

A MEETING OF THE KING'S LYNN INTERNAL DRAINAGE BOARD WAS HELD IN THE BOARD ROOM, KETTLEWELL HOUSE, AUSTIN FIELDS INDUSTRIAL ESTATE, KING'S LYNN, NORFOLK ON FRIDAY, 13 JANUARY 2017 AT 9.30AM.

Elected Members

- * J R Askew
- * J S Austen
- * K Banham
- * Ms S Keene
- * A Lensen
- * R S Markillie
- * S A R Markillie
- * T Matkin
- M Riddington
- J Symington

Appointed Members

King's Lynn & W N B C

- B Ayres
- * M Chenery of Horsbrugh
- C Crofts
- R W Groom
- * Lord Howard of Rising
- * B Long
- * Mrs E Nockolds
- * D Whitby
- * T Wing-Pentelow
- * Mrs S Young

Fenland District Council

- * D Oliver

Present (76%)

Mr J Austen in the Chair

In attendance:

Mr P J Camamile (Chief Executive),
 Mr G Howe (Operations Manager/Health & Safety Officer),
 Mr G Dann (Planning/Enforcement Officer) and Mrs M Creasy (minutes)

ID	King's Lynn IDB, Minute	Action
01/17	APOLOGIES FOR ABSENCE	
01/17/01	Apologies for absence were received on behalf of Messrs B Ayres, C Crofts, R W Groom, M Riddington and J Symington.	
02/17	WELCOME AND INTRODUCTIONS	
02/17/01	The Chairman welcomed Mr Dale Gagen, Project Manager King's Lynn and West Norfolk Borough Council, (KL&WNBC) and Mr Mike Saunders, Lovell Partnerships working with KL&WNBC, who were both in attendance for the Board's consideration of Planning Report item 1.3. RESOLVED that this be noted.	

03/17 DECLARATIONS OF INTEREST

03/17/01 Mr J Askew declared an interest in the payment recorded in the Schedule of Paid Accounts to Account IDSO120, due to his family connection to the account holder. RESOLVED that this be noted.

03/17/02 All King's Lynn and West Norfolk Borough Council, (KL&WNBC) appointed members in attendance declared an interest in respect of Planning Report item 1.3 due to KL&WNBC being the applicant. RESOLVED that this be noted.

**04/17 PLANNING REPORT ITEM 1.3
APPLICATION FOR BYELAW 10 CONSENT
CONSTRUCTION OF 130 DWELLINGS AT MARSH LANE,
KING'S LYNN**

04/17/01 The Chairman recorded that Planning Report item 1.3 would be considered at this point in order that Messrs D Gagen and M Saunders could leave the meeting once a resolution had been agreed by the Board. RESOLVED that this be noted.

04/17/02 Members considered the Planning/Enforcement Officer's status update together with Lovell Partnerships Plan 45751/C/25 on the KL&WNBC development of 130 dwellings affecting the Board-maintained Baldock Drain, (copies of which are filed in the Report Book), which had previously been considered in September – November 2015 and was now presented for the Board's consideration in respect of Byelaw 10 consents following Anglian Water's agreement for a merged system with the Board's diverted Baldock Drain pipeline and Anglian Water sewer west of Segrave Road. It was agreed and thereby RESOLVED to approve consent for relaxation of Byelaw 10 subject to :

- The deeds for every property under/adjacent to which any part of the pipeline would run including appropriate clauses protecting IDB access to the piped drain without any recourse for compensation to property owners if anything on the property is damaged during access/works.
- The deeds for every property under/adjacent to which any part of the pipeline would run, including appropriate clauses prohibiting the planting of any trees, shrubs or bushes or construction of anything within the garden areas of the properties except for wooden boundary fences.
- Access strip to be planted with nothing more than grass and bulbs.
- Plot 85's boundary is to be adjusted fractionally so that the inspection chamber is accessible from the cycle path rather than having to go into the garden (the fence is currently shown going across the manhole).

- A pre-commencement camera survey is to be undertaken by the applicant for the section of existing pipeline to the north and north-west of plot 85, and provided to the Board). Camera surveys of the whole pipeline are also to then be carried out by the applicant at or after completion of works on the part of this development alongside the northern boundary (and provided to the Board); with the applicant being responsible for repairing any damage the Board considers has been caused during the works (responsibility for the pipeline would thereafter rest with the Board).

04/17/03 Messrs D Gagen and M Saunders were also invited to comment and recorded their agreement to the conditions as set out above. RESOLVED that this be noted.

04/17/04 Members considered and approved in principle the applicant's design proposals for the 900mm pipe west of Segrave Road to include three side by side 600mm pipes as identified on Lovell Partnerships Plan 45751/C/25, subject to the following changes:

- Provision of a satisfactory detailed design with straight, parallel culverts laid between two bespoke concrete inspection chambers, (internally 3m wide x 1.5m long), and the pipes surrounded by concrete up to approximately half the height of the sewer to ensure the foul sewer is appropriately supported and this to be confirmed by Anglian Water.

04/17/05 Messrs D Gagen and M Saunders were invited to comment and recorded their agreement with these changes which both agreed to be reasonable. RESOLVED that this be noted.

04/17/06 Messrs D Gagen, M Saunders and Appointed Member Baron M Cheney of Horsburgh all left the meeting at this point.

05/17 MINUTES OF THE LAST MEETING

05/17/01 The minutes of the last Board meeting held on 18 November 2016 were approved and signed as a true record, subject to the inclusion of a minute to record Mr A Lensen's comments concerning badgers and their potential to adversely affect the structural integrity of river/watercourse banks, which he made at the 18 November 2016 Board meeting following Mr D Gillett's presentation on the tidal River Great Ouse bed levels. RESOLVED that this be noted.

06/17 MATTERS ARISING

06/17/01 Kettlewell House: Relocation/Redevelopment (99/16/02)

The Chief Executive reported that following agreement by both parties on the Heads of Terms the Board's solicitor had contacted

BL

ID King's Lynn IDB, Minute	Action
<p>the vendor's solicitor on 20 September 2016 asking for contract papers. These were still outstanding at the time of this meeting and Mr B Long agreed to follow this up with KL&WNBC. RESOLVED that this be noted.</p>	
<p>06/17/02 Any other Business (99/16/04)</p>	
<p>Members considered the Chief Executive's proposal that the Board takes legal advice at an approximate cost of £1,000 in order to confirm that the copy of the legal precedent dated 1901 provided by Mr R W Groom in his challenge to the Board that IDBs are responsible for all artificial, (man-made) watercourses was largely irrelevant. It was unanimously agreed that the Board should not incur costs for this issue that had been raised by one person only, who may also have a conflict of interest due to the location of the watercourse in question. Lord Howard recorded that he would follow this up with Mr Groom on behalf of the Board. RESOLVED that this be noted.</p>	LH
<p>06/17/03 Gravel Bank Site (100/16/04)</p>	
<p>The Planning/Enforcement Officer reported that a pre-planning application enquiry for this site had been submitted to King's Lynn and West Norfolk BC Planning and he had subsequently received verbal affirmation that approval for support of development of the site was likely. RESOLVED that this be noted.</p>	
<p>06/17/04 Mrs E Nockolds recorded that she was meeting with the Director of Norfolk Museum Service on 18 January 2017 to once again discuss what, if any grant may be available for the refurbishment of the building and requested that the Board deferred any decision about the site until after this meeting. RESOLVED that this be noted.</p>	
<p>06/17/05 Members considered there were major structural issues with the building and therefore major health and safety concerns. The Planning/Enforcement Officer was asked to email photos of these to Mrs Nockolds in advance of her meeting on 18 January 2017 and also to all Board members. RESOLVED that this be noted.</p>	GRD
<p>06/17/06 Mr J Askew recorded that this site had already been the subject of detailed discussion by the Board over a long period of time and should now be concluded or passed to another organisation to deal with rather than take up more officer time and resource. RESOLVED that this be noted.</p>	
<p>06/17/07 Retrospective Application for relaxation of Byelaw 10 Sutton Road, Terrington St Clement (102/16/04)</p>	
<p>The Planning/Enforcement Officer reported that he met onsite with one of the applicants and their solicitor on 6 January 2017 and would provide a detailed report at the next Board meeting. RESOLVED that this be noted.</p>	GRD

06/17/08 ADA Membership 2017 (109/16/04)

Following the Chief Executive's notification to Innes Thomson, ADA's Chief Executive, of the Board's decision not to renew its membership of ADA for 2017, Mr Thomson had expressed his disappointment with the Board's decision and requested that he attend a Board meeting to listen to Board members' concerns and also to apprise them of the improvements made to the service provided by ADA since he had been in post. It was therefore agreed that Mr Thomson be invited to a future Board meeting. RESOLVED that this be noted.

