

UMIDB
UPPER MEDWAY INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING of the BOARD
held at 17 Albion Place Maidstone
on **Tuesday 19 January 2016.**

Members of the Board Present

M Dobson - Chairman

J Cannon
C Hardy
S Highwood
K Jay
S McLeod
D Parvin
T J Reader
H Rogers
C Stewart
G Swift
C Wheeler
R Young

In attendance

M D Watson - Clerk & Engineer
P Dowling - Engineer, River Stour IDB
L Collins - Office Administrator

The Chairman welcomed and introduced D Parvin, Maidstone Borough Council representative to her first meeting of the Board.

1. APOLOGIES

Apologies received from D Aikman, N Chantler, D Cooley, R G H Lewis, M Round and J Scholey.

2. ITEMS OF INTEREST DECLARATION

None of the Members present declared an interest in any of the items on this Agenda.

3. PRIVATE & CONFIDENTIAL MATTERS

Members were reminded that all matters discussed relating to employees of the Board should at all times be treated as confidential. Members were 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 a copy of the Minutes of the Meeting of the Board held on 24 November 2015.

(As attached to these Minutes)

AGREED by all Members present that the Minutes are correctly recorded and that they be signed by the Chairman.

5. FINANCE COMMITTEE MINUTES

RECEIVED the Minutes of the Finance Committee Meeting held on 24 November 2015.

(As attached to these Minutes)

6. MATTERS ARISING FROM PREVIOUS MINUTES

Minutes dated 21 July 2015

Item 15 – Internal Audit Report

J Scholey suggested after the Elections to ask K Funnell, the Internal Auditor whether he has a conflict of interest with any Council Members.

The Office Administrator has emailed a list of all current Board Members to K Funnell asking him to confirm whether he has a conflict of interest.

REPORTED that K Funnell has replied confirming that as far as he is aware, he does not have any conflict of interests with any of the Board Members. However, he has mentioned that he does know K Ingleton, Lower Board Member, as he is also the Chairman of one of the Parish Councils for which he is the Independent Internal Auditor as well.

Minutes dated 24 November 2015

Item 18 – Annual Return – Year Ending March 2015

J Scholey asked whether the revised Practitioners Guide had been issued.

The Clerk and the Office Administrator said that they had not received any revised document as yet.

J Scholey asked that a copy be forwarded on to him as soon as it comes through.

REPORTED that the Clerk received an email from ADA on 22 December 2015 notifying that work has commenced on the revised Practitioners Guide.

S McLeod mentioned that he and the Clerk were due to visit the depot to carry out an Inspection/Audit, but had not had the opportunity to do so. He gave his apologies for not

actioning and gave assurances that a date would be arranged. It was requested that this matter be put back on the Board Agenda, so that it doesn't get overlooked.

7. HEALTH & SAFETY UPDATES

There was nothing to Report.

8. ENVIRONMENT AGENCY UPDATE

REPORTED that at present due to the ongoing weather situation Neil Gunn has not been able to update progress following his presentation given at the last Board meeting.

The Clerk will request an update from Neil and report back to the Board at the next meeting.

9. PLANNING APPLICATIONS

RECEIVED the various planning applications the Board has been invited to comment on since its last meeting.

(As attached to these Minutes)

The Chairman read through each page of the contents of the planning applications.

Maidstone Borough Council, Item 7 - P Dowling explained that it was common for planning permission to be granted with a number of conditions attached.

Members were informed that developers quite often ask the local authorities to discharge all attached conditions in one go, but may not have fulfilled all the requirements that have been asked of them.

P Dowling asked for members assistance regarding anything seen locally.

10. CONSENTS

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

- (a) **Location: Moat Farm, Collier Street, Tonbridge.**
Proposed: Installation of a new culvert in Martin's Stream (U106).

Mr B D Thompson, of Brattle Farm, Five Oak Lane, Staplehurst, previously applied to install an access culvert measuring 900mm in diameter and 6 metres in length in Martin's Stream at approx NGR 571240,146272. Unfortunately very little information was provided and work went ahead without the Board's consent. Further information was requested to support the application (retrospective) but due to this not being provided the Board refused this application.

