

UMIDB
UPPER MEDWAY INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING of the **BOARD**
held at Bullen Court Business Centre,
Bullen Court Farm, Bullen Lane TN12 5LX
on **Tuesday 18 June 2024** at **10am**.

Members of the Board Present

O Baldock
Mr Davis
D Goff (Chairman)
Cllr King
Mr Rogers
W Thompson
C Wheeler
S Highwood
Cllr M Crane

In attendance

O Pantrey – Clerk
L Carey – Responsible Finance Officer
J Schuiling – Works Manager
E Robertson – Sustainable Development Officer
Mr Innes Thomson – CEO of ADA

The Chairman proceeded the meeting by a round table introduction of members.

1. APOLOGIES

Apologies received from Cllr A Baker, Cllr Coleman, C Hosmer, & Cllr Perry
Non-Attendees – Cllr P Harper, T Wells BC Representative, & L Young.

The Board welcomed both Cllr Crane and Mr I Thomson to the Meeting.

2. ITEMS OF INTEREST DECLARATION

No pecuniary interests were noted by members for the upcoming meeting.

3. REGISTER OF MEMBERS INTERESTS 2024/25

The Clerk reminded members that this was a legal obligation and that anyone having issue with the register form please contact him as soon as possible.

4. MINUTES

The Chairman requested any alterations to the minutes of 23 January 2024. He then requested that these were approved as correct.

On proposal from the Chair, it was **AGREED** by all Members present that the minutes of the meetings held on 23 January 2024 be approved as a true and accurate account.

5. ACTION LIST AND MATTERS ARISING

The Chairman asked the Clerk if there were any issues arising from the action list.

The Clerk said at present there were none.

However, there was one matter arising that needed the immediate action of the Board.

Investment Policy – Unfortunately we were only able to send this out today, to be approved by the Board. On the Clerk's recommendation that the policy, be approved via e mail by week ending 28th June 2024. **ALL AGREED**

ACTION – RFO to request approval on investment policy by 28th June 2024

6. ADA PRESENTATION

Mr Innes Thomson, CEO of ADA, gave a presentation of the Overview of Board Governance.

Circulation of the presentation is available upon request.

The Chairman thanked Mr Thomson for his presentation and opened the floor to members for questions.

7. MEMBERS ROUND TABLE REPORT – Questions with Innes Thomson

Questions were put to Mr Thomson with regards to his presentation and answered to the satisfaction of the Board members.

The following questions were asked by the Members.

Howard Rogers – Regarding the new development of building more housing in the district?

Owen Baldock – The recent announcement of the restriction regarding conversion of farm buildings, is that deemed permitted for development and as individual IDB's are we still able to control Service Water Sources entering our water courses?

Cllr D King – Was interested to know that whatever party ended up in Parliament on the 4th July, how this could change the IDB's?

After the presentation the Chairman went on to say that we are now in a better position than back in 2018 when he joined the Board and thanked the staff under the Clerk for all their hard work.

8. CHAIRMAN'S REPORT

The Chairman said that there was not much to report on, however he said he, along with the Clerk, had a meeting with Martin Hurst of the Regional Flood and Coastal Committee (RFCC) regarding strategy, and long-term planning of the Board, specifically in terms of catchment opportunity.

9. CLERK'S REPORT

This report was for information. The Clerk requested the following roles for Board approval:

Creation of Sustainable Development Manager role.

Proposed by Mr Davis and seconded by Mr Highwood. **All members AGREED.**

Creation of the Biodiversity Office Role.

Proposed by Mr Baldock and seconded by Mr Rogers. **All members AGREED.**

10. WORKS REPORT

The Chairman asked the Works Manager if he had any comments to add regarding his report and if the Board had any questions for the Works Manager – None.

The Works Manager informed the Board that they had put into reality a works calendar to enable him to program in PSCA works going forwards.

The Clerk informed the Board that the work of the ground team was shown on the website as a live feed and that at anytime the Ratepayers could see what and where we were working on.

The Clerk informed the Board that we have purchased a small boat to enable us to carry on with our works on invasive species along the riverbanks.

11. FINANCE REPORT

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The Chairman ask the RFO if she had anything else to report on with regards to the information already given in her report. The RFO said that there was none at present.

They requested approval from the Board for the following:

Approval of top sheets reconciliation of period:

On proposal by Mr Goff and Seconded by Mr Thompson, it was **AGREED** that the reconciliation for the period were correct.

Approval of amended Financial Risk Assessment

On proposal from S Highwood and seconded by M Davis, it was **AGREED** to accept the amendments to the financial risk assessment and that it be published on the website.

12. PLANNING AND CONSENT REPORT

The Sustainable Development Officer requested approval on a site at Oast Farm for 13 properties to be built. She is happy for this to go ahead and would like the approval from the Board.

The Board unanimously **AGREED**

The Board was then joined by Mr Gary Wilson who had made a complaint regarding Officer handling of a retrospective alteration of a watercourse. Letters and e mails were sent to the Board ahead of this meeting regarding this. Mr Wilson also brought with him a letter from his solicitors, which was handed to the Chairman, along with a letter from the EA. Mr Wilson was then asked to present his complaint to the Board.

Mr Baldock stated that he felt this was a dispute between the landowners and not a Board issue .

The letter given to the Chairman was read over by Mr Davis and he recommended that the Board defer the letter for the time being, to enable them to discuss it further.