PJC

07/17 ENGINEERING REPORT

07/17/01 The Engineering Report was considered in detail and approved, (a copy of which is filed in the Report Book). Arising therefrom:

07/17/02 Islington Catchment Flood Risk Management Scheme (1.2)

- (i) The Planning/Enforcement Officer reported that he and the Chief Executive would be meeting with RHDHV on 19 January 2017 to discuss how RHDHV could improve on the current 5.5 month slippage in the Islington Catchment Flood Risk Management Scheme timeline. RESOLVED that this be noted.
- (ii) It was understood that the EA frequently use RHDHV consulting services themselves and the Planning/Enforcement Officer had therefore asked EA officers to also speak to RHDHV to reiterate that £2 million in levy funding for the Islington Scheme could be lost to the Board and re-allocated to other projects in order for the EA to meet its own targets, if the Islington Scheme itself continued to be delayed due to RHDHV not meeting the scheme timelines.
- (iii) The Chief Executive reported that the EA were pleased that the King's Lynn IDB was intending to increase resources for the Islington Scheme and it was anticipated that the EA may also increase resource for this scheme to ensure that as an EA national priority list allocated scheme, it was delivered on time. RESOLVED that this be noted.

07/17/03 West Lynn Outfall (1.3)

It was agreed and thereby RESOLVED to give the Board's delegated authority to the Plant and Works Committee to award the contract for the replacement flap door and upstream penstock for the West Lynn Outfall after the receipt of quotations deadline of 3 February 2017 and prior to the next full Board meeting on 17 March 2017. RESOLVED that this be noted.

PW Com

07/17/04 Wolferton Catchment Flood Risk Management Scheme (1.4)

- (i) The Planning/Enforcement Officer reported that the EA National

Project Assurance Service, (NPAS), was considering the Wolferton Catchment Flood Risk Management Scheme Project Appraisal Report, (PAR), following its sign-off at EA local level. NPAS had raised some questions about the PAR which the Planning/Enforcement Officer had addressed and a response was awaited. RESOLVED that this be noted.

- (ii) Members considered the timescale for the receipt of the mechanical and engineering work tenders that had been invited on 2 December 2016 with a deadline of 20 January 2017 for receipt of completed tenders. It was agreed and thereby RESOLVED to give the Board's delegated authority to the Plant and Works Committee to award the contract for the mechanical and engineering works for the Wolferton Catchment Flood Risk Management Scheme prior to the next full Board meeting on 17 March 2017. RESOLVED that this be noted.

07/17/05 Health and Safety (2.1)

There were no incidents to report during this reporting period. RESOLVED that this be noted.

08/17 PLANNING REPORT

08/17/01 The Planning Report was considered in detail and approved, (a copy of which is filed in the Report Book). Arising therefrom:

08/17/02 Application for Byelaw 10 consent Construction of dwelling at 73, Sutton Road, Terrington St Clement (1.1)

Members considered the application for proposals to demolish the hairdressing salon currently in situ and replace with a new dwelling that would be situated 8m from the edge of the Board-maintained Experimental Drain. New fencing and a block-paved parking area were identified on the plans around 3.5m from the watercourse with soakaways, pathways, services connections and landscaping also proposed within the Byelaw 10, 9m zone of the open watercourse and possibly also the culverted section of this watercourse alongside Sutton Road. It was agreed and thereby RESOLVED to approve consent for the relaxation of Byelaw 10 subject to the following:

- The soakaways must be repositioned to ensure they are at least 9m from the Board-maintained Experimental Drain open and piped sections;
- The landscaping to the east of the dwelling to be repositioned so as not to adversely affect the Board's access to the Experimental Drain;
- The applicant and all other owners of the site are to enter into the Board's standard Deed of Indemnity, including

payment of all costs incurred by the Board in the preparation and execution of said Deed;

- Written confirmation is to be provided by a suitably qualified, independent structural engineer showing that the intended foundations for the dwelling will ensure that the development does not have an adverse impact on the Board-maintained watercourse, or vice-versa, and that the foundations are constructed in accordance with that design.

**08/17/03 Application for Byelaw 10 consent
Construction of chalet bungalow at The Willows, The Marsh,
Walpole St Andrew**

Members considered the application for the construction of a chalet bungalow that would be positioned 7m from the edge of the Board-maintained King John watercourse, at its closest point, with a gravel driveway and parking area to be constructed across the culverted access and within the 9m Byelaw 10 zone. It was agreed and thereby RESOLVED to approve consent for the relaxation of Byelaw 10 subject to:

- The edge of the gravel driveway is set at least 1m from the brink of the open drain and is not raised above surrounding ground levels, (to provide Board access from this side of the drain should it be required);
- The applicant enters into the Board's standard Deed of Indemnity, including payment of all costs incurred by the Board in the preparation and execution of that Deed;
- Written confirmation to be provided by a suitably qualified, independent structural engineer showing that the intended foundation design for the dwelling will have no adverse impact on the Board-maintained watercourse, or vice-versa, and that the foundations are constructed in accordance with that design.

**08/17/04 King's Lynn and West Norfolk Borough Council
Development proposals Marsh Lane/Lynnsport – New Road
Scheme**

- (i) The Planning/Enforcement Officer provided a verbal status update on the King's Lynn and West Norfolk Borough Council, (KL&WNBC) scheme to build a new road as part of the Marsh Lane/ Lynnsport development proposals, plans for which had been considered and approved by the Board in respect of Byelaw 10 consent and the de-maining/adoption/relocation/ of Board drains as confirmed in the subsequent Agreement signed by the Board and KL&WNBC.
- (ii) Members considered the Planning/Enforcement Officer's verbal report on KL&WNBC construction of the new road and associated

drainage works using different plans to those included in the Agreement with the Board, together with other works undertaken without Board consent, contrary to the terms of the Agreement. The Planning/Enforcement Officer recorded concern that in breaching the terms of the Agreement KL&WNBC, (and Norfolk County Council, NCC), may have set a precedent for future developments, including with private developers, requiring Board consultation and consent.

- (iii) Mr B Long recorded that his understanding was that KL&WNBC intended to re-submit plans to regularise these consent issues and believed that the changes would have been made for good reason. Mr B Long left the meeting at this point.
- (iv) Lord Howard of Rising proposed, with members concurring that it would need to be established what, if any engineering damage had been done as a result of the KL&WNBC/NCC changes and what they would need to do to rectify these, together with who was liable, KL&WNBC, NCC or its contractors.
- (v) Lord Howard also proposed that a letter from KL&WNBC/NCC as Public Bodies and Risk Management Authorities, confirming their full liability both now and in the future, stating that the Local Authority gave this undertaking as a public body would resolve any precedent issues with private developers.
- (vi) Some members, however, felt strongly that whilst they recognised the importance and the need for KL&WNBC and the Board to strike a level of compromise on both sides working together as Risk Management Authorities, the Board should write to KL&WNBC to place on record its disappointment that the terms of the Agreement had been breached.
- (vii) It was agreed and thereby RESOLVED that the Board should take legal advice to establish how the Board can avoid any precedent being set following the breach in Agreement; before the Board responds in writing to KL&WNBC and NCC about this breach of Agreement.
- (viii) All KL&WNBC appointed members present declared an interest in item recorded in minute 08/17/04, (i) – (vii) and were reminded of their legal obligation as Board members to act in the best interests of the Board, as opposed to their Council. RESOLVED that this be noted.

GRD

08/17/05 Delegated Consents (2.1)

The delegated consents granted by the Chief Executive's Management Committee using its delegated authority were considered in detail and approved.

09/17 SCHEDULE OF PAID ACCOUNTS

09/17/01 The Schedule of Paid Accounts for the period 1 November 2016 to 31 December 2016, totalling £576,793.41 was considered in detail and approved (a copy of which is filed in the Report Book). There were no matters arising.

10/17 ESTIMATES 2017/18

10/17/01 The detailed estimates, (a copy of which is filed in the Report Book), were considered in detail and approved. Arising therefrom:

10/17/02 Capital Programme 2017/18

The detailed Capital Works Estimate for 2017/18 as prepared by the Planning/Enforcement Officer, totalling £1,945,000.00 was considered in detail and approved.

10/17/03 Maintenance Works Programme 2017/18

The Maintenance Works Estimate for 2017/18 as prepared by the Operations Manager, totalling £929,980.00 was considered in detail and approved.

10/17/04 Consortium Charges 2017/18

The Administration and Technical Support Costs Estimate for 2017/18, as recommended by the Consortium Management Committee on 9 December 2016, was considered in detail and approved. Arising therefrom:

10/17/05 It was agreed and thereby RESOLVED to approve the inclusion of the Technical Support Consortium charge of £188,570.00 in the Board's Rate Estimates for 2017/18.

10/17/06 It was agreed and thereby RESOLVED to approve the inclusion of the Administration Consortium charge of £152,104.00 in the Board's Rate Estimates for 2017/18.

11/17 INDICATIVE FIVE YEAR FORECAST

11/17/01 The indicative five year forecast and adequacy of Earmarked Balances and Reserves, (a copy of which is filed in the Report Book), was considered in detail and approved. Arising therefrom:

11/17/02 The Chief Executive reported that he had discussed the proposed 1.3% rate increase for 2017/18 with the Finance Director of King's Lynn and West Norfolk Borough Council and understood that this increase would be supported by the Borough Council. RESOLVED

that this be noted.

