

**A MEETING OF THE SOUTH HOLLAND INTERNAL DRAINAGE BOARD WAS HELD IN THE BOARD ROOM, FOXES LOWE ROAD, HOLBEACH ON TUESDAY, 1 AUGUST 2006 AT 10.30 AM.**

* J M Atkin	* S A R Markillie
* A J Biggadike	* P S Przyszlak
* F Biggadike	* D Sly
* S M Booth	* M R Taylor
* T Bray	* S Taylor
* P A Espin	* R C Thompson
* J L van Geest	P M Walls
* N J Grundy	* J W Ward
A G Hay	D P Williams
* G A Hay	* D R Worth
* S Keeble	

\* Present

Mr S A R Markillie in the Chair

**24/06 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Messrs A G Hay, P M Walls and Mrs D P Williams.

**25/06 MINUTES OF THE MEETING HELD ON 2 MAY 2006**

The Minutes of the last Meeting of the Board held on 2 May 2006 at 10.30 am were approved and signed as a true record. Arising there from: -

**1. Pay Award 2006/2007 (16/06-1)**

Members were advised that Employees had now accepted the Employers offer to increase all pay rates by 3.25% and annual holiday entitlement by one day, with effect from 1 April 2006. RESOLVED that this be noted.

**2. Performance Sub-Committee Meeting (17/06-4)**

It was agreed and thereby RESOLVED to postpone the Interim Performance Sub-Committee meeting scheduled for August 2006 until it had been determined whether or not the Board would join the King's Lynn Consortium of IDBs with effect from 1 April 2007.

**3. Joint Meeting: Angling Committee and Holbeach Angling Club (22/06)**

Members noted that the date of the Joint Meeting had taken place on 22 May 2006 as Mr D R Worth had been unable to attend on 23 May 2006. RESOLVED that this be noted.

**4. South Holland District Council/IDB Liaison Arrangements (23/06)**

The Chief Executive confirmed that he had received the Report from South Holland District Council regarding liaison arrangements, which had been prepared by the Council's Task Group. RESOLVED that this be noted.

## **26/06 MINUTES OF THE JOINT ANGLING COMMITTEE MEETING HELD ON 22 MAY 2006**

The Minutes of the last Joint Angling Committee Meeting held on 22 May 2006 were considered in detail and approved. Arising there from:

### **1. Health and Safety (02/06-1)**

The Chief Executive reported that he had not received any revised Health and Safety risk assessments from the Angling Club for the 2006/07 fishing season. RESOLVED that this be noted.

### **2. Right of Access to Waters Edge (03/06-1)**

Following complaints from a landowner adjacent to the fishery, it had become clear that there was some misunderstanding regarding the Club's ability to access the fishery. The Club had been advised that under clause 1.2 of the Licence Agreement, the right of access was only granted to their Members over land owned and currently occupied by the Board. In all other cases, permission to access the water's edge should be sought from the relevant landowner/tenant. The Club had been provided with a plan showing such land. RESOLVED that this be noted.

### **3. Enforcing Licence Agreement (03/06-3)**

The Club had accepted that its Members should not act in contravention of the Licence Agreement and advised the Board that its new bailiff was aware of all the terms of the agreement and that it would take action against persistent offenders, which may result in such individuals ultimately being banned from the Club. RESOLVED that this be noted.

### **4. Cutting out Swims (03/06-5)**

The Club had agreed with the Board not to cut or trim-out, nor to authorise any third party to cut or trim-out, any swims adjacent to Mr and Mrs Porter's property at Sutton St James, without their permission. However the Chief Executive advised Members that one of Mr Porter's neighbours had allegedly cut out swims without the Club's knowledge or permission. RESOLVED that this be noted.

### **5. New sign on gate at The Willows, Sutton St James (03/06-6)**

The Club accepted that its Members should not be fishing from the bridleway or from anywhere else on Mr and Mrs Porter's property without their permission. The Club had agreed with the Board to erect a sign on the gate as soon as possible stating "No Fishing from Bridleway", the text of which had been specifically requested by Mr Porter. RESOLVED that this be noted.

