

THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

Minutes of the Meeting of the Board held at 14:00 on Thursday 1 February 2018 at  
Dover District Council, White Cliffs Business Park, Whitfield, CT16 3PJ

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PRESENT

Mr M J G Tapp (Chairman), Mr A D Linfoot OBE (Vice Chairman), Mr G R Steed (Deputy Vice Chairman), Councillor M D Conolly, Mr P S Dunn, Mr P E Dyas, Councillor A Hicks, Councillor M Martin, Councillor M Ovenden, Councillor D Smith, Councillor H Stummer-Schmertzing, Mr P Williams, Mr L Woollorton and Ms G Wyant.

IN ATTENDANCE

Mr P Dowling (Clerk & Engineer to the Board) and Ms A Eastwood (Finance & Rating Officer).

WELCOME

The Chairman welcomed to the meeting Mr Ben Conway (Technical Advisor, Environment Agency), Mr Keith Watson (Project Engineer, Dover District Council) and Mr Darren Godden (Rhino Plant Hire, IDB Contracts Manager).

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M J Burgess, Mr P N Howard, Councillor P J F Sims, Mr J E F Smith, Mr P Williams and Mrs G Wyant. Apologies were also received from Mr J Kelly (EA Asset Performance Team Leader – Swale & Stour Area), Mr I Nunn (FCRM Operations Manager for KSL, EA), Ms D Thompson (EA Incident Response Team Leader – Upper & Lower Stour Area) and Mr J Dilnot (Engineering Assistant).

MINUTES OF THE MEETING OF THE BOARD HELD ON THURSDAY 9 NOVEMBER 2017

The minutes of the Board held on Thursday 9 November 2017 were received. It was proposed by Cllr Smith, seconded by Cllr Conolly and resolved that the minutes be confirmed and signed by the Chairman as a true record of the proceedings at that meeting.

MATTERS ARISING FROM THE MINUTES

There were no matters arising from these minutes.

MINUTES OF THE MEETING OF THE FINANCE, GENERAL PURPOSES & WORKS COMMITTEE HELD ON MONDAY 15 JANUARY 2018

It was proposed by the Deputy Vice Chairman, seconded by Mr Wilkinson and resolved that the minutes of the meeting of the Finance, General Purposes & Works Committee held on Monday 15 January 2018 be received.

## MATTERS ARISING FROM THE MINUTES

### Ref: F.5-4      Watercourse Maintenance Contract Review

The Vice Chairman referred to the desirability of keeping balance between Elected and Appointed Members in Sub-Committees and suggested that the Board give the Chairman the authority to appoint two Local Authority Members to join the Contracts Committee if he deems it necessary due to a possibility of re-tendering. The Vice Chairman further stated that the current timetable allows for a full re tendering process if necessary, and care needs to be taken to provide full accountability within the required deadlines. It was proposed by the Vice Chairman, seconded by Cllr Martin and resolved that the Chairman be authorised to appoint a further two Local Authority Members to the Contracts Committee if deemed necessary.

### COMBINED FINANCE ESTIMATES FOR THE YEAR ENDING 31 MARCH 2019

The Chairman reported that the Combined Finance Estimates for the year ending 31 March 2019 include the Watercourse Maintenance Works Estimates. The Chairman further reported that the 2017-2018 financial year end net expenditure is expected to be approximately £530,228 (£35,345 less than the original estimate resulting from a combination of estimated underspend and increased income as follows: reduction of £15,593 on maintenance costs, £9,760 on establishment charges and £1,936 on EA Precept; increased incomes from PSCA works: £4,786 and Consents: £3,500; and a reduction of £230 on bank interest). The Chairman further reported that as at 31 March 2018 there will be £50,000 in the Old Thrustbore Reserve and an estimated balance of £216,723 in the Board's Financial Reserves for which a target of £350,000 was set at the Board meeting on 3 August 2017. The Board's Financial Reserves are to be reviewed annually in accordance with the Internal Auditor's recommendations.

