

UMIDB
UPPER MEDWAY INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING of the BOARD
held at 17 Albion Place Maidstone
on **Tuesday 1 August 2017.**

Members of the Board Present

M Dobson - Chairman

D Aikman
S Highwood
K Jay
T Reader
H Rogers
J Scholey
C Stewart
R Thomas

In attendance

M D Watson - Chief Executive
P Bush - Technical Engineer
L Collins - Office Administrator

The Chairman deprecated the fact that the Board were in quorate at the last meeting. The meeting had to be cancelled and those members that did turn up had a wasted journey. A number of members did give their apologies; however, a considerable number did not.

The Technical Engineer informed members of the evacuation procedure in the event of a fire or an emergency evacuation situation. It was explained that members would be involved at some point with a fire drill.

1. APOLOGIES

Apologies received from N Chantler, D Cooley, R Lewis, M Round, G Swift 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.

3. DECLARATION OF BOARD MEMBERS INTEREST FORM 2017/2018

RECEIVED a copy of the Declaration of Board Members Interests form.

(As attached to these Minutes)

REPORTED that N Chantler, D Cooley, K Jay, S McLeod, M Round, C Wheeler and R Young have not yet completed their Declaration of Board Members Interest form for the year 2017/18.

Members were 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.

Forms were available during the meeting and K Jay's completed form was handed to Officers by the end of the meeting.

4. 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.

5. MINUTES

RECEIVED a copy of the Minutes of the Meeting of the Board held on 21 March 2017.

(As attached to these Minutes)

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

6. FINANCE COMMITTEE MINUTES

RECEIVED the Minutes of the Finance Committee Meetings held on 21 March and 25 May 2017.

(As attached to these Minutes)

7. INTERNAL AUDIT SUB COMMITTEE MINUTES

RECEIVED the Minutes of the Internal Audit Sub Committee Meeting held on 21 March 2017.

(As attached to these Minutes)

8. MATTERS ARISING FROM PREVIOUS MINUTES

Minutes of meeting 21 March 2017

Item 7 – Internal Audit Sub Committee Minutes

Members requested that Officers arrange a computer back up, process plan including restoring data.

REPORTED that this has not yet been actioned with the computer IT people, but the Chief Executive will arrange before the next meeting.

The Chief Executive explained that eventually the Board will use a cloud based backup system, but at the moment the broadband speed is not good enough.

Minutes of meeting 21 March 2017

Item 11 – Board Inspection

Members expressed an interest in attending the Thames Barrier London with a presentation of the 2100 project to be included.

The Chief Executive explained that this matter will be covered in more detail under Item 16 on the Agenda.

Minutes of meeting 21 March 2017

Item 12 – Sanction to Borrow

Members requested that Officers investigate the possibility of being able to borrow more money than the current £100,000 limit.

The Chief Executive informed members that there appeared to be some confusion over sanction to borrow and requesting an overdraft facility from the Bank.

REPORTED that the Board is entitled to arrange an overdraft of £100,000 with NatWest Bank each year. This would be an instant overdraft.

REPORTED that under section 55 of the Land Drainage Act the Board can apply to borrow a sum of money from the Public Works Loan Board. The application process involves the Environment Agency and DEFRA. DEFRA encourage this method of borrowing (should there be a need to borrow funds), as the Board can then create a differential rating order to recover this money direct from the ratepayers who will gain benefit from the proposed works.

The Chief Executive explained that an overdraft would be a short term solution to borrow, but the Public Works Loan Board offers the flexibility to borrow more money over a longer period of time.

Members raised concerns over who would request a loan, should one be needed.

The Chief Executive explained that Officers would have to approach the Board to advise and gain approval for the proposed works and spend. The Chief Executive would then contact the Environment Agency and DEFRA, and submit the relevant information needed to apply for a loan from the Public Works Loan Board.

On a proposition by R Thomas, seconded by H Rogers it was **AGREED** in principle that if the Board should ever need to raise additional funds in excess of £100,000, then an application should be made to the Public Works Loan Board.