The Clerk stated that the Board cannot make Mr Wilson's neighbour accept the consent for discharge of treated foul as it was not clear who owned the land or the stream in question, despite Mr wilson claiming he has a riparian right to access the stream. The Clerk explained that this is why the advice given by officers was for Mr Wilson to determine the rights upon the land and have his covenant enforced through a court or tribunal. He made mention to the hedge and ditch rule which he felt would be important to determine the ownership of the old ditch. He said that there would likely be no objections to the consent application from Mr Wilson, but that the Board would not force a third-party to accept works as part of a consent.

The Chairman agreed that no more could be done now and said they should do what Mr Davis had recommended regarding deferral of a decision pending review of the solicitor letter .

The Chairman agreed that we should read the solicitors letter and review it via e mail and that Mr Wilson would receive a response from the Board within 28 working days.

Mr Baldock reiterated his feeling that both parties should go to Land Tribunal and that it was not a Board decision. Mr Davis said he was happy to go along with that, if the Board agreed.

It was **AGREED** by the Board to defer the decision to an email response to Mr Wilson within 28 working days of the meeting.

Mr Wilson left the meeting.

13. BIODIVERSITY REPORT

The Clerk requested approval in principle to match funding of NFM schemes in and around the river Sherway. He explained that Maidstone BC were providing feasibility funding for the above for up to £60,000 but required assurance that the Board would be in a position to fund delivery works over 3 years to an equivalent sum. The Clerk said that Board funding would be limited to £30,000 per annum, given the right circumstances to use the Resilience Fund over the next three years as a grant.

The Clerk suggested that we use ourselves as sub-contractors to offset against funds that we are spending.

Mr Thomson (CEO of ADA) asked if we have approached the EA or DEFRA for funds towards this.

The Clerk then asked if the Board would agree to match the funding of Maidstone BC for delivery of NFM schemes on an **IN-PRINCIPAL BASIS**.

The action was proposed by Mr Thompson and seconded by Mr Baldock. It was **AGREED** in principle by the Board.

14. HEALTH AND SAFETY REPORT

The Chairman asked if there were any questions relating to the H&S report – None.

15. STRATEGY AND OBJECTIVE

The Clerk stated that meeting with Martin Hurst and Sally Harvey had taken place to discuss the expansion of the district under a new pilot scheme. He also has a meeting with Kent County Council on 24th June 2024 to mark out boundaries (under the public sector act).

The pilot schemes are to commence in January 2025

The Board was then asked to approve in principle the investment strategy, to invest £250,000 over a six-month period with Handelsbanken Plc, and then this to be reviewed in the Board meeting in November 2024. It was said that this was subject to the approval of the Investment Policy which would be requested by email within the next 2 weeks.

On proposal from H Rogers, and Seconded by D Goff, it was **AGREED** in principle by all Board members.

As the Investment policy was only sent out today for the Board to accept, the Chairman and Clerk were happy to receive confirmation from each member by the end of the following week (28th June 2024) by e mail.

16. INTERNAL AUDIT END OF YEAR REPORT

H Rogers requested that members thanked the Responsible Finance Officer for her efforts on this. All members **AGREED** and thanked her for this work.

17. END OF YEAR ACCOUNTS – YE MARCH 2024

The Chairman asked if there were any questions about the figures submitted to the external auditor regarding the end of year figures.

On proposal from the Chairman, all members **AGREED** that the Chairman should sign the end of year accounts ahead of being submitted to the external auditor.

18. ANNUAL RETURN (AGAR) – YE MARCH 2024

The Clerk showed the return and explained that this combines the results of the internal audit with the end of year accounts.

On proposal from the Chairman, all members **AGREED** that the Chairman should sign the AGAR ahead of being submitted to the external auditor.

ACTION – Chairman, Clerk, and RFO to sign AGAR

ACTION – Clerk to update website with Notification of Unaudited Accounts

ACTION – RFO to send signed AGAR and supporting documentation to External Auditors by 30 June 2024

19. GOVERNANCE AND POLICY

The Clerk asked members if they had any further changes to the amended policies which were:

Updated Policy

- Anti-bribery policy
- Breach notification policy
- Data compliance statement
- Data protection training policy
- Data retention and disposal policy
- Environmental policy
- Health and Safety Policy Statement
- Investment Strategy Policy *New*

- Planning and Bylaw Strategy

On proposal from the Chairman, it was **AGREED** to approve the policies listed

Updated Governance Documentation

- Annual Governance Statement (Approved with item 17) to be signed by Chairman
- Financial Risk Assessment (Approved with item 11)
- Policy Statement
- Scheme of Delegation

On proposal from the Chair, it was **AGREED** to accept the governance documents listed.

ACTION - Clerk to update website with governance documents

ACTION - Clerk to update website with policies

ACTION – Chairman to sign the Annual Governance Statement

20. ANY OTHER BUSINESS

Election 2024

Election programme – for information only

The Clerk asked for approval of Register of Electors 2024

On proposal by Mr Thompson and seconded by Mr Rogers, it was **AGREED** to accept the Register of Electors for 2024.

21. PRIVATE AND CONFIDENTIAL MATTERS

At this time, we have no Private and Confidential matters.

22. DATE OF NEXT MEETING

The date of the next meeting was set as:

Board Meeting – Tuesday 12th November 2024, 10am – Bullen Court

Finance Committee – Tuesday 10^h December 2024, 10am – Bullen Court

23. CLOSE

There being no further business, the Chairman thanked the Clerk and his team for their efforts and closed the meeting.