

**A MEETING OF THE SOUTH HOLLAND INTERNAL DRAINAGE BOARD WAS HELD IN THE BOARD ROOM, FOXES LOWE ROAD, HOLBEACH ON TUESDAY, 7 NOVEMBER 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

**43/06 ELECTION 2006: BOARD MEMBERSHIP**

The Chief Executive, as Returning Officer, reported the results of the last Election to the Board. As the number of candidates did not exceed the number of persons to be elected, all candidates had been successfully re-elected to serve on the Board from 1/11/2006 to 31/10/2009. The official 'No Poll Declaration' that appeared in the Lincolnshire Free Press on 26 September 2006 is attached to the Minutes in the Minute Book.

**44/06 APOLOGIES FOR ABSENCE**

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

**45/06 ELECTION OF CHAIR FOR A THREE YEAR TERM**

Nominations for the Chair were sought from the Board. It was proposed by Mr M R Taylor and seconded by Mr A G Hay that Mr S A R Markillie be elected as Chairman of the Board for a three year term, in accordance with the Board's Standing Orders. There being no other nominations it was unanimously agreed and thereby RESOLVED that Mr S A R Markillie be elected as Chairman of the Board until 31/10/2009.

Mr S A R Markillie in the Chair

**46/06 ELECTION OF VICE-CHAIR FOR A THREE YEAR TERM**

Nominations for the Vice-Chair were sought from the Board. It was proposed by Mr J W Ward and seconded by Mr P A Espin that Mr D R Worth be elected as Vice-Chairman of the Board for the next three year term, in accordance with the Board's Standing Orders. There being no other nominations it was unanimously agreed and thereby RESOLVED that Mr D R Worth be elected as Vice-Chairman of the Board until 31/10/2009.

#### **47/06 SCHEDULE OF ORDINARY BOARD MEETINGS FOR 2007**

It was agreed and thereby RESOLVED that the Board schedule the following meetings for the calendar year 2007, to be held in the Board Room, Marsh Reeves, Foxes Lowe Road, Holbeach, Spalding, Lincolnshire:

6 February 2007	9.00 am
1 May 2007	10.30 am
7 August 2007	10.30 am
6 November 2007	10.30 am

#### **48/06 INSPECTIONS: 2007**

1. It was agreed and thereby RESOLVED to hold the Annual Winter Inspection on 6 February 2007 at 10.30 am after the Board Meeting.
2. It was agreed and thereby RESOLVED not to hold a Summer Inspection of works this year.

#### **49/06 ELECTION OF COMMITTEES FOR A THREE YEAR TERM**

##### **1. Chairman's Committee**

It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Chairman's Committee until 31/10/2009: Messrs S A R Markillie, D R Worth, S M Booth, J L van Geest, N J Grundy, A G Hay, D Sly, P S Przyszlak and J W Ward.

##### **2. Performance Sub-Committee**

It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Performance Sub-Committee until 31/10/2009: Messrs S A R Markillie, D R Worth and A G Hay.

##### **3. Plant and Development Committee**

It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Plant and Development Committee until 31/10/2009: Messrs S A R Markillie, D R Worth, J M Atkin, F Biggadike, J L van Geest, A G Hay, S Taylor, R C Thompson and J W Ward.

##### **4. Health and Safety Committee**

It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Health and Safety Committee until 31/10/2009: Messrs S A R Markillie, D R Worth, A J Biggadike, N J Grundy, G A Hay, S Keeble, D Sly and J W Ward.

##### **5. Angling Committee**

It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Angling Committee until 31/10/2009: Messrs S A R Markillie, D R Worth, F Biggadike, N J Grundy and D Sly.

## **6. Conservation Committee**

1. It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Conservation Committee until 31/10/2009: Messrs S A R Markillie, D R Worth, S M Booth, F Biggadike, T Bray, A G Hay and M R Taylor.
2. It was agreed and thereby RESOLVED that the following external advisors be appointed to serve on the Conservation Committee until 31/10/2009: Messrs G M Thompson, R Wardle, A Simpkin and Mrs K Heath.

## **7. Appeals Committee**

It was agreed and thereby RESOLVED that the following Board Members be elected to serve on the Appeals Committee until 31/10/2009: Messrs S A R Markillie, D R Worth, F Biggadike and P A Espin.

## **50/06 PERFORMANCE SUB COMMITTEE MEETING**

It was agreed and thereby RESOLVED to arrange a meeting of the Performance Sub-Committee to take place on 15 January 2007 at 9.15 am in the Board Room, Foxes Lowe Road, Holbeach. The main purpose of the meeting would be to review the Board's performance during 2006/07 and establish objectives for 2007/08 for the Board to consider.