Members **AGREED** that the Board would give the final approval of any such request. An extraordinary meeting of the Board may have to be arranged to discuss and agree.

All members in attendance were in agreement.

The Chief Executive explained that the Boards Financial Risk Register would need to include this fact and the Financial Regulations may need to be amended accordingly.

J Scholey asked the Chief Executive to make enquiries with DEFRA as to whether the Board could apply to the Municipal Bonds Authority for a loan, as Councils can.

H Rogers requested that prior notice to the Local Authorities of any potential borrowing would be appreciated.

R Thomas explained that a valid point had been raised by J Scholey and he supported that this route is worth checking.

Minutes of meeting 21 March 2017

Item 14 – Planning Applications

A request was made for the Chief Executive to keep an eye on and update Tunbridge Wells Borough Council planning application number 3. 16/503392.

The Chief Executive explained that an update will be provided on this application under Item 11 on the Agenda.

Minutes of meeting 21 March 2017

Item 17 – Works, Health & Safety Meetings

A recommendation was made to harmonise policies across both Upper & Lower Boards to assist Officers.

The Technical Engineer explained that this matter will be discussed at the Joint Services Committee meeting on 8 September 2017 and any proposals or recommendations will be presented back to the Board for consideration.

R Thomas asked about the protective eye wear issue raised in the minutes of the meeting.

The Technical Engineer explained that an update will be provided under Item 14 on the Agenda.

Minutes of meeting 21 March 2017

Item 18 – Environment Agency Precept 2017-2018

Members requested that the Chief Executive to appeal payment until a sufficient report and explanation is forthcoming from the EA.

The Chief Executive explained that a report has been received from the EA which is covered under Item 15 on the Agenda.

9. HEALTH & SAFETY UPDATES

The Technical Engineer explained that a review of the Boards current policies will continue to take place with a provisional proposal of requirements being prepared for presentation to the Joint Services Committee at their meeting on 8 September 2017.

REPORTED that the Board will need to agree on the timings of priorities.

REPORTED that activities and changes are starting to take place. Any major updates will be given at the Board meetings.

10. INTERNAL AUDITORS END OF YEAR REPORT 2016/2017

RECEIVED a copy of the Internal Auditors End of Year Report 2016/2017 produced by David Griffiths on 11 May 2017.

(As attached to these Minutes)

The Technical Engineer informed members that the Lower Board at their last meeting queried some of the content of the report relating to the depot visit. Various items had been reported as satisfactory. However, one member checked a particular item which he had an interest in and found the report to be unsatisfactory. It was suggested that the Internal Audit Sub Committee look at in more detail.

J Scholey explained that this comment had been made about the previous auditor.

The Technical Engineer explained that members on the Lower Board felt that the Board should steer the auditor more on what it expected, which may result in giving him more time and remit. This will also result in additional cost.

D Aikman pointed out that only financial matters had been looked at on the Upper Board audit report.

11. 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 Chief Executive explained that checking the weekly planning application lists was one of the jobs which had become a low priority recently because of other major projects taking precedent. He has kept up to date with any big developments, but is behind with the weekly lists.

J Scholey felt that planning applications shouldn't be classed as low priority.

The Chief Executive read through the planning applications.

C Stewart commented on Tunbridge Wells Borough Council item number 1 explaining that there is a lot of “hear say” regarding this application and inexperienced planning officers need to take the Boards comments more seriously.

The Chief Executive explained that 3 comments have been submitted by the Board so far and if the application goes to the next stage, then the Boards land drainage consent will be required.

J Scholey asked whether the Chief Executive was aware of the Tandridge Council garden village/town near Edenbridge. An 8 week consultation is due to start any day now concerning a development of 7000 houses.

The Chief Executive explained he hadn't received anything as yet, but thanked J Scholey for the advanced warning.