- 11/17/03** It was agreed and thereby RESOLVED to approve in principle the increases in Drainage Rates and Special Levies for the next 5 years, as set out in the Indicative Five-Year Forecast.

**12/17 FINANCIAL YEAR 2017/18
LAY AND SEAL THE DRAINAGE RATE AND SPECIAL LEVIES**

12/17/01 Annual Values

It was agreed and thereby RESOLVED to approve the aggregate annual values as at 31 December 2016, used for the purposes of raising and apportioning expenses from drainage rates and special levies for 2017/18.

12/17/02 Main Area

It was unanimously agreed and thereby RESOLVED to approve the net rate requirement of £2,843,696.00 for 2017/18 as presented, Option 3, which equated to a drainage rate increase of 1.3% at 7.722p in the pound and a 1.3% increase on the Special Levy due from the billing Authorities:

Agricultural Drainage Rates	£307,998
Borough Council of King's Lynn and West Norfolk	£1,770,023
Fenland District Council	£73,984
South Holland District Council	£22,823
Reserves	£668,868
	£2,843,696

12/17/03 Differentially Rated Area

It was unanimously agreed and thereby RESOLVED to approve the net rate requirement of £14,369.00 for 2017/18, as presented, Option 3, which equated to a drainage rate increase of 1.3% at 1.215p in the pound and a 1.3% increase on the Special Levy due from the billing Authorities:

Agricultural Drainage Rates	£1,688
Borough Council of King's Lynn and West Norfolk	£5,440
Fenland District Council	£8,354
Reserves	(£1,113)
	£14,369

13/17 RISK REGISTER

- 13/17/01** The Risk Management Policy and Risk Register, (copies of which are filed in the Report Book), both updated with the new risk assessment matrix scoring, together with the re-formatting of the Risk Register in line with the current Governance and Accountability

ID King's Lynn IDB, Minute	Action
for Smaller Authorities Practitioners Guide were considered in detail and approved. Arising therefrom:	
13/17/02 It was agreed and thereby RESOLVED to update the risk of EA ceasing payment of Highland Water Contributions with an action to continue to lobby Defra to update the Land Drainage Act 1991 to refer to current rating lists used by billing authorities for levying agricultural drainage rates and special levies, as this would support the extension of the Board's area to its watershed, which in turn would provide additional rates to the Board from the upland area.	MEC
14/17 CORRESPONDENCE	
14/17/01 There was no correspondence for consideration during this reporting period.	
15/17 NEXT MEETING	
15/17/01 The next meeting was scheduled for Friday, 17 March 2017 and would include the Board's tour of works inspection.	
16/17 ANY OTHER BUSINESS	
16/17/01 Plant and Works Committee Meeting	
It was agreed that the Plant and Works Committee would meet on Friday, 17 February 2017 at 9.00 am at Kettlewell House.	
17/17 OPEN FORUM: TO HEAR FROM ANY MEMBER OF THE PUBLIC, WITH LEAVE OF THE CHAIRMAN	
17/17/01 There were no members of the public present at the meeting.	
18/17 CONSORTIUM MATTERS	
18/17/01 The unconfirmed minutes of the last Consortium Management Committee held on 9 December 2016 were considered in detail and approved. There were no matters arising.	
18/17/02 Schedule of Paid Accounts	
The WMA Schedule of Paid Accounts for the period 1 April 2016 to 30 November 2016, totalling £734,844.17 as approved at the Consortium Management Committee meeting on 9 December 2016, was considered in detail and adopted. Arising therefrom:	
18/17/03 Mr S A R Markillie declared an interest in respect of the payment to Account ID ST0001 recorded in the WMA Schedule of Paid	

ID	King's Lynn IDB, Minute	Action
	Accounts for payment of his WMA Chairman allowance. RESOLVED that this be noted.	
18/17/04	Mr P J Camamile declared an interest in respect of the payment made to Byzantine Ltd, as recorded in the WMA Schedule of Paid Accounts, due to his position as Company Secretary and as a shareholder of that Company. His wife is also a Director and shareholder of Byzantine Ltd. RESOLVED that this be noted.	
18/17/05	<p>Financial Report</p> <p>The WMA Financial Report for the year 1 April 2016 to 30 November 2016, as approved at the Consortium Management Committee meeting on 9 December 2016, was considered in detail and adopted by the Board. Arising therefrom:</p>	
18/17/06	It was proposed by Mr S A R Markillie and unanimously agreed to record the Board's thanks to Mrs P Walker for the additional work she had taken on in the interim period following the resignation of the Finance Officer and the recruitment of a replacement. RESOLVED that this be noted	
18/17/07	<p>WMA Estimates 2017/18</p> <p>The WMA Estimates detailing Administration and Technical Support Costs for 2017/18 were considered in detail and approved. Arising therefrom:</p>	
18/17/08	The increase in technical support costs for the Board for 2017/18 were noted in respect of the planned increase for in-house technical support. It was agreed that the Plant and Works Committee would consider the job role for this post, before presenting it for the Board's consideration.	P/W Com
18/17/09	<p>Issues for discussion at next CMC meeting</p> <p>There were no specific issues raised by Members that would require discussion at the next Consortium Management Committee meeting on 31 March 2017.</p>	
19/17	CONFIDENTIAL BUSINESS	
19/17/01	There was no confidential business to discuss.	

ENGINEERING & OPERATIONS REPORT

1 CAPITAL WORKS

1.1 CATCHMENT MODELLING

Following their completion of the surveys in Islington and Reeds Drain catchments, Tolethorpe have now commenced surveying the Board-maintained watercourses leading to Ingleborough Pumping Station and in all the catchments within the former Magdalen IDB district.

1.2 ISLINGTON CATCHMENT FLOOD RISK MANAGEMENT SCHEME

Following completion of the site ground investigations, work has been ongoing with laboratory testing and reporting, as well as periodic monitoring of groundwater levels. The reports are expected to be sent to the Board for review within the next 2-3 weeks.

1.3 WEST LYNN OUTFALL

Invitations to quote for the replacement of the flap door and upstream penstock have been issued, with contractor site visits taking place during the week commencing 9 January, and a deadline for submissions to the Board of 3 February 2017.

1.4 WOLFERTON CATCHMENT FLOOD RISK MANAGEMENT SCHEME

The Project Appraisal Report has now been “signed-off” by the EA at local-level, and passed to NPAS (National Project Assurance Service) for its consideration.

M&E tenders were issued on 2 December 2016, with a deadline for submissions of 20 January 2017. These will then be assessed and a report put to Members as soon as possible.

2 HEALTH & SAFETY

2.1 ACCIDENTS AND NEAR-MISSES

There have been no accidents or near misses during this reporting period.

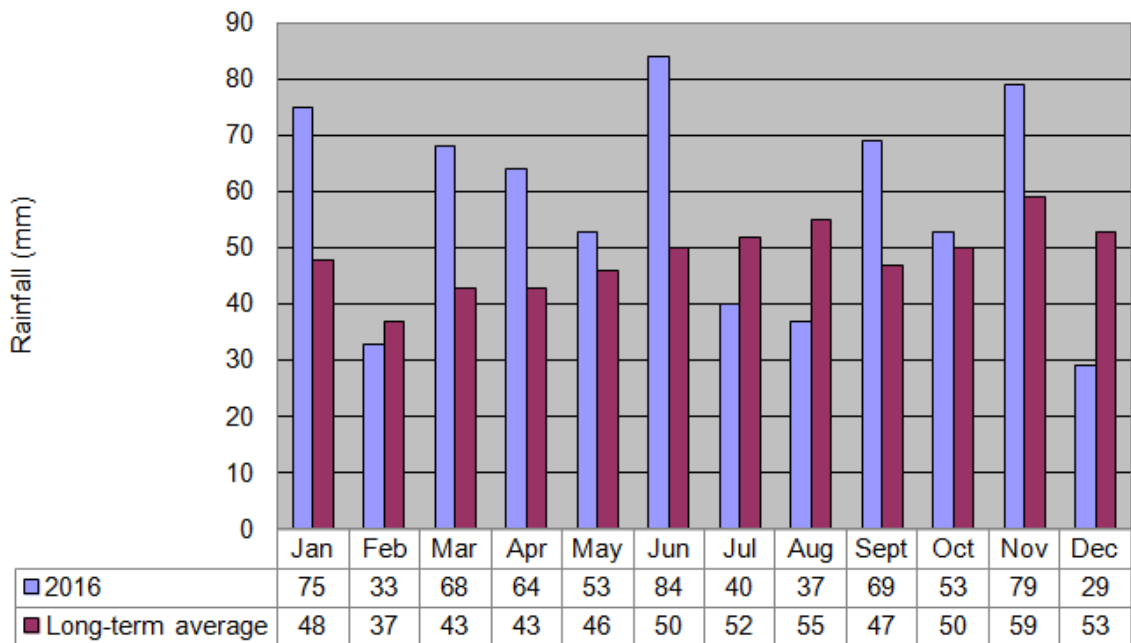
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RAINFALL

