

THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

Minutes of the Meeting of the Board
held on Thursday 5 November 2015
at 2.00pm in the Board's offices at
34 Gordon Road, Canterbury

PRESENT

Mr M J G Tapp, Mr A D Linfoot O.B.E., Mr D M Botting, Councillor M D Conolly, Mr P S Dunn, Mr P E Dyas, Councillor Mrs A K Hicks, Mr P N Howard, Councillor Mrs M Martin, Councillor Mrs M Oviden, Councillor P J F Sims, Councillor D O Smith, Mr J F E Smith, Mr G R Steed, Councillor S Walker, Mrs G A Wyant and Mr M P Wilkinson.

IN ATTENDANCE

Ms Debbie McNamara (Incident Response Team Leader – Upper & Lower Stour Area, Environment Agency), Mr John Kelly (Asset Performance Specialist (Stour), Environment Agency), Mr Darren Godden (IDB Contracts Manager, Rhino Plant Hire), Miss Carol Donaldson (Environmental Consultant), Mr Roy Newing (Ratepayer & River User), Mrs Ana Eastwood (Rating & Finance Officer) Mr Peter Dowling (Engineer to the Board), Mr James Dilnot (Engineering Assistant) and Mr Derek Lewis (Clerk of the Board).

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M J Burgess.

WELCOMING

Mr Martin Tapp welcomed the members and apologised to them for the seating and parking problems they had encountered. Mr Tapp stated that there had been 6 changes in the Board membership which was probably the largest change in Board membership for over 20 years. Mr Tapp also welcomed Miss Carol Donaldson of Carol J Donaldson Associates (Environmental Associates) to the meeting. Mr Tapp stated that Miss Donaldson would be giving the members a short presentation on what the Board has achieved during the 6 year long biodiversity watercourse survey programme. Mr Tapp also welcomed Miss Debbie McNamara and Mr John Kelly of the Environment Agency to the meeting and advised the members that they would both be available to answer any questions the Members may have on Environment Agency matters. Mr Tapp also welcomed Mr Darren Godden (Contracts Manager, Rhino Plant Hire) to the meeting and advised the members that Mr Godden would be available to answer any questions in respect of the Board's contract watercourse maintenance work. Mr Tapp also welcomed Mr Roy Newing to the meeting who is a river user and one of the Board's ratepayers. Mr Tapp advised the members that Board Meetings were Public Meetings and because of this could be attended by any interested member of the public.

ELECTION OF A CHAIRMAN FOR THE PERIOD ENDING NOVEMBER 2016

The Clerk stated that in accordance with the Land Drainage Act 1991 and the Board's Rules and Standing Orders, that there is a requirement for the Board to elect a Chairman for the ensuing year. The Clerk therefore asked the Members for nominations for the post of Chairman. Mr A D Linfoot, OBE proposed that Mr Martin Tapp be elected to the post of Chairman. The proposal was seconded by Mr D M Botting. There were no other nominations. As there were no other nominations, it was resolved that Mr Martin Tapp be elected to the post of Chairman for the period ending November 2016.

ELECTION OF A VICE CHAIRMAN FOR THE PERIOD ENDING NOVEMBER 2016

The Chairman stated that in accordance with the Board's Rules and Standing Orders, there is a requirement for the Board to elect a Vice Chairman for the ensuing year. The Chairman stated that he would like to propose Mr A D Linfoot for the post of Vice Chairman. The proposal was seconded by Councillor M D Conolly (Dover District Council). There were no other nominations. As there were no other nominations, it was resolved that Mr A D Linfoot be elected to the post of Vice Chairman for the period ending November 2016.