The Chairman reported that the revised estimates for the maintenance works for the year ending 31 March 2018 total £244,618 (£15,593 under the Original Budget(OB)) and it is split as follows: Weed Cutting revised to £112,000 (£7,000 under the OB) although on reflexion this is probably an under-estimate; Desilting expected to be £25,118 (£979 over the OB due to additional works); Spoil Spreading £3,500 (£2,815 under the OB) as some landowners chose to do their own spreading; Tree & Shrub Maintenance, Structure Maintenance and Biodiversity still expected to be £10,000, £20,000 and £6,000 respectively; Obstruction Clearance revised to £2,000 (£400 under the OB) and Water Level Control revised to £66,000 (£6,357 under the OB) and this is the total cost of carrying out Water Level Control activities for the IDB and EA.

The Clerk & Engineer stated that in view of the need to renovate and repair several structures, he would suggest that the Board carrying-over any underspend on the Structures budget at the end of the financial year to be placed in a Structures Reserve so that funds can be accumulated to carry out more substantial works. It was proposed by the Chairman, seconded by Cllr Hicks and resolved that any underspend on the Structures budget be carried over and placed in a Reserve account for future works.

The Chairman reported that the Environment Agency has confirmed a 1.5% increase on the Precept therefore the Precept payment for the financial year ending 31 March 2019 will be £130,983.

The Chairman reported that the increasing amount budgeted for Building Maintenance and Flat 34A Expenses reflects the fact that the Board's building (office premises and flat) needs some repairs which are essential for the upkeep of the property and to continue receiving a fair rental income. The Clerk & Engineer reported that a detailed condition assessment of 34 and 34A has been carried out by Rose Project Services but the report has not yet been received. The Clerk & Engineer stated that the building requires a considerable amount of work and suggested that the Board also considers carrying over any unused budget into a Reserve account for Building Maintenance and Flat 34A Expenses. It was proposed by Mr Wilkinson, seconded by the Chairman

and resolved that a Reserve account be set up, with any underspend on the Building Maintenance and Flat 34A budget to be carried over for future works.

The Chairman reported that an extra amount has been allowed for Technical Support, to provide support in digitising the Board's district and developing DRS. Mr Botting asked the Chairman what benefits the digitisation of the maps would bring. The Chairman stated that it will be a more reliable source of information for everyday use. The Clerk & Engineer added that it will also link in with the planned improvements to the website; currently there is only a low-resolution PDF map of the Board's district but in the longer-term it would be useful to have more detailed localised maps which members of the public can access.

The Chairman summarised that the estimated total income (excluding rates and levies) for the year ending 31 March 2019 is £165,502 and the total expenditure for the same period is £738,841 resulting in a net expenditure of £573,339. He further reported that three options were presented and discussed at the Finance, General Purposes and Works Committee meeting and the Finance Committee had recommended to the Board Option 3, raising a total sum of £576,400 for the financial year ending 31 March 2019. This would increase rates and levies by an average of 1.99%. These options were again discussed and with the Maintenance Contract being due for review it was proposed by Cllr Smith, seconded by Cllr Hicks that:

- a) A total sum of £576,400 be raised.
- b) A rate of 12.877p in the pound be made for the year ending 31 March 2019, raising £59,657 from Drainage Ratepayers.
- c) Special Levies be made on Local Billing Authorities for the year ending 31 March 2019 as follows:

	£
Ashford Borough Council	242,869
Canterbury City Council	118,127
Dover District Council	70,846
Shepway District Council	517
Thanet District Council	<u>84,384</u>
Total Special Levy Income	<u>£516,743</u>

- d) The Chairman and the Clerk & Engineer be authorised to sign and seal the Rates and Special Levies on behalf of the Board.
- e) The Clerk & Engineer be instructed to advertise the Rates and Special Levies in the Board's website and noticeboard.

All Members voted in favour.