Rainfall statistics relating to the Board’s gauges for the months of November and December are as follows (recordings in mm):

LOCATION	NOVEMBER		DECEMBER		CUMULATIVE	
	2016	2009-15 Average	2016	2009-15 Average	2016	2009-15 Average
Islington Pumping Station	63	66	20	55	554	582
Pierrepoint Pumping Station	79	64	29	59	684	623
Wolferton Pumping Station	65	61	27	50	682	631

**ACTUAL AND LONG-TERM AVERAGE MONTHLY RAINFALL READINGS
KING’S LYNN: JANUARY 2016 – DECEMBER 2016**



PLANNING REPORT

1 ITEMS REQUIRING BOARD'S CONSIDERATION:

1.1 FULL PLANNING APPLICATION – 16/02096/F CONSTRUCTION OF DWELLING FOLLOWING DEMOLITION OF FORMER HAIRDRESSING SALON AT 73 SUTTON ROAD, TERRINGTON ST CLEMENT DRAIN AFFECTED – EXPERIMENTAL DRAIN APPLICANT – MR SPARK

An application has been submitted seeking relaxations of Byelaw 10 in connection with proposals to demolish a former hairdressing salon and construct a new dwelling. The existing building is around 5.6m from the brink of the watercourse (its approximate position is shown dashed in black on the site plan below), whereas the new dwelling is shown 8m from the edge of the open drain at its closest point. New fencing is shown 3.5m from the drain, with a block-paved driveway/parking area a similar distance away. Soakaways, pathways, services connections and landscaping are also proposed within the area of land covered by Byelaw 10.

The Board-maintained watercourse continues broadly westwards from the end of the open channel here, alongside Sutton Road, as a culverted drain. The exact position of the pipeline would have to be established on site (I'm not certain that the inspection chamber indicated on the site plan relates to the Board-maintained drain), but it's possible that parts of the dwelling, parking area and one of the soakaways may also be within nine metres of that culvert.

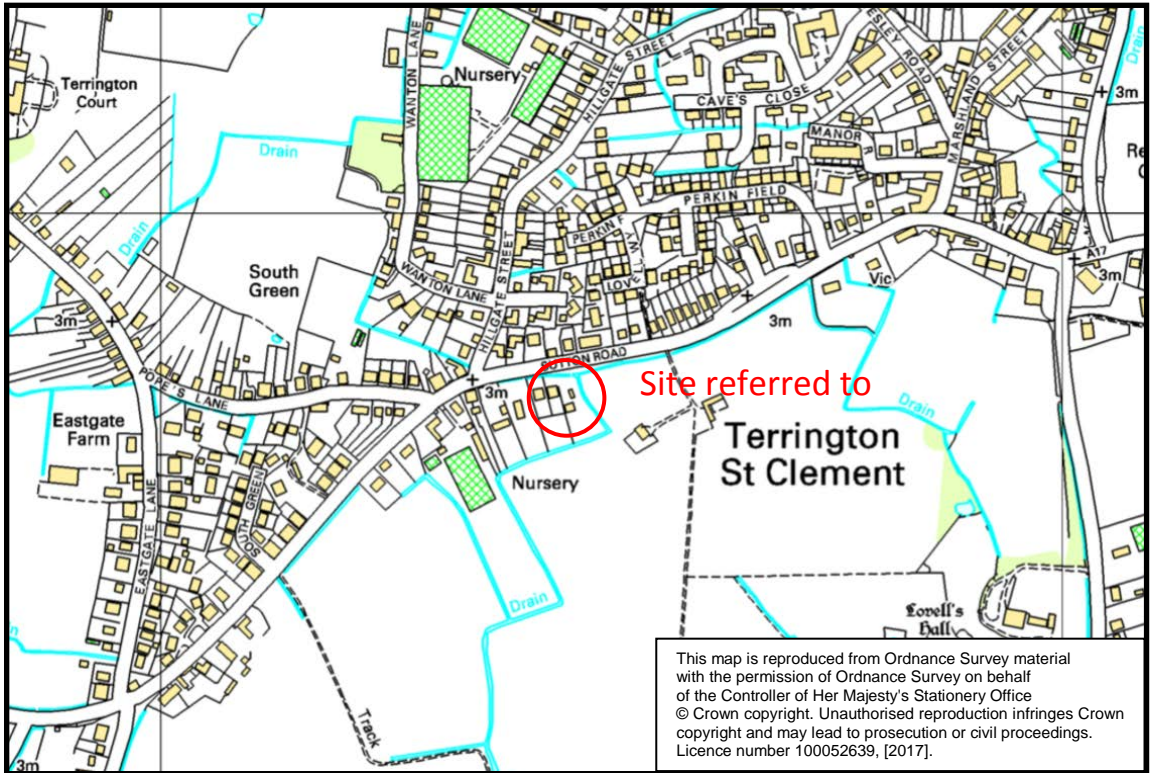
This site is immediately to the north of one considered by the Board at its last meeting, and Members may remember that there is an existing conifer hedge along part of the open channel here (its northern extent can be seen on the site plan). Routine access to the open drain would be possible from most of the site though.

Recommendation

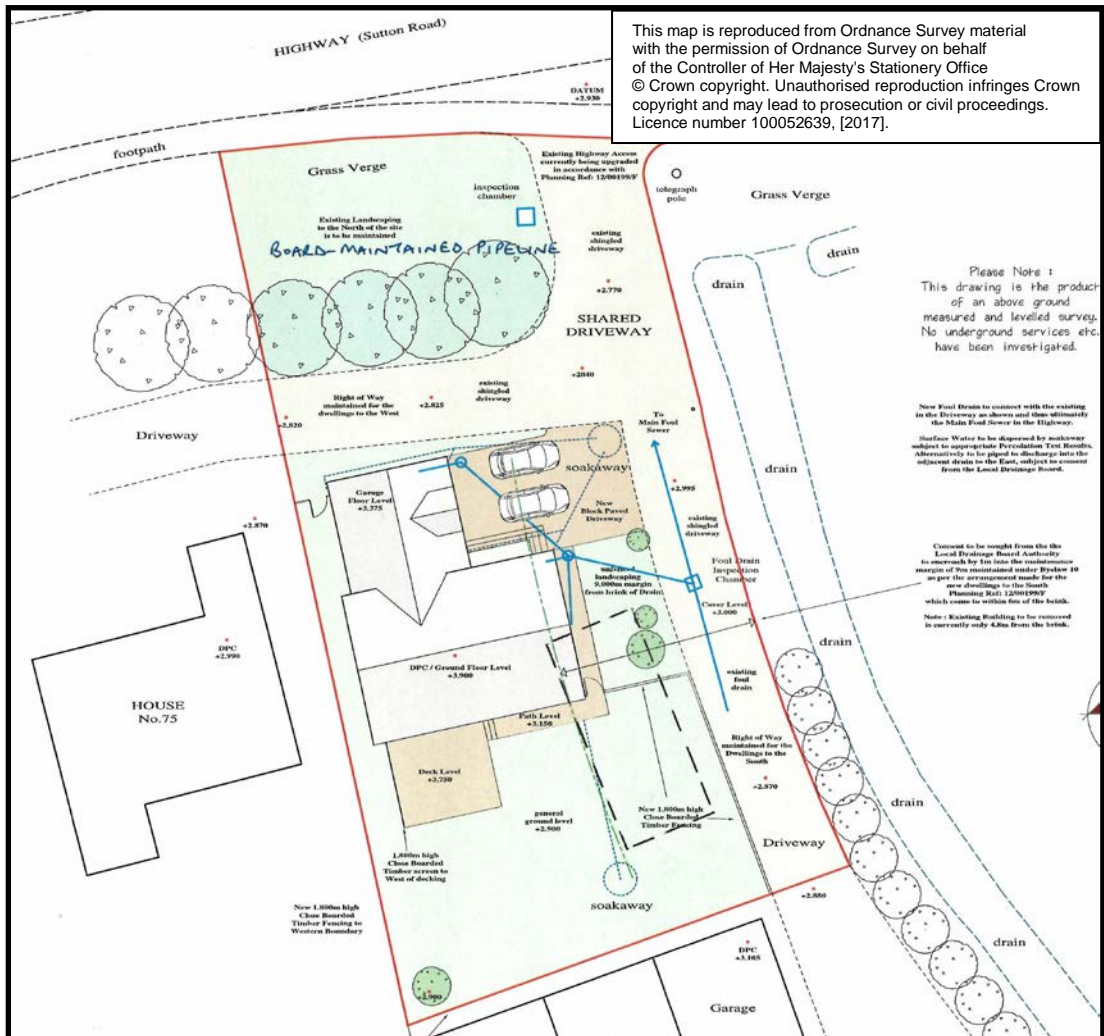
The Board seeks to have soakaways sited at least nine metres from its maintained drains, and I see no reason why that shouldn't be possible here (if those systems are in the garden). No species details have been submitted, but the indicated landscaping positions to the east of the dwelling could hinder the Board if it accesses the open drain from this site. I would therefore recommend that the Board requires the soakaways and landscaping to be repositioned.