ELECTION OF A FINANCE, GENERAL PURPOSES AND WORKS COMMITTEE FOR THE PERIOD ENDING NOVEMBER 2016

The Chairman stated that the Board's Rules and Standing Orders also require the Board to elect Finance, General Purposes and Works Committee for the ensuing year. The Chairman stated that last year's committee consisted of himself, the Vice Chairman, Councillor Dr J B Cohen, Councillor Mrs Marion Martin, Mr P S Dunn, Mr P E Dyas, Councillor C J (Kit) Smith, Mr I G Steed and Mr M P Wilkinson. The Chairman stated that Councillor Cohen, Councillor Smith and Mr Steed were no longer members of the Board and therefore needed to be replaced on the Finance Committee. The Chairman also considered that the four Special Levy councils should be represented on the Board's Finance Committee and therefore proposed that the Finance, General Purposes and Works Committee for the year ending November 2016 should consist of the following: The Chairman, the Vice Chairman, Mr P E Dyas, Mr P S Dunn, Mr M P Wilkinson, Councillor H Stummer-Schmertzling (Thanet District Council), Councillor M D Conolly (Dover District Council), Councillor Mrs M Martin (Ashford Borough Council) and Councillor Mrs A K Hicks (Ashford Borough Council).

The proposal was seconded by Mr D M Botting and resolved that the Chairman, Vice Chairman, Mr P E Dyas, Mr P S Dunn, Mr M P Wilkinson, Councillor H Stummer-Schmertzling, Councillor M D Conolly, Councillor Mrs M Martin and Councillor Mrs A K Hicks be elected to form the Board's Finance, General Purposes and Works Committee for the period ending November 2016.

APPOINTMENT OF AN INTERNAL AUDITOR FOR THE PERIOD ENDING NOVEMBER 2016

The Chairman stated that the Accounts and Audit Regulations require the Board to appoint/re-appoint an Internal Auditor for the ensuing year. The Chairman stated that the internal audit function is currently carried out by Mr David Griffiths of D G Consultancy Ltd and that he was happy to propose that Mr David Griffiths be re-appointed for a further year. The Chairman's proposal was seconded by Mr P E Dyas and resolved that Mr David Griffiths be re-appointed as the Board's Internal Auditor for the period ending November 2016.

ELECTION OF AN INTERNAL AUDIT REVIEW TEAM FOR THE PERIOD ENDING NOVEMBER 2016

The Chairman stated that the Accounts and Audit Regulations require the Board to review its Internal Audit arrangements annually. In order to do this, the Board has established an Internal Audit Review Team which consists of 3 Board Members. The current Internal Audit Review Team consists of Councillor Mrs Marion Martin, Councillor Mrs Aline Hicks and Mr M P Wilkinson. Councillor Mrs Marion Martin (Ashford Borough Council) stated that she had served on the Board's Internal Audit Review Team for the last 3 years and would now like to stand down. The Chairman thanked Councillor Mrs Martin for all her hard work and time on the Internal Audit Review Team and therefore asked for another volunteer to join the Internal Audit Review Team. Mr Paul Dunn volunteered to join the Internal Audit Review Team as the third member of the team. It was therefore proposed by the Chairman, seconded by the Vice Chairman and resolved that Councillor Mrs Aline Hicks, Mr M P Wilkinson and Mr P S Dunn be elected as the Board's Internal Audit Review Team for 2015/2016.

SHORT PRESENTATION BY MISS CAROL DONALDSON (CAROL DONALDSON ASSOCIATES) ON THE BOARD'S BIODIVERSITY ACTION PLAN (BAP) FOLLOWING COMPLETION OF THE SIX-YEAR WATERCOURSE SURVEY PROGRAMME

Miss Donaldson stated that over the last six years the Board has been committed to achieving the objectives laid out in its Biodiversity Action Plan (BAP) which was published in 2010. Miss Donaldson stated that working in conjunction with the Kentish Stour Countryside Partnership (KSCP) she had surveyed all of the Board's 144 maintained watercourses and personally walked 170,000 meters of IDB maintained channels. Miss Donaldson stated that at the end of each year's watercourse survey programme she had raised a Watercourse Prescription Sheet for each of the surveyed watercourses and discussed with the Board's Engineer her recommendations to change/amend the management of the watercourse in order to improve biodiversity. Miss Donaldson also advised that her recommendations also included some enhancements to channels.