## **51/06 CHAIRMAN'S COMMITTEE MEETING**

It was agreed and thereby RESOLVED to arrange a meeting of the Chairman's Committee to take place on 15 January 2007 at 10.30 am in the Board Room, Foxes Lowe Road, Holbeach. The main purpose of the meeting would be to consider the draft Estimates for 2007/08 as prepared by the Chief Executive and to make recommendations for the Board to consider.

## **52/06 MINUTES OF THE MEETING HELD ON 1 AUGUST 2006**

The Minutes of the last Meeting of the Board held on 1 August 2006 at 10.30 am were approved and signed as a true record. Arising there from: -

### **1. Angling Club: Risk Assessments for 2006/2007 (26/06-1)**

The Chief Executive reported that he had now received the revised Health and Safety Risk Assessments for the 2006/07 fishing season. RESOLVED that this be noted.

### **2. New Sign on Gate at 'The Willows', Sutton St James (26/06-5)**

The Chief Executive reported that the sign requested by Mr Porter had now been fixed to his gate by Club officials. RESOLVED that this be noted.

### **3. Environmental Consultant (27/06-3)**

Following the decision to join the King's Lynn Consortium, the Chief Executive reported that Atkins Water Ltd had not been appointed to act as the Board's Environmental Consultant. Given the changed circumstances, it was unanimously agreed and thereby RESOLVED not to appoint an external consultant at this moment in time.

**4. Fly Tipping Incident (30/06-1)**

Members were advised that the Board had not received a reply to their letter from the Environment Agency, following the 10 tonnes of asbestos that had been fly-tipped at the Fleet Fen stone heap. It was agreed and thereby RESOLVED to push the Environment Agency for a response.

**5. Drainage Complaint – Ryefield Lane, Holbeach Fen (31/06-3)**

The Chairman updated Members with discussions that had taken place between himself, Mr Waters and the Board's Engineering Manager regarding some difficulties associated with a private drainage system at Ryefield Lane. Mr Waters had agreed to the Board undertaking the necessary work on his watercourse providing Mr Roake gave an undertaking to do the same with his dyke. It was agreed and thereby RESOLVED to undertake the necessary work on Mr Waters' drain and advise Mr Roake to make the necessary improvements to his dyke, failing which no further action would be taken by the Board on Mr Roake's behalf.

**53/06 MINUTES OF THE SPECIAL MEETING HELD ON 6 OCTOBER 2006**

The Minutes of the Special Meeting of the Board held on 6 October 2006 were considered in detail and approved. Arising there from:

**1. King's Lynn Consortium (38/06-2)**

The Chairman advised Members that all three Boards in the King's Lynn Consortium had now ratified the decision to include South Holland IDB with effect from 1 April 2007. RESOLVED that this be noted.

**54/06 SCHEDULE OF PAID ACCOUNTS**

The Schedule of Paid Accounts totalling £415,508.46 from 16 July 2006 to 15 October 2006 was considered in detail and approved (a copy of which is filed in the Report Book). There were no matters arising there from.

**55/06 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 (1.7)**

Mr Atkin thanked the Operations Manager for acting so quickly in removing the tyres, which had recently been fly-tipped in the Clay Lake drain.

**2. Pumping Stations – Little Holland (1.9.4)**

During installation of the new switchgear at Little Holland Pumping Station, pumps one and two had failed and were sent to Hewson and Turrell Ltd of Grimsby for assessment. If it can be determined that the failure was caused by the switchgear then the Board will be looking to either Atkins or Paktronics for reimbursement of the associated repair costs. RESOLVED that this be noted.

**3. Pumping Stations – Theft of copper electric cables (1.9.5)**

The Operations Manager reported that the copper lightning conductors and electric cables had been stolen from Little Holland and Fleet Fen pumping stations. It was noted that it may be possible to source cables made from a less valuable material, when considering their replacement. RESOLVED that this be noted.

**4. Employees – Excavator Drivers (3.1)**

Following the termination of Mr Richardson’s employment, it was noted that the Board needed someone capable of driving a 360° excavator. The Operations Manager advised Members that Mr R Mason who was currently employed in the Board’s Workshop was to receive all the necessary training during the winter months to become a fully qualified excavator driver. RESOLVED that this be noted.

**56/06 ENGINEERING REPORT**

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

**1. Refurbishment of Lutton Leam Outfall Sluice (1.3)**

Members were advised that refurbishment of the Lutton Leam Outfall Sluice was nearing completion. It was anticipated that this capital scheme would be completed on time and within budget. RESOLVED that this be noted.