REPORTED that Mr Thompson has now re-applied for retrospective consent and has provided further information. Details of this structure and the wider drainage system are still to be investigated and assessed.

P Dowling confirmed that a report has been produced and emailed to local Members for consideration.

Members were informed that flooding has been recorded at Old Moat Farm. There is an existing culvert there which is larger than the new one. Also, downstream there is a 900mm culvert.

P Dowling has recommended that the applicant provides a report detailing the local flows in order to confirm the flow of water through the existing structures.

Members were informed that the existing culvert is in poor condition. The pipe is distorted and the lining is rough. Repairs are needed to the headwall.

Members discussed this matter at length.

S Highwood felt that the Boards recommendation was over the top and felt that if the capacity of culverts throughout Collier Street were 900mm, then this new culvert wouldn't have much effect. He also wondered why the applicant wasn't advised 6 months ago to provide a flow plan. He explained that the applicant wants to put the situation right and accepts that the existing culvert requires attention. He then went on to say that the applicant had spoken to the Clerk previously, who said that a 900mm pipe would be OK. No one has said previously that a survey was needed.

The Clerk explained that he had spoken to Mr Thompson about a completely different ditch in Collier Street regarding a culvert.

P Dowling explained that it is in the Boards interest to make sure the flows are correct, as residents have raised flooding concerns downstream. He then went on to say that if people go ahead with their proposals, it is perceived that the Board is being difficult.

S Highwood asked why the Board hadn't come up with a design in order to assist the applicant.

P Dowling explained that it is not up to the Board to design an appropriate structure, it is for the applicant to instruct a professional to design and put a proposal to the Board for consideration.

C Wheeler felt that the Board should be more helpful towards rate paying landowners with a design.

G Swift asked whether the existing 900mm pipes cope downstream.

The Clerk explained that without running a model to confirm how far downstream it affects, it is not possible to tell.

The Chairman raised a concern that should flooding occur in the area, then who would be held responsible.

C Stewart explained that if there was flooding that affected residential properties then the insurers would be looking for someone to blame.

Members agreed that the engineers need to work with the landowner in order to sort this issue as soon as possible.

**(b) Location: Hoathly Farm, Clayhill Road, Lamberhurst.
Proposed: Installation of a new culvert in an ordinary watercourse.**

Lambert and Foster Planning Consultants has, on behalf of Mr Robert Hay, applied for consent to install a culvert at approx NGR 565847,136458. The culvert is to be 1.05m in diameter and 6 metres in length with headwalls constructed of concrete filled sandbags.

Following an inspection of the site there is concern about the adequacy of this proposal, in particular the culvert capacity and its potential impact on local flood risk. Localised flooding has occurred previously at this location. The applicant has been advised to consider installing a clear-span bridge as this would be less of a restriction to flows. If this is not possible it has been suggested that consideration is given to increasing the size of the proposed culvert.

The applicant has also been advised that whilst the main flood risk at this location is posed by the River Teise, there is also a significant local inflow from an ordinary watercourse to the west (particularly when the Teise flows out of bank upstream) and also from an ordinary watercourse to the north. It has therefore been requested that an assessment of inflow is carried out along with calculations of culvert capacity in order to demonstrate that the proposal will not exacerbate local flood risk.

REPORTED that this application has been put on hold awaiting the requested information. A report will be produced in due course for local Members to consider.

11. ENGINEER'S REPORT

RECEIVED the Engineer's Report Number 145.

(As attached to these Minutes)

The Clerk read through the Engineers report.

The Clerk informed members that there had been an incident with the Boards excavator that resulted in the door being damaged at a cost of £690.

REPORTED that the Works Supervisor has investigated and spoken to the operator. An action plan has been put in place to prevent a similar accident occurring in the future.

The Clerk then explained the programme of works. One particular area to be dealt with is IDB 31 Borough Oak, also known as Yalding Fens. The Works Supervisor has obtained a quote for the necessary tree removal work in order to get an 8 foot excavator on site to carry out pioneering works. The Clerk explained that 2 more quotes would be obtained from tree surgeons to carry out the necessary works.

T Reader explained that he has been out to this site and the railway to the open field is very overgrown. Looks like it will be an expensive job to clear the trees, even before the excavator goes in.