It is felt that the positions of the dwelling, fencing, driveway, pathways and service connections may be considered acceptable provided the Board protects its interests through the use of a Deed of Indemnity. I would therefore recommend that consent be granted for these features, subject to the following conditions:

- The applicant (and all other owners of this site) must enter into the Board's standard Deed of Indemnity, including paying all costs incurred by the Board in preparing and executing that document.
- Written confirmation is to be provided by a suitably qualified, independent structural engineer showing that the intended foundations for the dwelling will ensure the development does not have an adverse impact on the Board-maintained watercourse, or vice-versa, and the foundations are then to be constructed in accordance with that design.



Location Plan



Site plan

1.2

FULL PLANNING APPLICATION – 16/01849/F
CONSTRUCTION OF CHALET BUNGALOW AT THE WILLOWS, THE MARSH,
WALPOLE ST ANDREW
DRAIN AFFECTED – KING JOHN DRAIN
APPLICANT – MR WALTON

The proposed chalet bungalow here is shown seven metres from the edge of the open channel at its closest point, with a gravel driveway and parking area to be constructed across the culverted access and within the area of land covered by Byelaw 10. The applicant has also applied to discharge surface water run-off from the dwelling to the watercourse, which will be considered by Officers under their delegated powers.

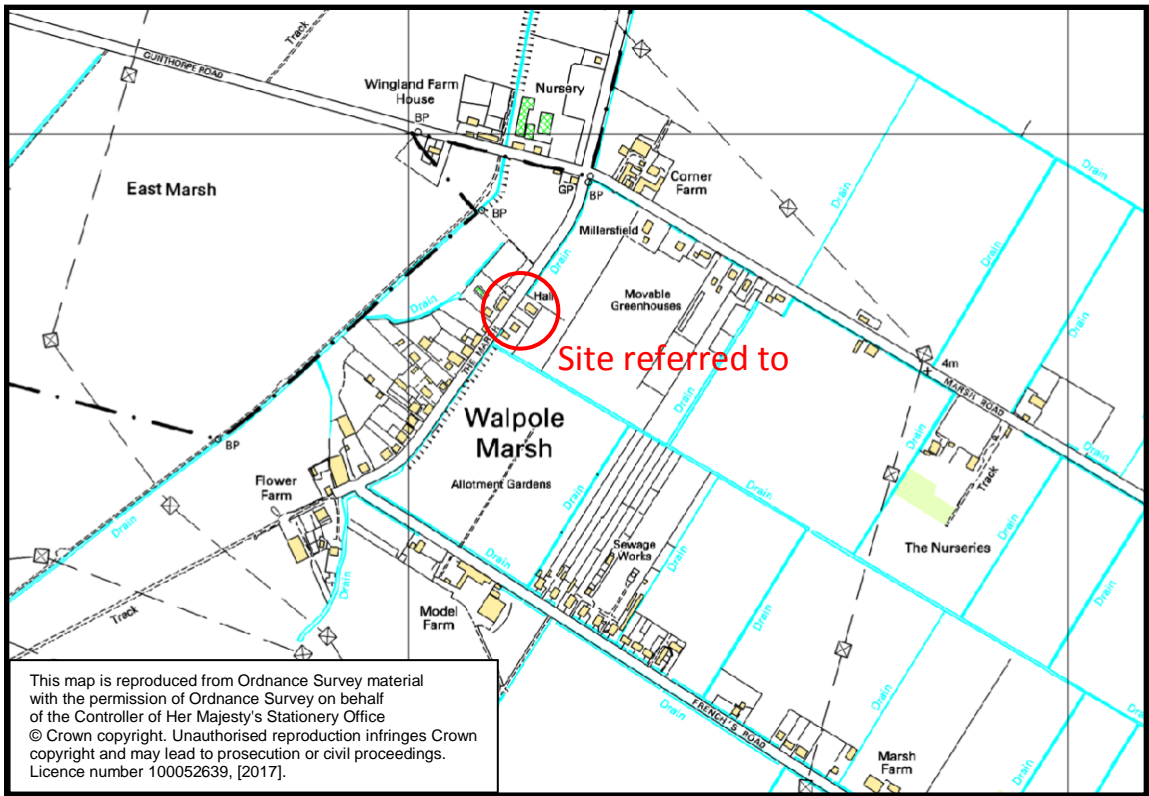
The section of open drain alongside this property is little more than ten metres in length, and lies between two longer piped sections. Routine maintenance is carried out from the roadside, although access could be gained to the site if required. While the Board could stipulate that the dwelling is set at least nine metres away from the drain – which the Board's Planning & Byelaw Policy suggests should be the case wherever possible – this may not be acceptable to the planning authority, as the proposed dwelling is currently positioned broadly in line with those to either side of it.

Provided the edge of the gravel driveway is set at least one metre from the brink of the open drain, and is not raised above surrounding ground levels, then its construction would be in line with the Board's standard policies for such works.

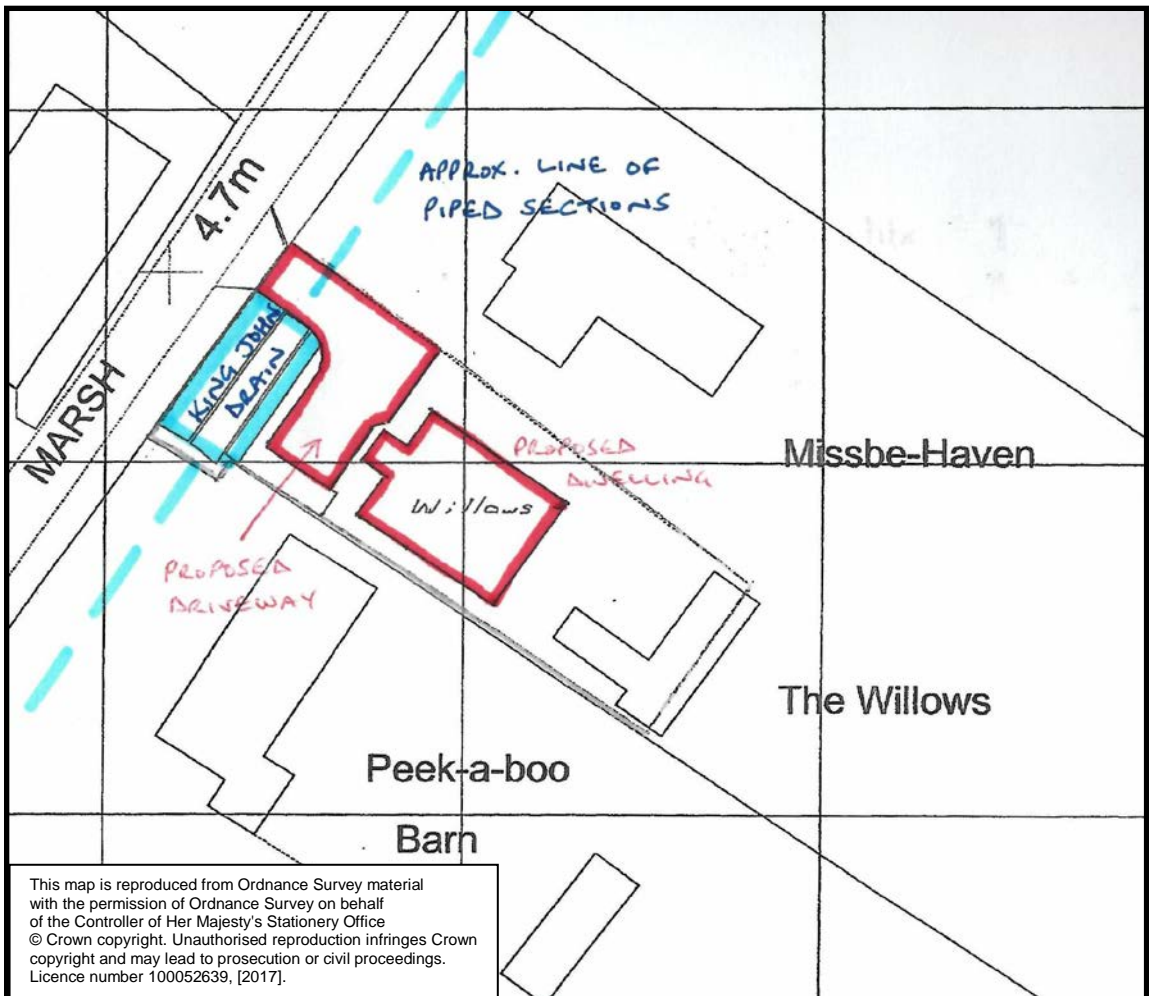
Recommendation

Taking all the above factors into account, it's recommended that the Board agrees to grant Byelaw 10 relaxations for the dwelling and driveway here, subject to compliance with the following conditions:

- The applicant is to enter into the Board's standard Deed of Indemnity, including paying all costs incurred by the Board in preparing and executing that document.
- Written confirmation is to be provided by a suitably-qualified, independent structural engineer showing that the intended foundation design for the dwelling will mean there is no adverse impact on the Board-maintained watercourse, or vice-versa, and the foundations are then to be constructed in accordance with that design.