**Joint Report of the Clerk & Engineer and Finance & Rating Officer  
for the period 1 October to 31 December 2017**

Ref: W1-39    Main River Rationalisation Project

The Clerk & Engineer reported that the formal consultation on the Gov.uk website commenced on 15 January 2018 and will run until 12 February 2018. The purpose of the consultation is to seek the views of individuals, groups and organisations who are affected by or interested in the proposals and the responses to the consultation will be used to identify and consider any concerns before the EA and IDB make a final decision on whether to

proceed with the proposed transfers. The Clerk & Engineer urged Members to comment or recommend to Parish Councils and other interests to do so.

The Clerk & Engineer reported that Mr Alex Bateman (RMRN Pilot Area Lead) is scheduled to attend the next Board meeting to give the Board a full update.

Cllr Martin asked if the IDB takes on these watercourses and the maintenance costs prove to be higher than expected will the Environment Agency have any legal duty to contribute. The Chairman replied that there would be no obligation on the EA to pay as the watercourses will have been de-mained. Furthermore, in the same way as the IDB, currently the EA has permissive powers to carry out works and not a duty to do so.

The Chairman reported that the budget for 2018-2019 has not considered the MRR Project because this is still not certain to happen. However, if the transfers do go ahead, the changes in works should be to an extent self-funding, with an adjustment to the Precept paid to the Environment Agency and to the Board's programmed maintenance. The Chairman stated that the Board still has the right to withdraw if anything unexpected were to occur but currently the Board is happy to go ahead with the transfers as agreed.

Cllr Hicks stated that she understands that if the transfers go ahead, the Board's Precept to the EA will be reduced but asked for how many years? The Clerk & Engineer replied that the agreed reduction will be permanent, with the adjusted amount becoming the new base-figure.

#### Ref: W4/WSR      Rainfall & River Flow Data

The Chairman asked the Clerk & Engineer if he knew the current level at the Bewl reservoir. The Clerk & Engineer reported that on 25 January the levels were at 60% and rising quite sharply.

Cllr Martin stated that she was concerned about the amount of development around the county and that its effects on the supply and discharge of water are not being adequately considered. The Chairman sympathised with these comments but stated that this matter is not within the IDB's remit, he further stated that Local Authorities, Southern Water and the Government will have a say in this. Cllr Stummer-Schmertzinger stated that the Council can only refuse an application if it is proven that it is not viable, the planning process includes a request to Southern Water as to the viability of any planning for water consumption. Southern Water provides an expert opinion and if they confirm local capacity the Council cannot refuse an application on these grounds, even if it has concerns.

Mr Dunn asked if the raised water levels maintained before the recent rainfall were still necessary. The Clerk & Engineer reported that generally water levels have been kept higher because of the concerns over possible drought next year. Some water levels have however now been lowered to allow for the recent rainfall but a period of sustained rainfall is still required over the next couple of months.

Mr Dyas raised concern about the effect of maintaining high water levels on the marsh systems and in some cases effectively allowing unnecessary flooding. The Clerk & Engineer stated that the IDB is managing the water levels across the marshes in liaison with the EA and landowners and trying to maintain a balance of different requirements including the filling of reservoirs. Mr Dunn stated that the problem is not as big as it could be because a lot of these river systems have recently been desilted.

#### Structures Maintenance

The Clerk & Engineer reported that the Engineering Assistant is working on this preparing a list of minor repairs but also developing a longer-term programme for replacements.

### Water Level Control

The Chairman asked if the leak in the embankment downstream of Iron Bridge at Hacklinge has been dealt with. Mr Conway stated that there is a site visit on 9 February with RSPB to assess the problem and see what can be done.

The Chairman asked Mr Conway if he knew about the long-term plan for an additional culvert at Black (New Cut) Sluice. Mr Conway reported that this is progressing, and the Clerk & Engineer added that East Kent Engineering Partnership are drawing up the scheme, so it is ready to go when funding is made available. He further added that this is also the case for the refurbishment of Richborough Sluice.