**2. Sluices – Lawyers Outfall (2.3)**

It was agreed and thereby RESOLVED to prepare a Report for the Plant and Development Committee, which would fully consider the options for the future of Lawyers Outfall Sluice:

1. Decommission the sluice and seal off to Environment Agency requirements.
2. Fully refurbish the sluice and maintain as a backup for the pumping station.
3. Decommission one half of the sluice and seal off to Environment Agency requirements, refurbish the other half and maintain the smaller structure as a backup for the pumping station.

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

It was agreed and thereby RESOLVED to fill in the old brick arched Lutton Leam Outfall Sluice without causing permanent damage to the structure.

**4. Sections 2 and 3 of the Land Drainage Act 1991 – Alteration of the Board’s Boundary (5.2)**

Members considered a request from North Level District IDB to change the boundary of South Holland Internal Drainage District, to allow 4.63 hectares of North Level Main Drain currently within the Board’s district to come within the North Level area. It was agreed and thereby RESOLVED to agree to the boundary change, subject to the following conditions:

1. The exact positioning of the new boundary line following the centre line of the road, resulting in a reduction in area of 4.63 hectares.

2. All costs associated with the boundary change, including the provision of a sealed plan to the satisfaction of the South Holland IDB, being met by the North Level District IDB.
3. The provision of a new Internal Drainage District plan on linen backing, to the satisfaction of the South Holland IDB, comparable in quality to the 1974 sealed plan. The costs of production of said plan to be met by the North Level District IDB.

**5. General - Main Road Drain East Improvement (5.3)**

It was agreed and thereby RESOLVED to bring the Main Road Drain East bed level in line with the culvert invert along the length adjacent to Delamore Farms as soon as possible, providing Delamore Farms agree to there being no compensation payable for land loss or cover etc.

**57/06 ENVIRONMENTAL REPORT**

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

**1. Silt Sampling Results (7.4)**

In order to comply with the Waste Management Licensing Regulations 1994 it was now necessary for the Board to take samples from the drains due to be mudded this winter, to ensure that any silt removed from watercourses and spread on the adjacent land was not so heavily contaminated that it could be classified as hazardous. RESOLVED that this be noted.

**2. Natural England and the Board's Byelaws (7.5)**

It was agreed and thereby RESOLVED to charge the Plant and Development Committee with formulating a fencing policy for full consideration by the Board at its next meeting.

**3. Conservation Policy Review (7.6)**

Members noted that the Board's Conservation Policy was on its website at [www.south-holland-idb.gov.uk/conservation.html](http://www.south-holland-idb.gov.uk/conservation.html). It was agreed and thereby RESOLVED to review the Board's Conservation Policy during the financial year 2007/08.

**58/06 PLANNING REPORT**

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

**1. Application to amend existing Deed of Indemnity for Jasmine Cottage, Eaugate Road, Moulton Eaugate (8.1.1)**

Members considered a request to remove clause 4.1.4 in an existing Deed of Indemnity, which sought to ensure that the Board could legitimately remove any of the consented development in the future, if necessary. It was agreed and thereby RESOLVED not to agree to this request.

**2. Application for relaxation of Byelaw 10 at 9 Lancaster Close, Long Sutton (8.1.2)**

Members considered an application for consent to construct a sun lounge no closer than 6.90 metres from the notional brink of the Board's Falls Drain. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into the Board's Standard Deed of Indemnity.

**3. Full Planning Application – H12/1164/06 – Replacement hedge at Goodales Bungalow, Lutton Gowts (8.1.3)**

Members considered an application for consent to replace a leylandii hedge with an indigenous hedge no closer than 1 metre from the brink of the Board's Falls Drain Old Route. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into the Board's Standard Deed of Indemnity.

**4. Application for retrospective relaxation of Byelaw 10 at 93 Spalding Road, Holbeach (8.1.4)**

Members considered a retrospective application for consent to retain a privet hedge 1.50 metres from the centreline of the Board's Turnpike West pipeline. It was agreed and thereby RESOLVED to consent to this application, subject to the applicant entering into a Deed of Indemnity.

**5. Full Planning Application – H23/1357/06 – Two storey extension and car port at 22 Stockwell Gate, Whaplode (8.1.5)**

Members considered an application for consent to construct a two storey rear extension no closer than 5.40 metres from the brink of the Board's Whaplode River and a car port no closer than 1.15 metres from the brink of the Board's Whaplode River. It was agreed and thereby RESOLVED not to consent to this application.