Miss Donaldson stated that the original aims of the Board's Biodiversity Action Plan were:

1. To ensure that habitat and species targets from the UK Biodiversity Acton Plan and the LBAP are translated into effective action in respect of IDB designated watercourses.

2. To identify targets for other habitats and species of local importance within the drainage district.
3. To develop effective local partnerships to ensure that programs for biodiversity conservation are maintained in the long term.
4. To raise awareness within the Board and locally of the need for biodiversity conservation, and to liaise with landowners, occupiers and their representatives on biodiversity and inland water management.
5. To consider opportunities or conservation and enhancement of biodiversity throughout the IDB's operations.
6. To monitor and report on progress in biodiversity conservation.

Miss Donaldson stated that from the aims contained in the Biodiversity Action Plan a number of objectives were created for the Board to work towards. They are as follows:

1. DC1 – Assess the ecological condition and management of all the Board's maintained watercourses and produce management prescriptions in the context of the wider wetland ecosystem.
2. DC2 – Maintain the condition of Board's watercourses assessed as being in favourable condition, particularly within or adjacent to designated sites.
3. DC3 – Restore the Board's watercourses assessed as being in unfavourable condition, prioritising those (if any) in designated sites.
4. DC4 – Incorporate biodiversity gains into new Capital Works wherever possible.
5. DC5 – Ensure, where possible, that any future proposals for managed realignment of coasts and flood defences do not result in a net loss of drainage channel habitats.
6. DC6 – Ensure that the management practices are bio-secure.
7. DC7 – Raise awareness of the importance of channels as wildlife habitats and the work the Board is doing to conserve them.

Miss Donaldson stated that an extremely positive working relationship had been established between IDB staff, KSCP staff, outside contractors and the Board's main maintenance contractor, Rhino Plant Hire. Miss Donaldson stated that good working partnership has ensured that Rhino Plant Hire staff have been fully engaged in the process and have had opportunities to discuss the management of watercourses and clarify the reasons behind the work. Miss Donaldson stated that Rhino Plant Hire staff has been open minded and willingly engaged in the process to embrace different working practices. Miss Donaldson stated that this has been one of the reasons for the success of the programme. Miss Donaldson also reported that landowners, in the main, have been satisfied and accepted the changes in the management of the drainage channels. Miss Donaldson stated that all landowners had willingly given her access to the watercourses and had the opportunity to ask questions or express concerns. Miss Donaldson stated that many landowners have also been interested to find out results of the surveys. Miss Donaldson suggested that an enhanced engagement with landowners could be one of the aims for future work.

In summary, Miss Donaldson considered the Board to have made significant steps forward in working towards the original objectives of its Biodiversity Action Plan. The ecological

assessment has greatly increased the knowledge about habitats and species in the drainage district and the new/revised cutting regimes should benefit the biodiversity of the area. Miss Donaldson stated that, in the future, ongoing monitoring will be needed to understand the effect of management changes with more focus being placed on capitalising on opportunities for enhancing channels during de-silting or other management operations. Overall, Miss Donaldson considered that the Board, its staff and contractors should be congratulated on its positive attitude to biodiversity within the drainage district and should be seen as an example to other drainage authorities.

Miss Donaldson stated that she was willing to answer any questions raised by the members. The Chairman stated that he had observed an increase in the population of Mink in and around the Wantsum Channel area and wondered how this was affecting the Water Vole population. Miss Donaldson stated that the area was still very good for Water Voles mainly because of the good interlinking of watercourses and channels.

There being no further questions from the members, the Chairman thanked Miss Donaldson for a most interesting presentation and suggested that she should get together with the Board's Engineer and put together, and cost, a proposed biodiversity programme for next and subsequent years.