Location Plan



Site plan

1.3

FULL PLANNING APPLICATION – 15/00828/FM
CONSTRUCTION OF 130 DWELLINGS AT MARSH LANE, KING'S LYNN
DRAIN AFFECTED – BALDOCK DRAIN
APPLICANT – BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

Members will recall this site from meetings of the Board and Plant & Works Committee around September-November 2015. At the Board meeting in November 2015 it was agreed that what is currently the open section of Baldock Drain alongside this site could be piped, and certain Byelaw 10 relaxations above/adjacent to that culvert were stipulated by the Board, to leave an easement of between 6.9m and 8.7m in width.

In respect of the part of the site west of Segrave Road – where the existing piped section of Baldock Drain and an Anglian Water (AW) surface water sewer currently run in close proximity to one another, crossing near Segrave Road – the diversion of the Board-maintained pipeline, and its merger with AW's sewer, were agreed subject to further information/confirmations about the pipe's size and specification, as well as AW's agreement to the merged system and its future maintenance by the Board, with the matter to come back to the Board once these issues had been resolved. Given the outstanding issues and there not being a final, agreed diversion route, no decisions were made regarding any Byelaw 10 relaxations.

Anglian Water has now given its agreement in principle to a single, merged system, subject to formal confirmation from the Board that it will maintain that system going forwards. Given the potential flows it has been stipulated that a 900mm pipe will be required from Segrave Road through to the western end of the realigned culvert, although a request has recently been made for a short section of this to be three side-by-side 600mm pipes instead (see later in this report).

The proposed pipe alignment would be mainly under driveways and parking areas, with part of it under the gardens of plots 69 and 85 (permitted development rights for these plots were removed as part of the planning permission) and with a few sections of fencing crossing/adjacent to the pipe. The distance between the site's boundary fence and the buildings alongside the realigned pipe would vary from 8.7m to 13.2m.

While the above measurements are for the total easement width, the wall of the closest dwelling (plot 69) would be only 3.8m from the centreline of the pipe, meaning the outside edges of the foundations and pipe will probably be around 3m apart. The proposed dwelling on plot 85 would also be close to the existing culvert (which is not planned to be replaced, and the condition of which is unknown), with the wall of the dwelling being around 4.7m from the centre of the pipe, and a total easement width here of about 7.3m.

Although the distances between the pipeline and proposed buildings to the west of Segrave Road would be broadly in line with what was agreed by the Board for the section of watercourse to the east (where the closest dwelling was 3.9m away and the nearest garage 4.3m), they are significantly less than the Board's Planning & Byelaw Policy suggests should be permitted. Members should bear this policy in mind, and what factors they feel justify a departure from policy here, if they wish to grant the requested Byelaw 10 relaxations.

If Members wish to give consent, I would recommend that this is subject to the following conditions:

- The deeds for every property under/adjacent to which any part of the pipeline would run including appropriate clauses protecting IDB access to the piped drain without any recourse for compensation to property owners if anything on the property is damaged during access/works.

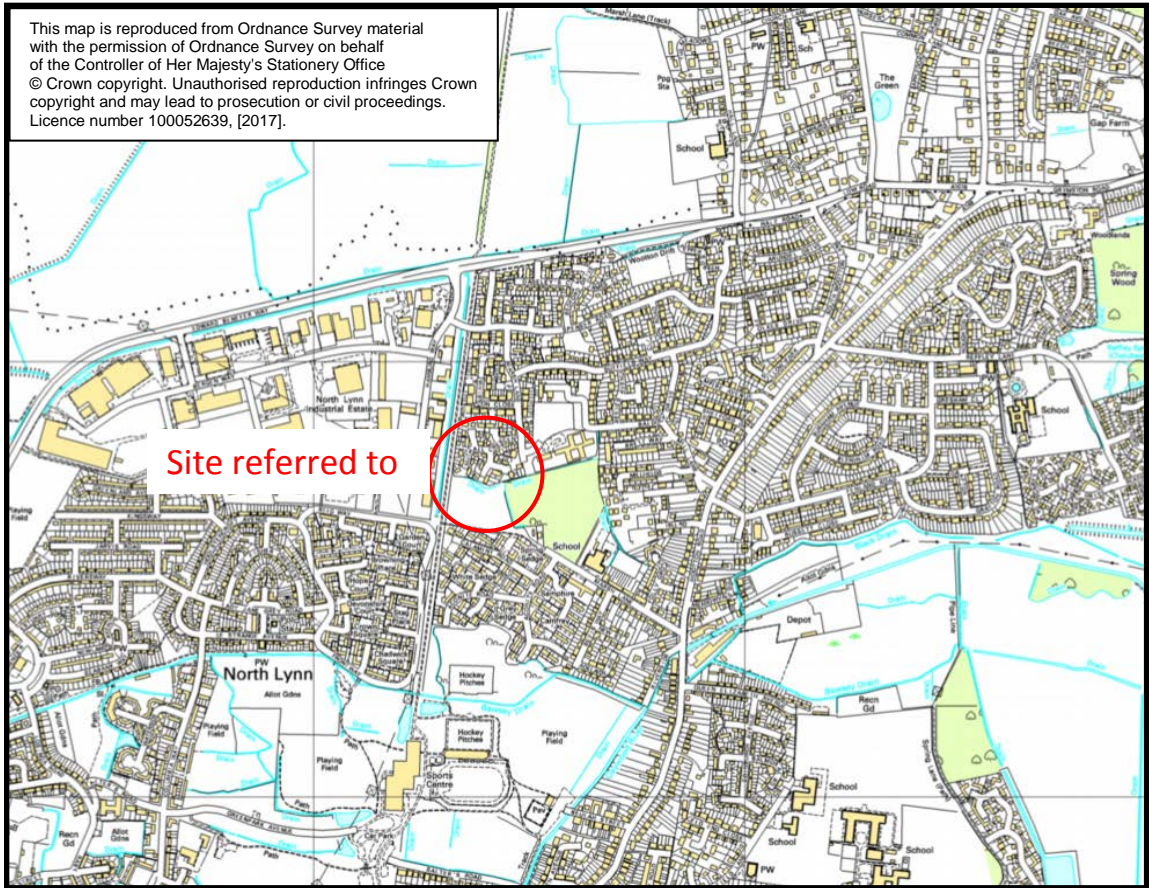
- The deeds for every property under/adjacent to which any part of the pipeline would run including appropriate clauses prohibiting the planting of any trees, shrubs or bushes or construction of anything within the garden areas of the properties except for wooden boundary fences.
- Access strip to be planted with nothing more than grass and bulbs.
- Plot 85's boundary is to be adjusted fractionally so that the inspection chamber is accessible from the cyclepath rather than having to go into the garden (the fence is currently shown going across the manhole).
- A pre-commencement camera survey is to be undertaken by the applicant for the section of existing pipeline to the north and north-west of plot 85, and provided to the Board). Camera surveys of the whole pipeline are also to then be carried out by the applicant at or after completion of works on the part of this development alongside the northern boundary (and provided to the Board); with the applicant being responsible for repairing any damage the Board considers has been caused during the works (responsibility for the pipeline would thereafter rest with the Board).

Part of the proposed 900mm pipe west of Segrave Road had been shown by the applicant's drainage designers to pass just under a 375mm AW foul water sewer. However, site investigations have now shown the level of this sewer to be 380mm lower than suggested by the topographic survey (on which the design had been based). To resolve this issue, the consultant has proposed the inclusion of an extra manhole and around an 8m section of three side-by-side 600mm pipes in the middle of the 900mm culvert. The proposed arrangement of the "triple pipe", and how the pipes would connect into the two 1.8m diameter manholes is shown at the end of this section.

Members will see that the design relies on 45° bends just outside the manholes, and a narrow gap between pipes, especially where they enter the chambers. Both these design elements are far from ideal, and the Board's Officers are concerned about the compaction of fill material in these gaps and under the foul sewer, particularly as any inadequacy in support for the foul sewer could have major consequences.

Based on the (amended) survey information, it appears that the proposed triple pipes and foul sewer would also have little gap between them – and certainly far less than the 300mm which the Board would normally stipulate between any culvert and other services – meaning that in the event the Board needed to repair or replace this section of culvert, it would be practically impossible to do so without also having to replace a section of foul sewer (which seems to cater for many hundreds of properties).

