

LOWER MEDWAY INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING of the BOARD
held during the Lower Board Inspection at Over, Cambridgeshire
on **Monday 25 January 2016**

Members of the Board Present

Chairman: R Hinge

D Davis
D Dewar-Whalley
G Etheridge
R Hall
J C Lewis
H R Neaves
B Stone

In attendance

M D Watson - Clerk & Engineer
L Collins - Office Administrator
P Bush - Administration Assistant

S Attwood was in attendance for the visit to Webbs Hole pumping station and the presentation given by Frank Cooper of Bedford Pumps.

1. APOLOGIES FOR ABSENCE

Apologies were received from S Attwood, S Batt, G Fulton, J Gore, N Hampshire, P Hicks, S Iles, K Ingleton, S J Mair and J Wright.

2. ITEMS OF INTEREST DECLARATION

R Hall declared an interest in Item Number 10 – Planning Applications with regard to Swale Borough Council, number 5 on this Agenda.

REPORTED that R Hall, N Hampshire, R Hinge, S Iles and S Mair have not completed their Members Declaration of Interest Form.

Forms were handed out to R Hall and R Hinge. Both forms were returned completed by the end of the meeting.

Copy forms to be posted to N Hampshire, S Iles and S Mair by the Officers.

Members were once again reminded that this form should be completed by ALL Board Members at the start of each financial year and amended as necessary during the year. Any staff member who has a significant interest should also complete a form. Forms should be completed at your earliest convenience and then returned to the office.

3. PRIVATE & CONFIDENTIAL MATTERS

Members are reminded that all matters discussed relating to employees of the Board should at all times be treated as confidential. Members are reminded once again that there could be implications for the Board under Data Protection and Employment Law if matters discussed were disclosed to others.

4. MINUTES

RECEIVED the Minutes of the Meeting of the Board held on 7 December 2015.

(As attached to these Minutes)

All members in attendance **AGREED** that the Minutes of the Meeting of the Board held on 7 December 2015 were correctly recorded and that they be signed by the Chairman.

5. FINANCE COMMITTEE MINUTES

RECEIVED the Minutes of the Finance Committee Meeting held on 7 December 2015.

(As attached to these Minutes)

All members in attendance **AGREED** that the Minutes of the Finance Committee Meeting held on 7 December 2015 were correctly recorded and that they be signed by the Chairman.

6. MATTERS ARISING FROM PREVIOUS MINUTES

There were no matters arising from previous minutes that required discussion.

7. HEALTH & SAFETY UPDATES

There was nothing to report.

8. BELLS & MCKETTS PUMP STATION

REPORTED that since the last meeting Peter Brett Associates have been busy, their progress to date is as follows:

- Preparation of project programme (presented to members at 7 December 2015 meeting).
- Site inspection and meeting at IDB offices on 25 November 2015.
- Review of information and data provided to PBA at the meeting.
- Specifying topographical survey, obtaining 3 competitive quotes and placing order (surveyors completed survey on 6 January 2016).
- Specifying ground investigations and obtaining contractor quotes (we intend to undertake the investigations from 25 January 2016).
- Correspondence with Natural England to gain assent for ground investigations (assent received 8 January 2016).
- Outline design of pumping station for M&E tender (4 different options are currently being drafted including screw pumps and canister pumps for 2.0 and 3.5 cumec capacity).
- M&E specification for tender (draft been sent to EA & IDB for comment, comments sent back).
- M&E contract for tender (NEC3 short form contract has been prepared and expected to be sent out 18 January 2016).
- Received budget quotation from UKPN to upgrade power supply if necessary.
- General project management.

The Clerk informed members that the next step is to receive the tender bids back and for the Board to make a decision as to the way forward.

D Dewar-Whalley asked when will a decision be made.

The Clerk advised that an additional Board Meeting has been arranged for 22 February 2016 in order to meet the expected decision deadline of 23 February 2016.

9. ENGINEER'S REPORT

RECEIVED the Engineer's Report Number 153.

(As attached to these Minutes)

The Clerk read through the Engineers Report.

10. PLANNING APPLICATIONS

RECEIVED the various planning applications the Board has commented on since the last meeting.

(As attached to these Minutes)

Members were given time to read through the contents of the planning applications and ask any questions.

11. CONSENTS

RECEIVED particulars of applications requiring the written consent of the Board.

(a) **Location: Furze Hill, Halfway, Isle of Sheppey.**
Proposed: Drainage works (retrospective).

This previously reported application, for the installation of 2 surface water drainage outlets into Westminster Drain (L7), was **refused** on 30 June 2015 following further consultation with Members. The applicant was advised that the Board remains concerned that the information provided in support of the application did not clearly demonstrate that downstream flood risk will not be increased as a result of these works.

The applicant was further advised that should he wish to pursue this proposal a new application with additional supporting information will need to be submitted, including detailed calculations in respect of surface water runoff rates (pre- and post-works) along with details of attenuation (flow restrictions and on-site storage capacities) as previously requested. If it is no longer intended to pursue this proposal, all completed works must be removed and the site reinstated to its original condition as soon as possible.

The applicant's consultant subsequently confirmed that his client intends to re-apply for consent with additional supporting information. However, despite several conversations with the applicant and his consultant, and requests for further supporting information, no further information nor application has been received.

It is recommended that the Board considers issuing the applicant with a formal Notice to Take Action, requiring all unconsented works to be removed and the site returned to its original Greenfield condition.

The Clerk informed members that P Dowling has recently received further information regarding this consent and has now changed his opinion. **REPORTED** that P Dowling will be reviewing this consent and will contact members with his recommendations.