12. CONSENTS

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

(a) U9 Hammer Stream – To restore natural morphology to the Hammer Stream by recreating a meandering two stage channel. This is proposed on 1000m of IDB maintained stream at Ayleswade Farm.

REPORTED that the fee for this application has not yet been received. Once received members will be consulted.

(b) U22 Bedgeborough – KCC wish to carry out culvert repairs and relining to culverts under A262, Hope Mill, Goudhurst and on an ordinary watercourse under the Hale Street by-pass, East Peckham.

REPORTED that members have been consulted on this application and Consent has been **APPROVED** on 31 July 2017.

(c) UKPN Private connection – Installation of private electricity supply and Mousehole Farm, Nettlestead. The new supply passes below an ordinary watercourse, details of method statement have been requested.

REPORTED that members have been consulted on this application and the applicant has been requested to carry out the works 1m below the bed of the watercourse. On this basis the Consent has been **APPROVED** on 1 August 2017.

13. ENGINEER'S REPORT

RECEIVED the Engineer's Report Number 150.

(As attached to these Minutes)

The Chief Executive read through the Engineers Report and showed members a number of photographs of the depot tidy up. Pictures showing before and after.

The Technical Engineer explained that this process was carried out in order to get the workforce mindset of looking after the equipment they use.

Video footage was shown of one of the tractors flail mowing watercourse 96.

The Technical Engineer explained that in future the report will be more visual showing photographs and video footage of works carried out.

The Chief Executive explained that there is an ongoing issue gaining access to some sites in order to carry out maintenance works. There appears to be a loss of the set aside strips and the Boards friendly approach doesn't appear to be working.

REPORTED that farmers crops are preventing the Board from carrying out their work efficiently. There needs to be a long term plan of telling the landowner well in advance of our intention of works and if necessary send a notice.

The Chief Executive **REPORTED** that Officers are looking at making the plant and equipment more efficient and need a change of direction of how to do it. There is a need to try and find the best solution that works for the Board and the landowners.

The Chief Executive explained that this problem is more difficult for the Upper Board than the Lower Board because of more landowners carrying out different practices. Having to deal with crops, trees and cattle.

The Technical Engineer explained that there appears to be myths about how much work the plant and equipment is capable of doing. These myths need to be sorted out in order to benchmark each product against productivity. Discussions have taken place with other IDBs around the country to see what they do and how they manage these difficulties.

D Aikman felt it would be a good idea to find out how much extra it actually costs the Board and worthwhile showing the landowners how much extra it's costing them in rates.

The Technical Engineer explained that figures will be produced to present to the Joint Services Committee at their meeting on 8 September 2017.

The Chairman felt the debate was very interesting and suggested that the Board rely on the Officers to do some more research on the Boards behalf, then report back to the Board at the next meeting.

14. WORKS HEALTH & SAFETY GROUP MEETING

RECEIVED a copy of the Works Health & Safety Group Meeting Minutes dated 20 March, 8 May and 19 June 2017.

(As attached to these Minutes)

R Thomas asked more about the situation regarding safety glasses.

The Technical Engineer explained that the Boards are in the process of standardising all purchases to ensure all PPE meets the current BS standards. A decision was made taking into account price and fit for purpose. Previously workmen have chosen their own products from a nominated supplier which would appear to have been on the basis of how they look, rather than being fit for purpose and complying with Health & Safety.

The Technical Engineer explained to members that some changes have not gone down too well with the workforce, but needed to happen in the best interest of the Board and its employees.

R Thomas expressed that the Board supports the Officers decision. Safety of the employee is key.

REPORTED that a suggestion had been made by the Lower Board Finance Committee for a Board Member from each Board to also attend these meetings.

REPORTED that the Lower Board have appointed a member to attend and have a first reserve list of other members who were willing to attend the meetings, should there be a need to.

The Technical Engineer explained that he welcomed this suggestion, but appreciates it might be difficult or a big ask for members to give additional time.

The Chairman asked what would be the benefit of this.

