in place at the Water Management Alliance (WMA) and affirmed that the WMA was operating intra vires. RESOLVED that this be noted.

13/09 FINANCIAL REPORT

13/09/01 The Financial Report for the period 1 April 2008 to 31 December 2008 was considered in detail and approved (a copy of which is filed in the Report Book). There were no matters arising.

14/09 SCHEDULE OF PAID ACCOUNTS

14/09/01 The Schedule of Paid Accounts, totalling £442,796.48 for the period 1 October 2008 to 31 December 2008 was considered in detail and approved (a copy of which is filed in the Report Book). There were no matters arising.

15/09 CONSORTIUM MATTERS

15/09/01 Unconfirmed Minutes: Consortium Management Committee

The unconfirmed minutes of the last Consortium Management Committee meeting held on 8 December 2008 were considered in detail and approved. Arising therefrom:

15/09/02 The basis of allocation and notes underpinning the WMA Estimates for 2009/10 were considered in detail and approved.

15/09/03 It was agreed and thereby RESOLVED to remove Highland Water income from the WMA income and instead credit each respective Board with the full amount from 1 April 2010.

ID South Holland IDB, Minute	Action
<p>15/09/04 It was agreed and thereby RESOLVED to change the basis of allocation for administrative staff from proportion of rateable value to actual time spent serving each Member Board, with effect from 1 April 2010.</p>	
<p>15/09/05 Unconfirmed Minutes: Pay and Conditions Sub-Committee</p> <p>The unconfirmed minutes of the last Pay and Conditions Sub-Committee meeting held on 8 December 2008 were considered in detail and approved. Arising therefrom:</p>	
<p>15/09/06 It was agreed and thereby RESOLVED to approve the Consortium Management Committee recommendation that a company vehicle for use by the Chief Executive be retained, and, future replacements should be capitalised as a shared asset.</p>	
<p>15/09/07 Chief Executive's Report</p> <p>The Chief Executive's Report which was approved at the last Consortium Management Committee held on 8 December 2008 was considered in detail and adopted by the Board (a copy of which is filed in the Report Book). There were no matters arising.</p>	
<p>15/09/08 Schedule of Paid Accounts</p> <p>The Schedule of Paid Accounts, totalling £150,543.41 for the period 1 September 2008 to 15 November 2008, which was approved at the last Consortium Management Committee on 8 December 2008 was considered in detail and adopted by the Board (a copy of which is filed on the Report Book). There were no matters arising.</p>	
<p>15/09/09 Projected Out-Turn Year ending 31 March 2009</p> <p>The Projected Out-Turn for the year ending 31 March 2009, which was considered in detail at the last Consortium Management Committee on 8 December 2008, was adopted by the Board. There were no matters arising.</p>	
<p>16/09 ANY OTHER BUSINESS</p>	
<p>16/09/01 Mr F Biggadike recorded his thanks to the Board's Planning/Enforcement Officer, Mr G R Dann for the comments he had submitted to South Holland District Council regarding the proposed development adjacent to Holbeach River, and the need for the applicant to discuss the proposals with the Board. It was agreed and thereby RESOLVED to provide all Board members with a copy of this response.</p>	<p>GRD</p>