

UMIDB
UPPER MEDWAY INTERNAL DRAINAGE BOARD



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

Members of the Board Present

M Dobson - Chairman

D Aikman
J Cannon
S Highwood
T J Reader
H Rogers
C Stewart
C Wheeler

In attendance

M D Watson - Clerk & Engineer
L Collins - Office Administrator
P Howe - Environment Agency
P Mumby - Medway Council

The Chairman introduced and welcomed Priscilla Mumby from Medway Council, who is the newly appointed Clerk of the North Kent Marshes IDB. Priscilla had been invited to attend the meeting, as her first meeting of the North Kent Marshes IDB will be taking place shortly and she wanted to see how other IDB meetings flow.

The Chairman then introduced and welcomed Peter Howe from the Environment Agency who was invited to update members on the proposed works within the drainage district using the 2016-17 Precept.

The Chairman explained that Items 1 to 6 on the Agenda would be covered first of all, then Item 12 where Peter Howe can provide his update, to avoid sitting through all of the meeting.

1. APOLOGIES

Apologies received from D Cooley, K Jay, S McLeod, M Round, J Scholey, G Swift, R Thomas (newly appointed member of Tandridge Council) and R Young.

2. ITEMS OF INTEREST DECLARATION

None of the members present declared an interest in any of the items to be discussed on the Agenda.

REPORTED that M Round, C Stewart, C Wheeler and R Young have still not completed their Members of Declaration of Interests form for the year 2016/17.

A form was handed to C Wheeler for completion during the meeting.

C Stewart explained that she had completed her form and returned it in the post, it should have been received in the office by now. This was confirmed.

Members were 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 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 3 May 2016.

(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 Meetings held on 3 May and 26 May 2016.

(As attached to these Minutes)

6. MATTERS ARISING FROM PREVIOUS MINUTES

Minutes dated 3 May 2016

Item 6 – Matters arising from previous minutes

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.

REPORTED that S McLeod and the Clerk visited the Depot on 4 May 2016 to carry out a random audit. A report of the findings was submitted to the Internal Audit Sub committee at their meeting held on 8 June 2016. No major concerns were noted during this visit.

Minutes dated 3 May 2016

Item 8 – Planning Applications

T Reader queried why planning application number 5 was in Tunbridge Wells Borough Council's list and not Maidstone Borough Council's, as the application relates to Thorn Road, Marden.

The Clerk said he would double check this.

H Rogers queried whether the drainage system concerns over a surface water outfall had been overcome concerning Tonbridge and Malling Borough Council planning application number 1.

The Clerk wasn't sure and said he would have to double check with P Dowling.

REPORTED that the Clerk has spoken to Peter Dowling regarding the questions raised by H Rogers and T Reader.

Peter Dowling replied to the Clerk as follows:

Application number 5 (15/505971) had been incorrectly listed under TWBC when it is in fact MBC. Surface water from the Judd School site (KCC/TM/0385/2015) is to be restricted to 5l/s with details of the drainage system agreed with KCC's drainage and flood risk team. The Board's consent has been granted for the surface water outfall into the adjacent ordinary watercourse.

Minutes dated 3 May 2016

Item 11 – Environment Agency Precept 2016 - 2017

S Highwood asked why Bockingfold Autosluice gate replacement is mentioned within Peter Howe's report. He was under the impression that this structure was going to be removed, not repaired.

The Clerk was under that impression too. The Clerk will find out more details regarding this structure.

T Reader explained that he thought Duddies Autosluice was going to be removed too, but that is listed for a seal replacement.

The Clerk said he would find out about this structure too.

Members raised a concern that the information provided was not a proper report, as no costings had been listed. Members wanted to see some sort of costings/estimate for each job listed.

REPORTED that the Clerk has contacted the Environment Agency to update directly the concerns raised.

Peter Howe from the Environment Agency updated members with the following:

Neil Gunn lead the investigation on the sluice gates and the end goal was that the EA can't maintain the structures long term.