The Technical Engineer explained that it shows evidence of communication at all levels. It shows transparency, there's nothing to hide between the workforce, officers and members.

REPORTED that the meetings take place at the Boards Offices in Maidstone, eventually they will be held quarterly and take approximately one hour. The next meeting is scheduled for 7 August 2017.

R Thomas was happy to represent the Upper Board at the Works, Health & Safety meetings.

M Dobson was happy to be first reserve, in the event that R Thomas was unable to make a meeting.

All members in attendance **AGREED**.

15. ENVIRONMENT AGENCY PRECEPT REPORT

RECEIVED the report received from the Environment Agency regarding the proposed works using the Precept Payment.

(As attached to these Minutes)

Members were reminded that at the last meeting the Board requested that the Chief Executive writes to DEFRA objecting to payment on the grounds that a satisfactory report has not been received from the Environment Agency.

The Chief Executive explained that Dave Collins and Ben Conway turned up at the last meeting, which had to be cancelled to provide members with the detail of works. Those members present at that meeting received the details of works.

D Aikman explained that the report produced is almost the same report as last years.

A lengthy discussion and debate took place between members.

The Chief Executive **REPORTED** that as a result of how poorly the EA has handled providing a precept report and the fact that they have not yet paid the Upland Water Contribution payment that was due 1 July 2017, he has called a meeting with Julie Foley.

Having seen the report members were asked whether they were happy to pay the precept payment.

J Scholey asked whether Officers were happy that the works mentioned in the report have been carried out.

The Chief Executive explained that no one has been out to check whether these works have been carried out.

D Aikman explained that IDBs have to justify to ratepayers where the money is spent and that's why the Board has queried costs of works in the past. Members have an obligation to ratepayers to question the payment.

Members requested that the Chief Executive requests an advance schedule of works, as this will be useful to have and members can check the works within their area for completion.

Members also requested that the Chief Executive finds out what the first proposal project of £70,000 cost involves and when this is scheduled to take place.

C Stewart commented that the EA has dropped the Yalding scheme and is now contributing to a housing scheme.

Members **AGREED** that they will be happy to pay the precept payment once evidence is provided that the proposed works are happening.

16. BOARD INSPECTION

Members expressed an interest at the last meeting to visit the Thames Barrier as a joint venture with the Lower Board.

To inform members that the Lower Board did not wish to visit the Thames Barrier.

REPORTED that the Chief Executive has made enquiries with the Environment Agency and a date of 9 October 2017 has been offered to the Board for a visit, however there will be limited access due to the recent terrorist activity.

Officers to email details to members for interest. If there is enough interest and itinerary will be put together.

17. ADA SOUTH EAST BRANCH ANNUAL MEETING

RECEIVED a copy of the ADA South East Branch Annual Meeting Minutes dated 27 April 2017.

(As attached to these Minutes)

D Aikman referred to the National Audit Office Report on page 2 concerning IDBs. He also referred to the ADA Gazette summer issue where ADA has responded to some of the comments made.

18. ADA CONFERENCE 2017

REPORTED that the annual ADA Conference will be held on 16 November 2017 at 1 Great George Street, Westminster. Should any member wish to attend, please let the Chief Executive know as soon as possible.

19. STAFFING RESOURCES

The Chief Executive explained that he had concerns over current staffing levels and had taken a closer look at everyone's workload over the last six months and is convinced that everyone is at maximum capacity, taking into account the work involved with the Bells & Mocketts pump station project.

A request was made for the Board to consider employing someone part-time on a 12 monthly temporary contract basis initially in order to assist with the basic day to day general administration work.

REPORTED that the same proposal had been presented to the Lower Board at their meeting and that members agreed in principle, but had requested that the Chief Executive puts some figures together then report back to the Finance Committee for consideration.

Members discussed this issue and J Scholey asked how this would affect the Boards budgets and wanted to see details regarding salary, conditions and overheads.

The Technical Engineer explained that the costing would come out of the Boards balances this year. However, they would be factored in to the Boards budgets for the next year.