SHORT PRESENTATION BY MR JOHN KELLY (ASSET PERFORMANCE TEAM TECHNICAL ADVISOR (STOUR & SWALE AREAS), ENVIRONMENT AGENCY) ON THE LATEST LOWER STOUR SURVEY

Mr John Kelly reported that the EA completed its third annual Bathometric Survey of the Lower Stour this year. Mr Kelly stated that the survey was completed using a small boat fitted with sonar. Mr Kelly stated that results from the survey are used in order to identify areas where de-silting would help channel conveyance. Mr Kelly stated that following the survey, it was decided that it would be beneficial to arrange for de-silting to be carried out in two main areas of the Stour. Mr Kelly stated that the two main areas identified were: (a) Fordwich (at the back of the church 130 meters downstream of the bridge) – total length to be de-silted 750 meters with approximately 1,000 cubic meters of silt being removed) (b) Grove Ferry (downstream of Grove Ferry Bridge) – total length to be de-silted 1,500 meters with approximately 1,000 cubic meters of silt being removed). Mr Kelly also advised the members that there were one or two other small sections/stretches which were planned to be de-silted this year. These sections/stretches are as follows:

- (a) a 50 meter section/stretch at Stodmarsh
- (b) a 50 meter section/stretch by/near the Wetherlees Railway Bridge
- (c) a small section/stretch at the Richborough Sluice Outfall.

Mr Kelly stated that the de-silting operations commenced two weeks ago and should be completed by the end of December. Mr Kelly stated that the de-silting would be carried out from the river using a tug and barge.

The Chairman thanked Mr Kelly for his presentation and asked him whether the EA had any plans to carry out any de-silting downstream of Stonar Cut. Mr Kelly stated that the EA had no plans to carry out any de-silting downstream of Stonar Cut but believed that the Sandwich Port and Haven Commissioners were looking into the possibility of carrying out some de-silting downstream of Stonar Cut. Mr P E Dyas stated that large amounts of silt had accumulated by the southern bank of the river between Plucks Gutter and Minster. Mr Dyas stated that the silt had accumulated here as previous river de-silting had always been carried out from the northern bank. Mr Dyas asked Mr Kelly if the EA had any plans to de-silt this section. Mr Kelly stated that the bathometric survey helped the EA to look at pinch points in the river and that to qualify for any further de-silting funding; there would be a requirement to carry out further surveys. Mr D M Botting stated that the de-silting barge had deposited a large amount of silt on his Environmental Stewardship strip alongside the river. Mr Botting stated that he had not been consulted in respect of this and was concerned that this may effect his Environmental Stewardship agreement. Mr Kelly stated that he would investigate this and bring Mr Botting's concerns to the attention of Natural England. Mr P N Howard considered that the majority of the silt deposits came from the upstream meandering banks of the river. Mr Howard considered the banks of the river should be enhanced/protected in order to reduce the amount of silt in the lower stretches of the river. Mr Kelly stated that much of the silt came from the river's natural process and erosion of the banks. Mr Kelly advised that it was extremely difficult to receive, from Government, funding for river improvements unless it was to protect houses/property from flooding. Mr P E Dyas considered that the growth of Ashford was the cause of all the silt problems downstream. Mr Roy Newing considered that it was not cost effective to use a barge where it was possible to use a land based machine. Mr Kelly stated that there were bank stability issues and Health & Safety constraints in using machines from the banks. Mr Kelly explained that a lot of hazards and issues were negated when a barge is used. Mr Kelly also stated that there was great pressure on the EA to keep the overall costs to a minimum. The Chairman thanked Mr Kelly for his presentation and for providing answers the members' questions.

MINUTES OF THE MEETING OF THE BOARD HELD ON THURSDAY 23 JULY 2015

The minutes of the meeting of the Board held on Thursday 23 July 2015 were received. It was proposed by Councillor M D Conolly, seconded by Mr P E Dyas 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 MINUTES

There were no matters arising from these minutes.

MINUTES OF THE MEETING OF THE FINANCE, GENERAL PURPOSES AND WORKS COMMITTEE HELD ON MONDAY 19 OCTOBER 2015

The minutes of the meeting of the Finance, General Purposes and Works Committee held on Monday 19 October 2015 were received. It was proposed by Mr A D Linfoot, seconded by Mr M P Wilkinson and resolved that the minutes be received.