Ref: W7G

### Environment Agency Works

- Minster PS Fish Friendly Pumps – Mr Dyas asked if there was any news about the installation of the eel friendly pumps at Minster. Mr Conway stated that this was discussed at a meeting held in January and a business case is still being drawn up, which is proving quite difficult as this process involves many national teams to reinforce why they are needed. He further stated that the lead-time is from 6 to 12 months depending on the pump chosen, therefore he could not guarantee that the pumps will be installed during 2018. The Chairman urged Mr Conway to do his best as these pumps are vital especially during heavy rainfall.
- Stonar Cut Sluice winter training has been carried out to ensure that all standby staff are familiar with its operation. The Clerk & Engineer reported that there was an issue with the Stonar Cut which is still being operated in accordance with the outdated procedure. A new procedure was agreed with the EA and all other stakeholders around two years ago, with only two triggers; at Grove Ferry and Fordwich. Unfortunately, due to some miscommunication and an IT problem the new procedure was not implemented. The Clerk & Engineer further reported that he met with Mr Nunn, Ms Thompson and Mr Roy Newing at Plucks Gutter on 17 January to discuss the operational procedures for the Cut and the more up to date procedure has now been implemented.

Mr Conway confirmed that the new procedure has now been issued to all duty staff and personnel involved in the operation of the Cut. Mr Botting asked if the river levels shown on the EA's website have been corrected, to correspond with on-site gaugeboards. Mr Conway replied that he believed that this technical issue has now been resolved.

Mr Dyas reported that the EA have only recently removed the restriction on irrigation, which local EA staff had not been aware of. Mr Conway stated that he will mention this to the appropriate team.

- 10 boxes of 40 sandbags have been refilled ready for the winter – Mr Dyas asked for clarification on this. Mr Conway stated that this is a standardisation of procedures and emergency response kits being held at all depots, so that any incident response team will know exactly what to expect regardless of the depot they may be required to work from.

Ref: W5

### Planning Applications

The Chairman asked for any comments on the Planning Applications fully listed on the F&GP Committee meeting minutes.

Cllr Smith reiterated the discussions held at the F&GP meeting regarding the certification of completed works because this is not being monitored by the local authorities, but by a private individual or company paid for by the developer and they are not always adequately checking that the works have been completed in accordance

with the approved designs. Cllr Smith suggested that some changes need to be made to ensure that works are completed and maintained as intended.

The Clerk & Engineer stated that KCC is doing a good job throughout the consultation process and developers generally agree to the specified conditions. However, he agreed with Cllr Smith that the weakness in the system is with compliance checks. He reminded Members that KCC does offer this service on a repayment basis and suggested that this be promoted with the LPAs.

Cllr Martin supported this suggestion and Cllr Hicks stated that she will bring this up at future meetings. Cllr Hicks reported that there is a planning application for approx. 350 houses at Chilmington Green and the Brisley Farm SuDS hasn't yet been approved. The Clerk & Engineer agreed that this site is a problem and confirmed that consent applications have still not been received.

Cllr Smith stated that although the IDB is not a statutory consultee, Planning Committees do take IDB comments into consideration.

### Ashford Borough Council

**14/01402** – Extension to the Ashford Designer Outlet, New Town, Ashford.

Cllr Martin expressed her concern on the plan to use the adjacent field for extra parking because this a natural flood area which floods every year and she fears this will make conditions worse. The Clerk & Engineer stated that the EA must agree any flood compensation for any infill in a flood zone and therefore will make sure that there will be appropriate compensatory storage included.

The Clerk & Engineer stated that another concern with this application is the discharge from this Brownfield site and reported that a meeting has been agreed with KCC, EA and ABC with the developer to achieve better run off rates.