Members were happy to wait for further information from P Dowling.

(b) **Location: Abbey Fields Solar Farm, Faversham.**
Proposed: Installation of electrical cable beneath an ordinary watercourse.

Farm Renewables Kent Solar PV Ltd is installing the approved solar farm, and has applied for the Board's consent to install a new electrical cable crossing (consisting of 2No 180mm high density polyethylene cable ducts) beneath an ordinary watercourse at approx. NGR 602963,161783.

For ease of installation, and to avoid increasing local flood risk and minimise pollutions risks, the applicant proposes to install the ducts by directional drilling. Flows in the watercourse should therefore not be affected. The depth of the cable is stated to be 1.5m below the bed of the watercourse, which is considered acceptable (it is normally requested that services passing beneath a watercourse are set a minimum of 1 metre below the hard bed of the channel, talking any in-

channel silt depths into account). The works are expected to be carried out within 1 day.

This application for consent has, in consultation with Members, now been **approved** with the following specific conditions:

1. An appropriate ecological assessment must be carried out by the applicant prior to the commencement of works.
2. The Environment Agency's guidance must be followed in respect of pollution prevention and control.
3. All works beneath the channel of the watercourse are to be at least 1 metre deep (taking any in-channel silt depths into account).
4. The applicant shall provide the Board with a copy of the as-built profile diagram upon completion of works.

**(c) Location: Abbey Fields Solar Farm, Faversham.
Proposed: Installation of electrical cable beneath an ordinary watercourse.**

Farm Renewables Kent Solar PV Ltd is installing the approved solar farm, and has applied for the Board's consent to install 2No headwalls to house 2No 150mm diameter drainage outlets from the recently approved SuDS (which restrict surface water runoff to 2l/s/ha). The locations of the outlets are at approx. NGRs 206962,161789 & 602976,161797.

This application for consent has, in consultation with Members, now been **approved** with the following specific conditions:

1. An appropriate ecological assessment must be carried out by the applicant prior to the commencement of works.
2. The Environment Agency's guidance must be followed in respect of pollution prevention and control.
3. The proposed new headwalls are to be set back into the stream bank to ensure that in-channel flows are not obstructed.
4. Flap-valves are to be fitted to the outfalls to prevent back-flow.
5. The completed works shall be regularly inspected and maintained by the applicant and successors in title.

12. PUBLIC SECTOR CO-OPERATION AGREEMENT

RECEIVED a copy of the proposed Public Sector Co-operation Agreement.

(As attached to these Minutes)

The Clerk explained that Page 3 of the agreement sets out the parties involved and highlights the benefits of partnership working. Page 10, Section 11 talks about the expected insurances the Board needs to have in place and the expected limits of each policy. The Clerk can confirm it does not have the limits set at £10m for Employers Liability or £2m for Professional Indemnity, but rather £5m and £1m respectively. This element has been queried with the EA and they are happy with the limits the Board currently has in place.

REPORTED that signing this agreement does not put any pressure or obligation on the Board to do anything it does not want to do. Each piece of work will be individually agreed and set-up between officers well in advance and the Clerk and Engineer assured members that if he is not happy, or the work puts any additional strain on the Boards current resources then the works will not go ahead. As page 3 sets out there has to be flexible partnership working and to be able to deliver common needs.

The Clerk reiterated the key areas of the agreement:

The overall objective of the Agreement is to provide the Parties with a framework for delivery of their common needs.

To secure benefits of public sector bodies working together.

To secure efficient local working arrangements which will achieve value for money.

To take advantage of local skills and experience.

To secure flexible partnership working arrangements to supplement existing resources.

The Clerk emphasised that he will only take on jobs that do not affect our own resources, or that benefit to the Board.

Members asked about chargeable costs.

The Clerk explained that he has provided the Environment Agency with the Boards hourly chargeable rates. These will be subject to a 12.5% mark up and VAT at the appropriate rate.

One member queried that 12.5% mark up seemed quite low.

R Hall explained that this money could be put to one side and used in the event of any negligent claims.

On a proposition by D Davis, seconded by R Hall, it was **AGREED** that the Chairman signs the Public Sector Co-operation Agreement paperwork. All members in attendance were in agreement.

13. KCC SUPERANNUATION FUND ANNUAL REPORT

RECEIVED copies of the relevant pages from the 2015 report.

(As attached to these Minutes)

Members were informed that the full report (108 pages) is available online at www.kentpensionfund.co.uk.

14. ADA NEWS UPDATE

RECEIVED a copy of the news update issued by ADA entitled “Farmer floods ruling could see Councils forced to pay millions”.

(As attached to these Minutes)

The Clerk explained that this has been issued as a result of a ruling in the high court – if it is proven that someone purposely floods farm land.

R Hinge asked whether this would be applicable to the Environment Agency.

The Clerk believed it would be applicable.

15. ANY OTHER BUSINESS

Members were reminded that it was agreed at the last meeting to pencil in a “just in case” meeting to further discuss the new Bells and Mockett’s pump station. The date agreed by all members present was 22 February 2016.

The Clerk confirmed that this meeting will be going ahead.

Members asked whether there was anything to update on regarding the North Kent IDB.

The Clerk explained that there had been a meeting on Friday 22 January 2016 and G Etheridge was also in attendance at this meeting. A shadow Board was set up and Medway Council will be administering the new Board in the interim.

The Clerk explained that the Board may be contacted again in the future regarding carrying out maintenance for the new Board under the Public Sector Co-operation Agreement.

16. CLOSURE

There being no further business the Chairman thanked Members for their attendance and declared the meeting closed.