R Young asked whether the Board will be carrying out the work using their own equipment.

The Clerk explained that the Boards equipment is unable to get on site, as this particular site is a bog. Our machinery is too heavy and would be at risk of sinking.

K Jay asked whether a felling license had been obtained, as one would be needed if 5 cubic metre of timber was being taken from site.

The Clerk said he wasn't sure about this, but would look in to it.

K Jay explained that he had spoken to the Works Supervisor about the planned work on Lodgefield IDB 50B, possibly leaving this job until next year and working on IDB 50 Hale Court instead.

It was **AGREED** to leave this matter with the Clerk and Works Supervisor to liaise with the relevant landowners.

With regards to the January 2016 floods, IDB 15 Cheyneys Court, the Clerk informed members that he'd received a letter from the residents of Elderden Farm concerning Cheyneys Court thanking the Board for the works that had been carried out.

REPORTED that Paddock Wood was close to flooding on 3 January 2016.

C Stewart informed members that KCC have been visiting landowners by going door to door in the Paddock Wood area making them aware of the importance of cleaning out ditches etc. KCC are due to move to the Lucks Lane area shortly, so hopefully this might help the situation.

S McLeod explained that when he worked in that area, there were always problems around the railway line.

C Stewart explained that it took about 6 months to get the land owner to clear the ditches in Queen Street.

The Chairman commented that it was useful to know that so many members around the table have hands on experience with these matters.

C Hardy explained that there had been flooding in Forest Row in January 2016.

The Clerk explained that the land there is very steep and the Board carries out dredging works in that area every 2-3 years, due to the upstream silt being deposited behind a water pipe.

S McLeod mentioned the floods up north and the fact that the Environment Agency has been criticised for having too much involvement with environmental matters rather than carrying out maintenance works to protect residential areas.

P Dowling explained that ADA has recently issued a document about this and his Board (River Stour IDB) are intending to write a letter in support of the article.

H Rogers asked for an update on the flooding at Hartlake Road.

The Clerk explained that he had contacted KCC last week and they were going to take the landowners to task.

12. PUBLIC SECTOR CO-OPERATION AGREEMENT

The Clerk has previously informed the Board of this proposal.

This is where the Board has the potential to carry out works on “main river” and the EA agree to pay for the works (or the Board may want to do for free if the EA has no funding) but paying for the works at IDB contractor prices, plus an IDB 12.5% administration fee.

The Clerk has to compile the agreement paperwork but there are two policies the EA require. (a) A Health & Safety Risk Policy, (b) An Environmental Policy. The River Stour IDB already has an approved PSCA agreement in place. Therefore, the Clerk has used theirs as a template.

The Clerk would like the Board to approve the two attached policies so he can progress the agreement paperwork. He will then bring the agreement back to the Board at its next meeting for final approval.

REPORTED that the LMIDB also approved these policies at their last Board meeting.

(As attached to these Minutes)

The Clerk explained to members that the Board doesn't have to use the co-operation agreement, but it is in place in case we need to use it. There are benefits to the Board, such as carrying out maintenance works on areas classed as Main River, which will assist with the flow of our existing maintained watercourses.

S McLeod asked whether there were any environmental problems on the sections of watercourses involved.

The Clerk explained that the EA would provide the relevant Method Statements. Searching for services etc would be the EAs responsibility. The Board would only be acting as a contractor.

H Rogers asked whether there was any requirement about the use of weed killers and chemicals, and do we need a licence.

The Clerk explained that we don't have anyone qualified to carry out such work. The Board doesn't have a licence to do this, so we would have to get a contractor in, if needed.

S McLeod felt that this matter would be covered under the Health & Safety Risk Assessment. Members **AGREED**.

On a proposition by S McLeod, seconded by S Highwood it was **AGREED** that the Board approve the Health & Safety Risk Policy and the Environmental Policy required by the Environment Agency in order to have a Public Sector Co-operation Agreement in place. All members in attendance were in agreement.

13. KCC SUPERANNUATION FUND ANNUAL REPORT

RECEIVED a copy 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. ANY OTHER BUSINESS

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

The Clerk explained that there is a meeting being held on Friday 22 January 2016. A shadow Board is being 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.

15. CLOSURE

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