The Chairman asked if there is anything that the IDB can do to try and change the Brownfield policy to ensure that runoff is returned to Greenfield rates wherever possible. Cllr Hicks stated that the Ashford Water Group, which meets every quarter, always asks the EA to arrange for developers to attend but so far they have not attended.

### Canterbury City Council

**17/02081** – Erection of polytunnels on land at Goose Farm, Broad Oak.

The Clerk & Engineer commented that KCC now comments on proposals for polytunnels, in its role as Lead Local Flood Authority, and have been successful in the inclusion of appropriate conditions.

### Ref: W15      Applications for Consent and Enforcement Actions

The Clerk & Engineer referred to the applications for consent listed on the F&GP minutes and invited any comments. There were no added comments.

With regards to the Richborough Connection Project, Mr Botting asked if the river will be cleaned before the cables are laid across. The Clerk & Engineer stated that this has been mentioned previously but he is unsure what has been agreed.

Mr Dyas reported that no irrigation will be permitted beneath the new lines; a decision that he is currently trying to overturn.

### ENFORCEMENT

The Clerk & Engineer reported that there is a potential enforcement issue on the Shalmsford Street Dyke where 3 separate fishing clubs have carried out works without consent. The Clerk & Engineer stated that he contacted the landowners affected and subsequently fencing was removed upstream of the railway, but not by the landowners or the Board, and the landowner was accusing the Board of removing said fencing.

Another landowner has planted some willow trees alongside the dyke downstream of the railway and has also erected some fencing creating a parking area. The Clerk & Engineer reported that the Chairman, Rhino's Contracts Manager and himself met on site with this landowner to try to resolve this situation. The landowner was not very obliging on site but subsequently phoned and agreed to comply with the requirements. The Clerk & Engineer thanked the Chairman and Mr Godden for accompanying him on this difficult site visit.

The Chairman stated that another concern on this site is that they plan to erect otter fences in the future, which is understandable from a fisheries point of view but the Board's ability to maintain the watercourse must be retained.

#### Ref: F.5-4      Watercourse Maintenance Contract Review

The Chairman reported that the Board's Contracts Sub-Committee met on 11 December 2017 to review the existing Watercourse Maintenance Contract arrangements and performance, and to consider the Board's future options. The Committee decided to explore the possibility of extending the existing contract with Rhino Plant Hire, by up to 3 years. The Clerk & Engineer reported that following his letter to Mr N Morgan (Rhino Plant Hire) to enquire on the possibility of an extension, Mr Morgan confirmed his willingness to extend the contract but has not yet provided any proposed contract rates. The Committee is due to meet again on 12 February 2018.

#### Ref: F.15      Insurance

The Board's Finance & Rating Officer has, in liaison with the Board's Chairman, Vice Chairman, Deputy Vice Chairman and Clerk & Engineer, reviewed the Board's insurance requirements and obtained quotes for its renewal on 25 January. The main change to the policy is the addition of Directors and Officers Liability Cover, which provides financial protection to cover the cost of possible claims for compensation made against Members and Officers of the Board as a result of their actions or omissions in the performance of their duties.

It is reported that the Board's insurance was renewed with Zurich Municipal and we have taken advantage of the loyalty discounts by agreeing to remain with Zurich for 3 years.

### ANY OTHER BUSINESS

#### Ref: F14      Investment of Balances

Cllr Conolly reported that the Local Government Boundary Commission has decided Dover District Council (DDC) member numbers will reduce from 45 to 32 as of 2019 bringing them in line with other Councils. He added that this will have an impact on the amount of work that individual members will be asked to carry out. The Chairman asked if this affects any other Local Authorities. Cllr Stummer Schmetzing stated that Thanet has no intention of reducing numbers. Cllr Hicks stated that they are increasing the Councillor numbers at Ashford Borough Council by five.

The Chairman stated that he hopes that this reduction will not have an adverse effect on the presence of the DDC members at the Board. The Chairman also asked the DDC Members to thank DDC for the use of the meeting room for this meeting.

MEETING CLOSED

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