## **27/06 MINUTES OF THE CONSERVATION COMMITTEE MEETING HELD ON 27 JUNE 2006**

The Minutes of the last Conservation Committee Meeting held on 27 June 2006, together with the Environmental Report were considered in detail and approved. Arising there from:

### **1. Recording biodiversity Information (02/06)**

It was agreed and thereby RESOLVED for the Board's employees to continue recording the number of various species sited within the district.

**2. Countryside Stewardship Site (03/06-1)**

The Operations Manager reported that the grazier's cattle had not escaped again. RESOLVED that this be noted.

**3. Environmental Consultant (03/06-3)**

It was agreed to appoint Atkins Water Ltd as the Board's Environmental Consultant for 2006/07, which would be reviewed on an annual basis. RESOLVED that this be noted.

**4. Reed Cutting Policy for the Main Drain and Little Holland Drain (03/06-4)**

It was agreed and thereby RESOLVED to adopt the Reed Cutting Policy for the South Holland Main Drain and Little Holland Drain (a copy of which is filed in the Report Book). The policy would be reviewed after a period of two years.

**28/06 MINUTES OF THE CHAIRMAN'S COMMITTEE MEETING HELD ON 14 JULY 2006**

*The Chairman declared an interest as a Member of the King's Lynn IDB*

The Minutes of the last Chairman's Committee Meeting held on 14 July 2006, together with the Report on a proposal to join the King's Lynn Consortium of IDBs with effect from 1 April 2007 were considered in detail and approved (a copy of which is filed in the Report Book). Arising there from:

1. Members noted that if the Board was to join the Consortium it could significantly reduce costs, strengthen its organisation and increase influence, without losing an unacceptable degree of autonomy or unduly increasing its liabilities.
2. It was agreed and thereby RESOLVED to agree in principle to jointly administer the Board's affairs with the King's Lynn Consortium as from 1 April 2007, subject to:
  - (i) Gaining a greater understanding of and being comfortable with the governance arrangements.
  - (ii) The Consortium Agreement being reviewed and updated to include all 4 Boards which will document the arrangement for future reference.
  - (iii) Shared net costs continue to be apportioned according to Rateable Value and directly recharged to each Board for the specialist roles.
3. It was agreed to establish whether a private company that includes South Holland IDB as a Member would be able to gain access to the Norfolk Local Government Pension Scheme and whether IDBs have the legal power to form such an entity.
4. It was agreed that the Board should produce a Schedule of Reserved Matters, which clearly set out those decisions that it does not want anyone else to take.
5. It was agreed that the Board's Chairman and Vice Chairman should meet with representatives from each of the 3 Boards in the Consortium on 17 August 2006 to discuss the issues highlighted in the Report and those that the Consortium Boards will have.
6. It was agreed to respectfully ask the Consortium to consider changing its name.

7. It was agreed to convene a Special Meeting shortly after 17 August 2006 to make a decision as to whether to join the Consortium.

## **29/06 SCHEDULE OF PAID ACCOUNTS**

The Schedule of Paid Accounts totalling £887,726.46 from 1 April 2006 to 15 July 2006 was considered in detail and approved (a copy of which is filed in the Report Book). There were no matters arising there from.

## **30/06 OPERATIONS REPORT**

The Operations Report (a copy of which is filed in the Report Book) was considered in detail and approved. Arising there from: -

### **1. Rubbish Clearance (1.8)**

Members were concerned that approximately 10 tonnes of Asbestos had been fly-tipped at the Fleet Fen stone heap adjacent to the Board's Main Drain. Letters and paperwork were found in the asbestos suggesting that a Contractor from Gedney Hill may have dumped the asbestos. It had also been pointed out to the Environment Agency that the same Contractor was in the process of taking down an asbestos farm building in Gedney Hill. All things considered, Members found it difficult to understand why it had not been possible to prosecute the Contractor on this occasion and it was agreed and thereby RESOLVED to write to the Environment Agency seeking an explanation.