MATTERS ARISING FROM MINUTES

Report of the Engineer for the period 1 June 2015 to 30 September 2015

IDB Programme of Works

Weedcutting

The Chairman asked Mr Darren Godden (IDB Contracts Manager, Rhino Plant Hire) if all the weedcutting was now completed. Mr Darren Godden stated that weedcutting was now all complete apart from a small section on the Deal Town Dyke and a second cut to the Ware Lead Dyke.

Biodiversity

The Engineer reported that all IDB maintained watercourses have now been surveyed during the 6-year programme and Watercourse Prescription Sheets have been developed for all watercourses. The Engineer stated that Miss Carol Donaldson, of Donaldson Associates (and on behalf of the Kentish Stour Countryside Partnership), carried out all of the surveys and therefore has an in-depth knowledge of the Board's activities and its district. Miss Donaldson was also engaged by KSCP to carry out a review of the Board's BAP.

The Chairman stated that Miss Donaldson, in her appraisal report (paragraph 4.0), has suggested that the Board in the future should consider focusing on achieving the following programme of work over the next six years:

- Ongoing survey work.
- Continue to review recommended maintenance.
- Enhance channels in unfavourable condition.
- Engage with landowners.
- Implement a programme of tree management.
- Work to improve flows.

The Chairman considered that the Board needed to appoint a small Biodiversity Sub-Committee to examine Miss Donaldson's appraisal report in detail; to consider her suggested programme for the future; and to examine how the suggested programme be achieved and costed. The Chairman asked for volunteers to make up the Biodiversity Sub-Committee. The Vice Chairman, Mr P E Dyas, Mr M P Wilkinson, Mr G R Steed and Councillor P J F Sims volunteered to join the Biodiversity Sub-Committee. It was therefore proposed by the Chairman, seconded by the Vice Chairman and resolved that the Chairman, Vice Chairman, Mr P E Dyas, Mr M P Wilkinson, Mr G R Steed and Councillor P J F Sims form a Biodiversity Sub-Committee. The date of the first meeting of the Biodiversity Sub-Committee will be announced in due course.

Report of Clerk for the period 1 June 2015 to 30 September 2015

Drainage Rate Income - Update

The Clerk reported that the amount of drainage rates now outstanding had been reduced to £312.65.

Special Levy Income – Update

The Clerk reported that all second instalments of Special Levies from the councils had now been received.

Finance

F.1-5 Completion of the Annual Audit for the year ended 31 March 2015

The Clerk reported that the external auditors (PKF Littlejohn LLP) have completed their audit of the Annual Return for the year ended 31 March 2015. The external auditors have included in their certificate a note in respect of the treatment of Fixed Assets. The Clerk stated that the guidance referred to by the external auditors has not yet been received from ADA.

It was proposed by the Chairman, seconded by Councillor Mrs Marion Martin and resolved that the Annual Return for the year ended 31 March 2015 be received and approved.

ANY OTHER BUSINESS

Beavers

Mr G R Steed reported that Beavers are still a big problem for Cottington Lakes Fishery and other landowners in the Lydden Valley. Mr Steed stated that Cottington Lakes Fishery has lost a lot of young trees and were working with the Kent Wildlife Trust in order to try and catch/trap the Beavers but the Beavers are proving very difficult to catch. Mr Steed stated that he was pretty sure the Beavers were now breeding outside of the Ham Fen Reserve.

Venues for Board Meetings

The Chairman apologised to the members again for the parking and seating arrangements for today's very busy meeting. The Chairman stated that for some time consideration has been given to holding Board meetings, which are Open Meetings and can be attended by any interested Member of the Public, in other venues such as council or village meeting rooms. The Chairman stated that committee or other smaller meetings would continue to be held at the Board's offices. The Members agreed that other venues should be found for future Board meetings. The Clerk stated that the majority of parish/village halls charge approximately £10 per hour for hire of the hall so the cost would be approximately £40 per Board meeting. Councillor Mrs Aline Hicks (Ashford Borough Council) stated that Ashford, Canterbury and Dover councils all have meeting rooms available at no charge. The Clerk stated that he would make the necessary enquiries.