The Chief Executive explained that Officers were in the process of compiling this information, but didn't want to waste valuable time in doing so, if members were not in agreement to the proposal in principle.

C Stewart and K Jay both felt that with the estimated salary quoted, along with the fact that the costing would be split 50/50 with the Lower Board and would only apply to a proportion of the current financial year then Officers should not delay the recruitment process. Time is of the essence.

On a proposition by C Stewart, seconded by K Jay it was **AGREED** in principle for Officers to begin the process of recruiting a temporary, part time Administration Assistant. The actual costings to be reported back to the Board.

All members in attendance were in favour.

20. ANY OTHER BUSINESS

The Chief Executive explained that he had 2 items to raise.

(a) Upper Depot

REPORTED that there is a safety problem regarding a safe method of lifting the excavator buckets. Currently the weed cutting buckets and the tree snipper weighing approximately 800kg each are being left in the trailers until needed. The trailers are taken to site when needed and the excavator lifts the equipment out for use.

The Chief Executive explained that this process is dangerous and restricts when the trailers can be used for other purposes. Also, the constant weight being left in the trailers is damaging/compromising the trailer floor.

REPORTED that the safest way would be to install a mobile gantry at the depot with a winch, so that this equipment can be removed and stored safely. However, it has been identified that 110V power supply is needed to operate the winch.

REPORTED that quotations have been obtained for the installation of 110V power supply, mobile gantry and winch at a cost of £5,400.

Members **AGREED** that this is an important piece of kit.

On a proposition by R Thomas, seconded by J Scholey it was **AGREED** that Officers should go ahead and purchase a mobile gantry and winch, and also have 110V power supply installed at the Boards depot.

H Rogers asked whether the Boards trailers are fit for purpose.

The Technical Engineer explained that they are not really fit for purpose, as they are both standard caged trailers. However, until there is a means of removing the items the Board cannot look at purchasing a suitable replacement.

REPORTED that the old trailers could be sold to offset the cost of a new trailer. Officers to report back to the Board.

(b) Lower Depot

The Chief Executive informed members that currently the Lower Board rent premises in Iwade, but have expressed an interest in purchasing some land to build a depot, similar to the Upper Board set up at Laddingford.

Lower Board members also felt it would be a good idea to incorporate an office block at this location, with a view of selling Albion Place.

The Chief Executive informed members that Albion Place is a Grade 2 listed building and having repairs and maintenance carried out is not always straight forward and costs are always considerably more expensive. The building is in need of repairs to the basement, replacement windows, kitchen facility and generally updating to current standards.

Members were informed that development is already taking place in the car park area a couple of doors down from Albion Place and this location could be desirable for development.

Members were asked whether the Board should consider the option of putting an office block on the side of the new Lower depot. However, plans will need to be drawn up to find out the building cost and to determine the size of land needed.

J Scholey asked whether there was any specific reason why the Boards offices are in Maidstone.

The Chief Executive explained that Maidstone is central between the Upper Board and Lower Board drainage districts, so it would have made sense years ago to be located there for when ratepayers had to pay their bills. There's no reason why it should stay in Maidstone.

J Scholey was in agreement with the proposal, if there is no fundamental reason for the Boards offices to be in Maidstone. He believes the building is in a bad place and would be a wise move for the Board to sell a grade 2 listed property.

Members discussed at length and felt that a proper proposal should be put together to bring back to the Board for discussion. Members also felt that this matter needs to be put as a separate heading in future, not classed as Any Other Business.

On a proposition by M Dobson, seconded by R Thomas it was **AGREED** for Officers to spend up to £15,000 to have plans drawn up and explore the possibility of a new location for the Boards offices.

D Aikman requested that Officers also advise of the cost of purchasing the land, when a suitable area is found.

H Rogers explained that there would be little requirement to have a Board Room at the new location, as the Board could consider hiring a room elsewhere for meetings.

21. CLOSURE

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