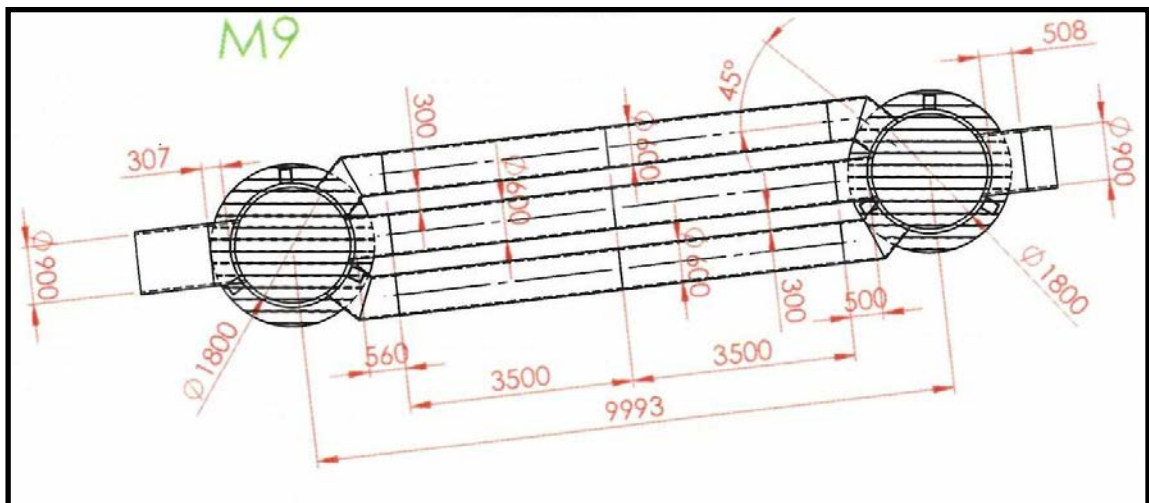
Although the Board's Officers do not feel side-by-side pipes are the ideal solution in drainage terms, it's recognised that this may be the only option here, given that diverting the foul sewer is unlikely to be practical. However, the current proposed design is still not felt to be acceptable, and therefore it's recommended that the Board agrees to the principle of three side-by-side 600mm pipes, subject to a satisfactory detailed design with straight, parallel culverts laid between two bespoke concrete inspection chambers (internally 3m wide by 1.5m long), and with the pipes being surrounded by concrete up to approximately half the height of the sewer. Provided such works are suitably-designed and constructed, it's felt that this would ensure the foul sewer is appropriately-supported (this would need to be confirmed by AW), and protect the Board from any potential issues with this in the future.



Location Plan

Please see Appendix 1, (A3 site plan) for locations of proposed culvert works and Byelaw 10 relaxations.

To assist with identifying features, the existing Board-maintained culvert is shown by the close-hatched area predominantly to the south of the planned pipe alignment; the AW surface water sewer is shown by the “crossed out” dashed red line; Segrave Road is the road towards the left-hand side of the lower half of this plan; and the proposed “triple pipe” is to the north of the LEAP.



Plan showing proposed arrangement of triple pipes under the AW foul sewer (the circles marked with horizontal lines denote the extent of the manhole bases)

2 OTHER PLANNING MATTERS:

2.1 SURFACE WATER DEVELOPMENT CONTRIBUTION FEES

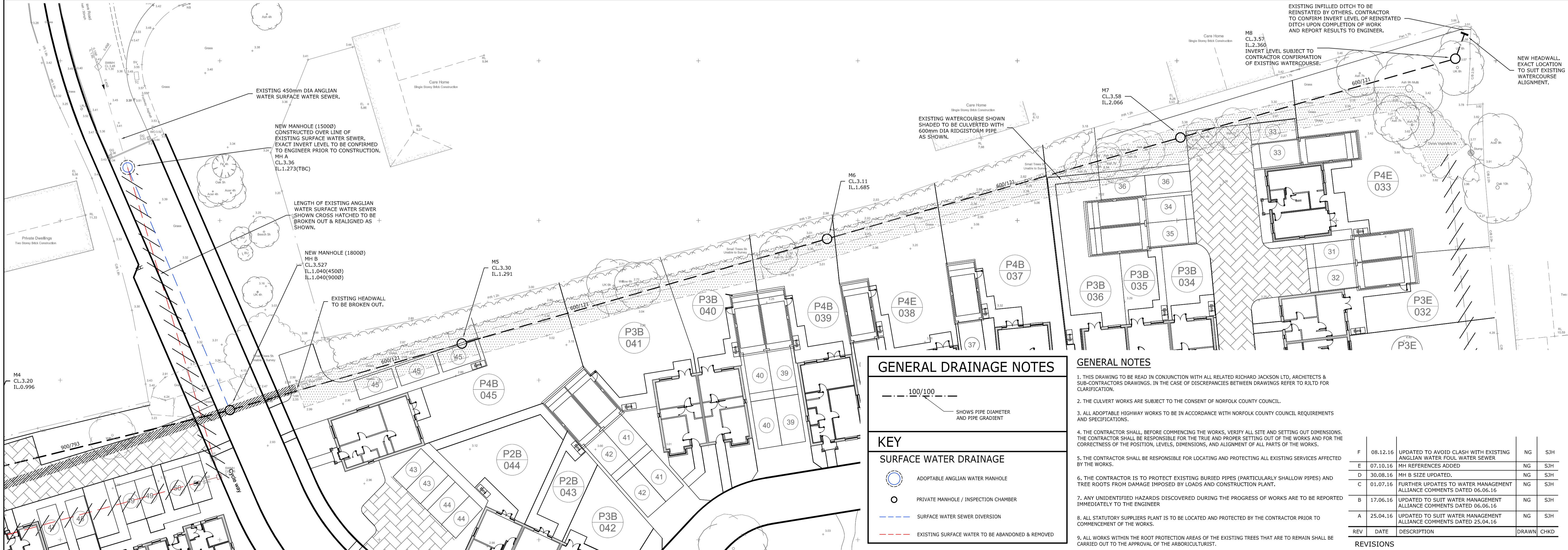
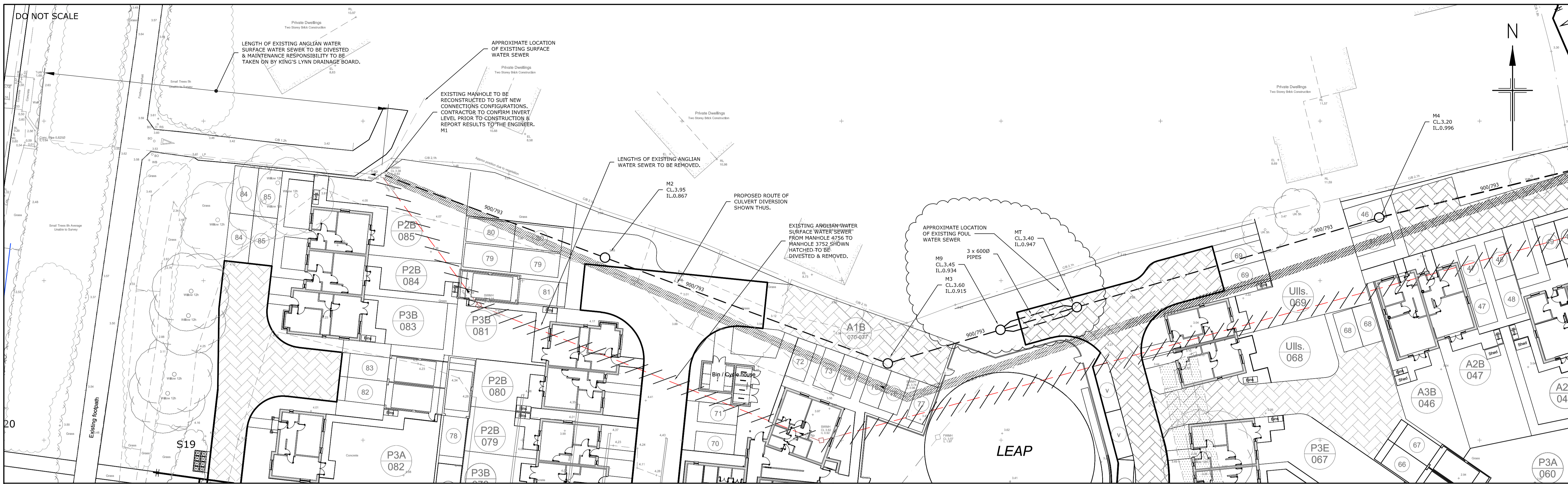
There have been two Surface Water Development Contribution Fees invoiced during the reporting period, totalling £94,437.73. These are the payments due on issue of consent for two developments (the remainder of the contributions will be invoiced when the developments commence). One of the invoices (£2,694.38) has been paid, but the other remains outstanding.