In the interim minor repairs will be carried out in order to preserve the life of the structures, in the hope that a third party will eventually take them over, rather than revert to natural river levels. Interim repairs will be carried out as there is future benefit gained by the structures, but with limited investments of between £5-10k the life of the structure is limited.

The Chairman and members thanked Peter Howe for his helpful explanation.

Minutes dated 3 May 2016

Item 13 – Internal Audit – Year Ending March 2016

The Clerk informed members that K Funnell has confirmed his retirement with effect from 30 June 2016 and his last visit is scheduled for 12 May 2016, when the Annual Return will be reviewed and signed off.

Consideration needs to be given with regards to appointing a new Independent Internal Auditor.

It was reported that K Funnell has agreed to recommend a replacement for the Board to consider. The Local Authorities could be contacted to see if they can assist with this matter. Also, the River Stour IDB uses a different Auditor, so we could approach them too.

M Round offered to forward some suggestions/recommendations for the Board to consider.

REPORTED that details of three potential Internal Auditors were presented to the Internal Audit Sub committee at their meeting held on 8 June 2016. A meeting is to be arranged to conduct interviews and appoint a suitable Internal Auditor.

Item 12 on the Agenda was discussed next.

7. HEALTH & SAFETY UPDATES

REPORTED that Toolbox talks are ongoing.

REPORTED that an incident occurred on Tuesday 5 July 2016 at Wagon Lane whilst 2 members of the workforce were strimming at IDB 102. A stone was flicked up, smashing a screen on a passing vehicle. A report of the incident was filed on Wednesday 6 July 2016.

The Boards Insurance Company NFU has been notified and they will liaise with the driver of the damaged vehicle. John Davis has investigated the incident and spoken with the workmen concerned to prevent this from happening again.

8. 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.

9. CONSENTS

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

**(a) Location: Gravelly Ways Stream, Fuggles Close, Paddock Wood.
Proposed: Erection of a fence alongside the Gravelly Ways Stream (U93).**

Planning permission was granted in October 2015 for the construction of 2 dwellings on land at Fuggles Close, Paddock Wood (planning ref: 15/506452). The original proposal included garden fencing to be erected across Gravelly Ways Stream (U93) which is IDB managed and maintained. The applicant was advised that the Board would be most unlikely to consent to this arrangement, due to the effects on local flood risk.

The applicant has now revised the proposal and confirmed that the new garden fence is to be erected at least 1.5 metres from the top of the watercourse, measured from the top of bank. It should be noted that access to this watercourse is already heavily restricted, mainly by many existing garden fences which have been erected on the top of the right bank, and also by mature trees on the left bank. Routine maintenance is carried out manually from within the channel. This proposal will not affect ongoing maintenance.

REPORTED that this application for consent has, in consultation with local 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 fence must be positioned at least 1.5 metres from the watercourse, measured from the top of bank.
4. The works shall be regularly inspected and maintained by the applicant and successors in title.

**(b) Location: Tanyard Bridge, Groombridge.
Proposed: Repairs to road bridge over Eridge Stream (U41).**

Tanyard Bridge, which is a single-span brick-arch bridge owned and maintained by East Sussex County Council, carries Corseley Road at Groombridge over the Eridge

(Mottsmill) Stream (U41) which is IDB maintained. A recent inspection of the bridge identified large voids at the upstream foundations due to scour erosion. ESCC has therefore proposed to concrete invert to protect the bridge. The duration of works is expected to be 4 weeks and is intended to start in July.

In order to carry out the necessary repairs the applicant proposes to install 1m high temporary dams and to over pump for the duration of the works. The channel depth is approx 2.5m deep.