**6. Full Planning Application – H13/1286/06 – Two Storey Side Extension at 20 Pipwell Gate, Moulton Seas End (8.1.6)**

Members considered an application for consent to construct a two storey side extension no closer than 5 metres from the centreline of the Board's Ugly Bridges drain pipeline. It was agreed and thereby RESOLVED not to consent to this application.

**7. Application for relaxation of Byelaw 10 at Crespia, Lowgate, Fleet (8.1.7)**

*Mr D R Worth declared an interest and took no part in the discussion*

1. Members considered an application for consent to construct a bungalow and detached garage no closer than 6 metres from the brink of the Board's Brickfields drain. 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 buildings being constructed to the depth of the drain.

2. Members considered an application to pipe approximately 32 metres of the Board's Brickfields drain. It was agreed and thereby RESOLVED to delegate authority to Mr J van Geest and S A R Markillie to determine, with the following conditions to be specified if the application is approved:

1. The piping being carried out to the Board's specification.
2. The applicant paying for all costs of the works.

3. The applicant paying a one off commuted maintenance fee in lieu of accepting the future maintenance liability for the pipe.
4. A contractual right of access being granted in perpetuity and registered as such on the property deeds.
5. The applicant entering into the Board's Standard Deed of Indemnity.
6. The agreement of riparian owners on the other side of the dyke being obtained.

**8. Application for a relaxation of Byelaw 10 on land adjacent to the A151, Spalding (8.1.8)**

Members considered an application for consent to construct a tarmac surfaced access culvert and tarmac surfaced access roadways and car parking no closer than 3 metres from the brink of the Board's Lords Drain, together with the installation of three outfalls into Lords Drain. It was agreed and thereby RESOLVED to consent to this application, subject to the following conditions:

1. The applicant entering into a Deed of Indemnity with the Board.
2. The 3 metre strip between the tarmac surfacing and the brink of Lords drain being gravelled to allow access to the drain in all weathers.
3. The applicant paying all necessary costs to the Board, as determined by the Board.

**9. George Hay and Sons Ltd, Wragg Marsh Farm, Spalding (8.2.1)**

Members were advised that the Board were still awaiting confirmation from George Hay and Sons Ltd that the restriction had been appended to their property deeds. RESOLVED that this be noted.

**10. Travellers site at A16/Drain Bank junction (tabled)**

Members were advised that a fence, approximately 2.4 metres in height, had appeared adjacent to the Board's Clowacre drain at the A16/Drain Bank junction, Cowbit and trees had recently been planted alongside the brink. It was noted that this development had not been consented and that Officers would take the appropriate action after receiving some guidance from the Plant and Development Committee. RESOLVED that this be noted.

**59/06 FINANCIAL REPORT**

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

**60/06 ESTIMATES: 2007/08**

**1. Level of allowance for Wage/Salary Increases**

It was agreed and thereby RESOLVED to allow for an increase of 4% in wages and salaries when preparing the Annual Estimates for 2007/08.

**2. Lincolnshire Pay and Conditions Advisory Committee – Board Representative**

Mr J W Ward resigned from being the Board's representative on the Lincolnshire Pay and Conditions Advisory Committee. The Chairman thanked Mr J W Ward for the considerable amount of his own time he had invested over the years and for the valuable work he had done on behalf of the Board. The decision as to who would replace Mr J W Ward was to be taken by the Board at a later date. RESOLVED that this be noted.

**61/06 WASH ESTUARY STRATEGY GROUP**

**1. Annual Conference**

Members were invited to attend the Wash Estuary Strategy Group's annual conference on Wednesday morning 29 November 2006 at Whaplode Manor, near Saracen's Head, off the A17, Lincolnshire. There would be a brief update from the Group on the work undertaken in the past year and potential work for the coming year. Members were advised to contact Tammy Smalley – the Project Officer here at the Board's offices - should they wish to attend.

**2. Free Horticultural Assessments for Farmers**

Members were advised that the Wash Estuary Strategy Group were providing a free service for farmers during November and December of this year for those who were considering the adoption of renewable energy technologies. Members were to contact Tammy Smalley – the Project Officer here at the Board's offices - should they require any further information.

**62/06 COMPLAINTS RECEIVED ABOUT HOLBEACH ANGLING CLUB**

The Chairman advised Members of ongoing difficulties with Anglers, the Angling Club and adjacent landowners. Complaints received from landowners ranged from looting, trespass, obstruction, litter, fly-tipping, excreting, physical violence and verbal abuse. Members were encouraged to keep good records of such incidents. The Operations Manager was also requested to continue gathering evidence. RESOLVED that this be noted.