## **31/06 ENGINEERING AND ENVIRONMENTAL REPORT**

The Engineering and Environmental Report (a copy of which is filed in the Report Book) was considered in detail and approved. Arising there from:

### **1. Thimbleby Sluice (2.2)**

The Engineer reported that Thimbleby Sluice had cost more to refurbish than was originally estimated. This had been due to the appalling condition of the Sluice, which had only been possible to fully ascertain after starting the work. It was agreed and thereby RESOLVED to request the Plant and Development Committee to devise an appropriate strategy for refurbishing the first and second line sluices and report back to the Board in due course.

### **2. Health and Safety – Lutton Leam Old Outfall Sluice (4.1)**

Members were appraised as to the condition of the Lutton Leam Old Outfall Sluice. It was agreed and thereby RESOLVED for the Engineer to determine the nature and extent of the necessary public safety works and report back to the Board in due course.

### **3. Drainage Complaint – Ryefield lane, Holbeach Fen (5.2)**

Members were informed of the difficulties associated with a private drainage system involving a Mr Roake and a Mr Waters at Ryefield Lane, Holbeach Fen. It was agreed and thereby RESOLVED for the Chairman to approach Mr Waters in an attempt to resolve the matter amicably.

**4. Outline Planning Application – H12/0315/06 for a new dwelling adjacent to Amosford, Lutton Gowts (9.1.1)**

Members considered an application for consent to construct a single garage no closer than 6 metres from the centreline of the Board's Falls Drain Old Route 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.

**5. Application for retrospective relaxation of Byelaw 10 at Halmergate, Spalding (9.1.2)**

Members considered a retrospective application for consent to retain 8 laurel bushes no closer than 0.5 metres from the brink of the Board's Exeter Drain. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into a Deed of Indemnity and agreeing to provide a contractual right of access in perpetuity with no compensation being payable.

**32/06 FINANCIAL REPORT**

The Financial Report for the year to 15 July 2006 (a copy of which is filed in the Report Book) was considered in detail and approved. There were no matters arising there from.

**33/06 REGISTER OF ELECTORS AS AT 1 APRIL 2006**

The Statutory Register of Electors as at 1 April 2006 was approved in accordance with Rule 3(11) of the Land Drainage (Election of Drainage Boards) Regulations 1938 (as amended). Further to the Register being advertised for inspection no claims or objections as to any entry therein had been received. RESOLVED that this be noted.

**34/06 FINAL ACCOUNTS FOR THE YEAR ENDING 31 MARCH 2006**

The Final Accounts for the Year Ended 31 March 2006, which had been approved by the Internal Auditor were considered in detail and approved by the Board. It was agreed to review the level of the General Reserve annually. There were no other matters arising there from.

**35/06 HEALTH AND SAFETY INCIDENT OF 25 JULY 2006**

The Engineer reported that an accident had occurred on 25 July 2006 in which one of the Board's Volvo 360 excavators had come in to contact with overhead power lines. Fortunately the driver - Mr G Richardson was unharmed, but the power lines were damaged and Central Networks had to be called in to carry out repair work. It was also reported that Mr Richardson had been involved in a similar accident around 18 months ago, and since that incident the Board's Safe System of Work and Risk Assessment for working in the vicinity of power lines had been revised with stricter procedures put in place to avert such an accident from re-occurring. During the post accident investigation, Mr Richardson appeared to acknowledge that he did not follow these new procedures and as such a disciplinary hearing has been arranged for 2 August 2006. The accident had been reported to RIDDOR on 27 July 2006. RESOLVED that this be noted.

### **36/06 RAGWORT IN THE BOARD'S DISTRICT**

Mr G A Hay expressed concern as to the amount of Ragwort which was appearing throughout the drainage district, particularly in the Spalding Marsh area. The Chief Executive advised Members that the Board was responsible for treating Ragwort on land that it owned but not elsewhere. RESOLVED that this be noted.