REPORTED that this application for consent has, in consultation with local Members, now been **APPROVED** with the following specific conditions:

1. The applicant must arrange for an appropriate ecological assessment to be carried out prior to the commencement of works.
2. The Environment Agency's guidance must be followed in respect of pollution prevention and control.
3. The maximum height of the temporary dams is to be no more than 1m, measured from the hard bed of the channel.
4. The applicant must provide pumps of sufficient capacity to maintain flows for the duration of the works, taking increased flows into account during periods of heavy rainfall.
5. The level of the bridge invert is to be set at least 150mm below the hard bed of the channel (taking up- and down-stream bed levels and any silt accumulations into account) to maintain a continuity of natural bed material.
6. The completed works must be regularly inspected and maintained by the applicant and successors in title.

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

REPORTED that discussions have continued with the applicant regarding this previously reported application. Further details are still awaited and a report will be produced in due course for local Members to consider.

**(d) Location: Mill Farm, Underlyn Lane, Marden.
Proposed: Creation of a wetland area connected to Marden Beech Stream (U18) and an ordinary watercourse.**

REPORTED that the Medway Valley Countryside Partnership has proposed to create a large wetland area on pastureland Mill Farm Marden. The wetland feature is intended to provide additional wetland for wading birds but is to be connected to an ordinary watercourse and will also take peak flows, thus reducing local flood risk. Further details of this proposal are awaited and a report will be produced in due course for local Members to consider.

- (e) **Location: Newstead Farm, Couchman Green Lane, Staplehurst.**
Proposed: Culverting of a short section of ordinary watercourse to connect two existing access culverts.

The owner of Newstead Farm at Staplehurst, Mr M Greengrow, intends to improve access into the farm from Couchman Green Lane. Currently there is a Y road junction with two 800mm diameter culverts (approx. 5m & 6m in length with a 6m gap between). Mr Greengrow has proposed to "lay a flexible pipe inside the existing pipework, through the ditch making it one seamless pipe".

Having visited the site and noted that there is a significant change in direction from one existing culvert to the other, in order to reduce the risk of obstruction or blockage in future, it has been suggested that the applicant considers including an access/inspection chamber, and confirmation of exactly how it is proposed to connect the new and existing pipes has been requested, along with a detailed drawing of the final proposal. It has also been requested that the situation regarding planning permission be clarified.

REPORTED that this application will remain on hold, awaiting the above information, and a report will be produced in due course for local Members to consider.

- (f) **Location: The Orchard, Hampstead Lane, Yalding.**
Proposed: Renewal of two culverts in an ordinary watercourse.

REPORTED that Wealden Country Landcraft, on behalf of Mr Gavin Ritchie, has applied to renew two culverts which provide access to the above residential property. The site is still to be inspected and a report will be produced in due course for local Members to consider.

10. **ENGINEER'S REPORT**

RECEIVED the Engineer's Report Number 147.

(As attached to these Minutes)

The Works Supervisor read through the Engineers report.

Members noted the content.

11. **INTERNAL AUDIT - YEAR ENDING MARCH 2016**

RECEIVED a copy of the Internal Audit Report for the year ending March 2016 produced by Kevin Funnell on 12 May 2016.

(As attached to these Minutes)

Members asked about a replacement Internal Auditor.

The Clerk informed members that the Internal Audit Sub Committee have this matter in hand.

12. ENVIRONMENT AGENCY UPDATE

REPORTED that the Clerk invited Neil Gunn from the Environment Agency to update members on the Medway flood storage project which is still under consideration.

Neil Gunn was unable to attend the meeting but responded as follows:

“I’d very much like to come and update the board but I am in an awkward position. We briefed the exec group of the project, that is MBC TMBC KCC and EA, in Jan Feb March and Apr this year. We still do not have a recommendation from MBC and therefore as an exec group we have been unable to decide the course of action that the project should take.

To compound this I can’t even send out interim information as Defra have put a break on communications, at first because of the purdah period leading up to the referendum and then after the result this has been extended until at least September. This is restricting what we can do and it is likely that our public will become restive for lack of information.

As soon as I am freed of these I will be only too happy to come and brief the board”.