Matters to be discussed at the ADA AGM on Wednesday 11 November 2015

The Chairman stated that included in the ADA AGM papers there are three items of interest to all IDBs. The items are as follows:

Item 1: Byelaw Prosecution

The ADA Policy and Finance Committee reported that during the floods of 2013 on the Somerset Levels there was an incident where a sluice was forced open, breaking the locking mechanism and operating the structure. At the time, the Police considered pursuing the case for criminal damage; however, the case was dropped. This caused much local disquiet, as it was contended locally that the opening of the structure contributed to flooding downstream, so the Parrett IDB agreed to take forward a prosecution. One of the first things requested by the defence was a signed copy of the Board's Bylaws, which had been brought in just after amalgamation; however, the necessary signed copy was not available so Defra had to provide witness statements for the case. ADA stressed that it was important to note that if a defendant pleads guilty the prosecution states their case and the defendant can then say what they like in reply, and can't be challenged by the prosecution. The defence can also request that a private prosecution be taken over by Crown Prosecution Service, which enables the defence to then argue that the case is not in the public interest and for it to be dropped. One finding of the case was that IDBs should also ensure staff is trained in Code B Practice in order to ensure that evidence gathered meets requirements.

The Clerk confirmed that a signed copy of the Board's Byelaws (signed by the Minister) is held. The Engineer stated that ADA are planning to issue details of how IDBs can acquire Code B Practice training for their staff.

Item 2: Health, Safety and Welfare Issues

ADA's Technical and Environmental Committee has continued to emphasise the need for vigilance and the requirement to keep up to date with regards to health, safety and welfare issues. The ADA Technical and Environmental Committee highlighted the following matters:

- Driving Licences From 8 June 2015 the paper counterpart to the photocard driving licence is no longer valid and no longer issued by the DVLA. It is important to check that staff is properly registered to drive. Further information is available on the DVLA website.
- Lone Working IDBs should keep abreast of the use of lone worker monitoring and support devices.
- EA 2 Meter Control Zone for ride-on plant operating near water Where an activity requires the plant to work within 2 metres of a watercourse, then a specific risk assessment needs to be produced and additional approval is required.
- Behavioural Management The ADA Technical and Environmental Committee reflected on the need to influence and change behaviours of working in a manner that allows it to be operated and implemented proportionately to the circumstances.
- Level Crossings The ADA Technical and Environmental Committee brought to the attention of all IDBs the campaign by Network Rail and the NFU regarding safety at user controlled level crossings.

Item 3: Transfer of Systems and Structures

ADA's Technical and Environmental Committee reported that across England the EA have been investigating how to withdraw from the transfer, management and maintenance of Main Rivers, pumping stations and other related structures to other local organisations and land managers. This is owing to continued reductions in the FDGiA Revenue Budget provided to the EA by Defra. The ADA Technical and Environmental Committee has agreed that where transfer to IDBs or other RMAs occurs, this should encompass the principles of 'investing to save' and include bringing systems and structures into good condition before transfer, reducing precept (paid to the EA by IDBs), an Area Based grant for Local Authorities to facilitate payment of Special Levies in new or expanded IDBs, and the use of PSCAs to facilitate the transition. These broad principles were agreed by the ADA Technical and Environmental Committee for further development into a formal position by ADA. ADA's submission to Treasury and Defra prior to the publication of the Government's Spending Review built on these principles and can be read in the headline article of the Autumn 2015 edition of the ADA Gazette. ADA also responded to the Black Sluice Catchment consultation by the EA in which it supported the preferred approach set out by the Black Sluice IDB.

New Members Induction Briefing

The Chairman stated that when new appointed or elected members first join the Board, the Board normally provides a New Members' Induction Briefing to give the new members an insight to what the Board does and give the new members an opportunity to ask any questions they have. The Chairman stated that the briefings are held at the Board's offices and normally only take 1 or 2 hours. The Chairman stated that the next New Members' Induction Briefing will take place on Tuesday 8 December 2015 at 3.00 pm in the Board's offices. Joining instructions/information will be sent to all new members.

MEETING CLOSED

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