2.2 DELEGATED CONSENTS GRANTED

During this reporting period the following consent has been granted by the Chief Executive's Management Committee under its delegated authority:

APPLICANT/AGENT	LOCATION	DEVELOPMENT	WATERCOURSE(S)
Hadleigh Farms	Hadleigh Farm, Well Hall Lane, Ashwicken	Discharge surface water run-off	Private (CMT134G)

G R DANN – PLANNING/ENFORCEMENT OFFICER



GENERAL DRAINAGE NOTES

--- 100/100 ---
 SHOWS PIPE DIAMETER AND PIPE GRADIENT

KEY

SURFACE WATER DRAINAGE

- ADAPTABLE ANGLIAN WATER MANHOLE
- PRIVATE MANHOLE / INSPECTION CHAMBER
- SURFACE WATER SEWER DIVERSION
- EXISTING SURFACE WATER TO BE ABANDONED & REMOVED

GENERAL NOTES

1. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELATED RICHARD JACKSON LTD, ARCHITECTS & SUB-CONTRACTORS DRAWINGS. IN THE CASE OF DISCREPANCIES BETWEEN DRAWINGS REFER TO RJLTD FOR CLARIFICATION.
2. THE CULVERT WORKS ARE SUBJECT TO THE CONSENT OF NORFOLK COUNTY COUNCIL.
3. ALL ADAPTABLE HIGHWAY WORKS TO BE IN ACCORDANCE WITH NORFOLK COUNTY COUNCIL REQUIREMENTS AND SPECIFICATIONS.
4. THE CONTRACTOR SHALL, BEFORE COMMENCING THE WORKS, VERIFY ALL SITE AND SETTING OUT DIMENSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE TRUE AND PROPER SETTING OUT OF THE WORKS AND FOR THE CORRECTNESS OF THE POSITION, LEVELS, DIMENSIONS, AND ALIGNMENT OF ALL PARTS OF THE WORKS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING SERVICES AFFECTED BY THE WORKS.
6. THE CONTRACTOR IS TO PROTECT EXISTING BURIED PIPES (PARTICULARLY SHALLOW PIPES) AND TREE ROOTS FROM DAMAGE IMPOSED BY LOADS AND CONSTRUCTION PLANT.
7. ANY UNIDENTIFIED HAZARDS DISCOVERED DURING THE PROGRESS OF WORKS ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER.
8. ALL STATUTORY SUPPLIERS PLANT IS TO BE LOCATED AND PROTECTED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF THE WORKS.
9. ALL WORKS WITHIN THE ROOT PROTECTION AREAS OF THE EXISTING TREES THAT ARE TO REMAIN SHALL BE CARRIED OUT TO THE APPROVAL OF THE ARBORICULTURIST.

REV	DATE	DESCRIPTION	DRAWN	CHKD
F	08.12.16	UPDATED TO AVOID CLASH WITH EXISTING ANGLIAN WATER FOUL WATER SEWER	NG	SJH
E	07.10.16	MH REFERENCES ADDED	NG	SJH
D	30.08.16	MH B SIZE UPDATED.	NG	SJH
C	01.07.16	FURTHER UPDATES TO WATER MANAGEMENT ALLIANCE COMMENTS DATED 06.06.16	NG	SJH
B	17.06.16	UPDATED TO SUIT WATER MANAGEMENT ALLIANCE COMMENTS DATED 06.06.16	NG	SJH
A	25.04.16	UPDATED TO SUIT WATER MANAGEMENT ALLIANCE COMMENTS DATED 25.04.16	NG	SJH

Project RESIDENTIAL DEVELOPMENT MARSH LANE KING'S LYNN	Title CULVERT DIVERSION PLAN	Client LOVELL PARTNERSHIPS	Drawn N GARNER	Date FEBRUARY 2016	This drawing is to be read in conjunction with all other Engineer's drawings and all other project information. Any discrepancy between the Engineer's drawings and other project information is to be reported to the Engineer immediately.	 Richard Jackson Engineering Consultants <small>26 High Street, Haverhill, Suffolk, IP7 5AP Suite 409, 1 Abbe Street, London E1 1DE York House, 3 Station Court, Station Rd, Great Shelford, Cambs CB22 5NE 8 The Old Church, St. Matthews Road, Norwich, Norfolk NR1 1SR The Wheelhouse, Bende Hill, Stonehouse, Gloucestershire GL10 3BP Email Address: mail@rjcs.com Website: http://www.rjcs.com</small>	Drawing No. 45751/C/25	Revision F	
Job Manager S HOLDER			Checked S HOLDER		Tel: 01473 82300 Tel: 020 7448 9910 Tel: 01223 314794 Tel: 01603 230340 Tel: 01172 030070 Website: http://www.rjcs.com			Drawing Status	
Approved S HOLDER			Scale 1:250 @ A1		<input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> APPROVAL <input type="checkbox"/> COSTING <input type="checkbox"/> TENDER <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> AS CONSTRUCTED			<input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> APPROVAL <input type="checkbox"/> COSTING <input type="checkbox"/> TENDER <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> AS CONSTRUCTED	

King's Lynn IDB

Schedule of Paid Accounts

Payment Date From : 01/11/2016

Payment Date To : 31/12/2016

<u>Account ID</u>	<u>Name</u>	<u>Details</u>	<u>Amount Paid This Period</u>
AD0102	ADC (East Anglia) Ltd	Maintenance Works	2,160.00
AN0100	Anglia Farmers Ltd	Electricity	11,019.93
AN0101	Anglian Water	Water Charge	24.96
AR0001	Arval	Fuel	1,744.46
AS0120	Richard Askew Agricultural Supplies	Spares & Repairs	822.98
BE0001	Bedford Pumps Ltd	Capital Works	26,926.86
BO0001	Borough Council of King's Lynn &	Pierrepoint Rates	799.00
BO0240	BOC Ltd	Oxygen	362.11
BR0007	Breheny Civil Engineering Ltd	Capital Works	174,615.53
BT0270	BT	Phone/Broadband	157.12
CA0004	Carter Accommodation Ltd	Portable Toilet Collections	84.00
CA0320	Carter Haulage & Storage Ltd	Excavator Moves	2,106.00
CO0002	Cover-Up	PPE	714.48
CO0375	Cobra Engineering (UK) Ltd	Capital Works	12,327.60
CR0380	King's Lynn Auto Electrical Ltd	Flashing beacon/lights	166.50
DO0004	John W Doubleday	Spares & Repairs	277.10
DV0001	DVLA	Vehicle Tax	230.00
ED0505	Edmundson Electrical Ltd	Electrical Parts	20.54
EN0001	Environment Agency	Precept	79,573.00
EON001	E.ON	Electricity	48.38
ESG001	Environmental Scientifics Group Ltd	Capital Works	62,891.20
FE0002	Fenton Insurance Solutions Ltd	Insurance	496.22
FO0001	Exors of J J B Foster	Rates Refund	17.39
FR0001	Franklin Industrial Supplies Ltd	Small Tools	191.91
FR0003	Mr P Freeman	Compensation	200.00
FR0650	Frimstone Ltd	Reject Stone	253.25
HA0810	Hayley Group plc	Engineering Supplies	289.44
HSS001	HSS Hire	Plant Hire	1,049.80
IN0001	Inland Revenue	Paye & Nic	21,427.47
JT0001	JT Boiler Services	Boiler Repair	110.00
KL0001	King's Lynn Engine Centre	Vehicle Repairs & Service	60.00
LA0001	Lawtronic Ltd	Plant Repairs	1,570.80
MA0001	Marshall Ford	Ford Lease	1,243.42
MA0003	Magpie Security Services Ltd	Keys	16.99
MA1310	Mastenbroek Ltd	Machine Parts	398.03
MI0002	Middleton Aggregates Ltd	Clay	1,745.70
MR1390	Mr Signs	Signs & Notices	189.60
MU0001	Murley Agricultural Supplies Ltd	Spares/Repairs	1,308.00
NO0001	Norfolk Pension Fund	Pension Contributions	18,820.91
OR1550	Oriel Systems Ltd	Telemetry Maintenance	1,678.80
OV0001	Ovivo Uk Ltd	Pump Overhauls	8,301.83
PBA001	Peter Brett Associates LLP	Capital Works	59,902.57

King's Lynn IDB

Schedule of Paid Accounts

Payment Date From : 01/11/2016

Payment Date To : 31/12/2016

<u>Account ID</u>	<u>Name</u>	<u>Details</u>	<u>Amount Paid This Period</u>
RO0003	Royal Haskoning DHV	Capital Works	15,103.50
SH1955	Shoebridge Engineering Ltd	Weedscreen Repair	1,074.00
SP0002	Spearhead Machinery Ltd	Service	4,540.85
ST0002	Stapleton's (Tyre Services) Ltd	New Tyres	4,049.18
TH2030	Thurlow Nunn Standen Ltd	Plant Service	1,776.15
TI2050	Timber Services Ltd	Materials	32.94
VA0001	VariBlast Ltd	Dry blasting and painting	18,616.51
VJ2250	V & J Knitwear Ltd	Protective Clothing	160.60
VO0001	Vodafone Ltd	Mobile Phone	522.24
WA0001	Watson Petroleum	Gas Oil	10,977.77
WA0002	Ward Associates	Capital Works	1,131.60
WA2310	Water Management Alliance	Rechargeable Works	22,380.19
ZE0001	Zenith Survey Equipment Ltd	Calibration	84.00

Please note that the amounts shown above include Vat £ 576,793.41