The Chairman handed over to Peter Howe from the Environment Agency to update members on planned works to be carried out in the area using the Boards 2016 – 2017 precept payment to the Environment Agency.

Peter Howe apologised to Board Members that he was unable to provide an update from Neil Gunn’s announcement, as everything is on pause and the EA can’t communicate yet with outside companies. He explained that the Councils are looking at what funding is available from Government and Grant in Aid. As soon as Neil Gunn starts communication with the Parish Councils regarding Capital Projects, then more information will be available to share with the IDB.

Peter Howe explained that Government has increased the funding to £40m for the next 4 years and the EA has bid for a few extra projects. There may be additional funding available, but this will depend on how many houses are protected. The EA are only planning for works this year, just in case the additional funding stops.

Members were informed that the Marden Mill gate failed. The wire ropes on the automatic gate sluices have been replaced.

Capital Penstock at Leigh has been repaired.

Desilting works on the Paddock Wood stream has been carried out.

Culvert inspections carried out where the culverts are under housing estates – Pound Road East Peckham and Crowhurst Road Penshurst have been carried out.

Edenbridge embankment repairs carried out.

Surveys on Gregwood Stream, Tunbridge Wells has been carried out.

Dredging on the Snodland Mill Stream – although this relates to the Lower Medway, not Upper Medway.

The Clerk asked Peter Howe to confirm whether this was the whole of the Snodland Mill Stream.

Peter Howe advised that it was just the Tonbridge & Malling area to the automatic sluice, which was approximately 800m.

Installation of CCTV at a trash screen in Five Oak Green.

Snodland automatic sluice repair.

There has been a lot of work carried out at Leigh. Mechanical inspection, CCTV cameras installed, changing the servers, installing new computer systems and firewalls. Installation of a fire alarm, installation of a new switchboard, which will be operational by winter.

The strategy moving forward is to have a bigger capacity for Leigh by 2020. £1.2m funding has been obtained.

Refurbishing of the french drains at Leigh has also been carried out. The last ones had a 30 year life.

Members were informed that Neil Gunn is involved with large scale dredging project on the River Medway around East Peckham and Yalding. Silt samples are being carried out to determine/understand whether the EA can afford to do this work.

C Wheeler asked how long does it take to check for contamination and will it be carried out by boat from the river.

Peter Howe explained that if the spoil is contaminated, it can't go on the banktop, it will have to be disposed of at a special place in Essex, which will affect the cost of doing the work.

P Dowling explained that in the River Stour catchment area there was a 200m section of watercourse that was contaminated and it cost £80k to dispose of the spoil.

Peter Howe informed members that the EA will know by the winter whether this work will be going ahead. The samples are cooked for 15 days. The EA will determine the level of contamination and will work to the current UK Standards.

J Cannon asked whether there was any gravel involved, or is it just silt.

Peter Howe said that if there is any gravel there, it will be the intention of the EA to try and sell it as a product, rather than dispose of it. However, a Waste Transfer will be required.

C Stewart asked whether the EA are in contact with KCC Highways with regard to the section of the Paddock Wood Stream. Peter Howe wasn't sure, he'd have to find out. Contact details were exchanged to promote liaising on this matter.

H Rogers asked whether the EA are likely to change the Precept payment taking into account the 2016/17 expenditure.

Peter Howe explained that he didn't know and would have to put this question to the Finance department in order to get an answer.

The Clerk explained that the Precept payment has been frozen for a number of years.

Peter Howe explained that there were other planned works, but he has mentioned all the works which he believes would be of interest to Board Members. He will forward a full list of works to the Clerk.

Finally, members were informed that Hunton Engineering will be carrying out an assessment of the sluices. The EA will then see what works they will carry out and what works will be passed on to the landowners.

The Chairman thanked Peter Howe for his time.

Peter Howe left the meeting.

The Chairman continued with Item 7 on the Agenda.

13. ADA CONFERENCE

REPORTED that this year's ADA Conference will be held on 17 November 2016 at 1 Great George Street, Westminster.

Any member who would like to attend should contact the Clerk as soon as possible to reserve a place.

14. DRAINAGE RATING SYSTEM UPGRADE

REPORTED that last year the Clerk gained approval to upgrade the DRS – a computer programme used to keep records of all the agricultural rate payers within its drainage district. Although the system is far from complete, with land parcels still not quite matching up to some records. The office has already seen a huge efficiency in keeping and maintaining the records.

RECEIVED an example of the sort of data that can be viewed when the office receives requests for information from landowners on what land they own or rent.

(As attached to these Minutes)

REPORTED that the system also makes it easier to fully audit land that has been developed and moved out of the rates and into the special levy.

15. ADA SE BRANCH ANNUAL MEETING

REPORTED that M Dobson and the Clerk attended the ADA SE Branch meeting on 28 April 2016.

During the meeting there was an overview given by the ADA Chief Executive Innes Thomson of the flooding events of 2015, one area the EA and DEFRA want to review is the use of statistics quoting the term "a one in a hundred year event". The public are confused and losing faith in being quotes statistics that don't make sense.

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Innes Thompson discussed the EA proposal over the de-maining of river, which if the pilots were successful, it was essential that long term funding continues, as the cap suggested by local authorities on special levy payments would not be sufficient to allow the works to continue, if for instance, an IDB took over the management of the main river.

Ian Nunn updated the meeting and mentioned that The River Stour IDB has been given a pilot area with the hope that 50 km of main river will be de-mained, a decision is yet to be made. Further discussions with IDBs over other areas will continue in 2016.

An overview was given by Ian Nunn from the EA, with details of works carried out, and made reference that the funding for the EA will increase 2016/2017 to allow the DEFRA request to carry out 50% more de-silting achievable.

REPORTED that M Dobson the Upper Board Chairman was re elected Vice Chairman.

16. LMIDB LOAN AGREEMENT

The Clerk wishes to ask members to consider whether they would agree to provide the LMIDB with an emergency loan should their budget for the new pumping station overrun.

The loan amount and interest rate can be discussed directly between the Finance Committees of both Boards, should the UMIDB want to entertain the idea.

From an officer's point of view it's an easy option, the UMIDB have good balances and could achieve a better interest rate from LMIDB than from the existing bank accounts.

Members to receive a recommendation from the Finance Committee.

The Chairman explained that this matter had been discussed at the Finance Committee and the committee had got a recommendation to put to the Board.

D Aikman, Chairman of the Finance Committee explained that the recommendation from the Finance Committee was for members to consider in principle a loan agreement for both the Upper and Lower Boards, in the event that either Board requires a short term loan.

The Committee was conscious that the Boards money belongs to the landowners and ratepayers, but were reassured that other IDBs in Lincolnshire had already done it. There was further reassurance that any loan agreement had to be signed off by the Secretary of State.

H Rogers felt it was a sensible thing to do.

The Clerk explained that it would only ever be applied for in an emergency. As members will recall, the Board applies for a Sanction to Borrow each year of £100,000.

AGREED on a proposition by H Rogers, seconded by C Steward on a loan agreement for both the Upper and Lower Boards in the event that either Board requires a short term loan.

The Clerk informed members that if there was ever a need to apply for a loan, then he would report back to members in the first instance.

17. ANY OTHER BUSINESS

H Rogers informed members that he was involved with a KCC Flood Risk Meeting on 18 July 2016 and the group of approximately 15 representatives visited Little Venice, Yalding. The group also visited the Upper Boards depot in Lees Road, Laddingford to show the work carried out by the IDB. The Works Supervisor gave a very good presentation to the representatives, which was very well received.

H Rogers thanked the Works Supervisor for his assistance at such short notice.

The Chairman thanked H Rogers for the update.

18. CLOSURE

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