

## THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

Minutes of the Online Meeting of the Board held at 14:00 on Thursday 5 November 2020

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### PRESENT

Mr M J G Tapp BEM (Chairman), Mr G R Steed (Vice Chairman), Mr A D Linfoot OBE (Deputy Vice Chairman), Mr D M Botting, Cllr M J Burgess, Cllr M D Conolly, Cllr D Crow-Brown, Ms N H Dyas, Mr P S Dunn, Mr P N Howard, Cllr P D Jull, Cllr D Ledger, Cllr G B Sparks and Mr M P Wilkinson.

### IN ATTENDANCE

Mr P Dowling (Clerk & Engineer), Mr J Dilnot (Engineering Assistant) and Ms A Eastwood (Finance & Rating Officer).

### WELCOME

The Chairman welcomed to the meeting Mr M Thomas (KSCP), Dr D Price (EA Technical Advisor), Ms G Mitri Renner (EA Asset Performance Team Leader) and Ms D Thompson (EA Stour Field Team Leader).

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr D J Fuller, Cllr N Ovenden, Cllr D O Smith, Mr L Woollorton, Mr P Williams and Ms G Wyant. Apologies were also received from Mr D Godden (Rhino Plant Hire), Mr I Nunn (FCRM Operations Manager for KSL, EA) and Mr R Tournay (Stour Catchment Officer, EA).

### DECLARATIONS OF INTEREST

The Chairman called for any declarations of interest. Ms N Dyas declared an interest on the section of the river Stour at Minster. There were no other declarations of interest.

### ELECTION OF A CHAIRMAN FOR THE PERIOD ENDING NOVEMBER 2021

In accordance with the Land Drainage Act 1991 and the Board's Rules and Standing Orders there is a requirement for the Board to elect a Chairman for the ensuing year. Mr G R Steed proposed that Mr M J G Tapp BEM be re-elected to the post of Chairman, this proposal was seconded by Cllr M J Burgess. There being no other nominations, it was resolved that Mr M J G Tapp BEM be elected to the post of Chairman for the period ending November 2021, all present agreed.

### ELECTION OF A VICE CHAIRMAN FOR THE PERIOD ENDING NOVEMBER 2021

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 and he proposed that Mr G R Steed be re-elected as Vice Chairman. This proposal was seconded by Cllr M D Conolly and there being no other nominations, it was resolved that Mr G R Steed be elected to the post of Vice Chairman for the period ending November 2021, all present agreed.

ELECTION OF A DEPUTY VICE CHAIRMAN FOR THE PERIOD ENDING NOVEMBER 2021

The Chairman proposed that Cllr M J Burgess be elected as Deputy Vice Chairman, this proposal was seconded by Cllr D Crow-Brown. There being no other nominations, it was resolved that Cllr M J Burgess be elected Deputy Vice Chairman for the period ending November 2021, all present agreed.

ELECTION OF A FINANCE, GENERAL PURPOSES AND WORKS COMMITTEE FOR THE PERIOD ENDING NOVEMBER 2021

The Chairman stated that the Board's Rules and Standing Orders also require the Board to elect a Finance, General Purposes & Works Committee for the ensuing year. The Chairman stated that the last Committee consisted of himself, Cllr M J Burgess, Cllr D Crow-Brown, Mr P S Dunn, Cllr P D Jull, Mr A D Linfoot, Cllr D O Smith, Mr G R Steed and Mr M P Wilkinson. There being no other nominations it was proposed by the Chairman, seconded by Cllr D Ledger and resolved that the Finance, General Purposes & Works Committee for the year ending November 2021 be composed of the Chairman (Mr M J G Tapp), the Vice Chairman (Mr G R Steed), the Deputy Vice Chairman (Cllr M J Burgess – ABC), Cllr D Crow-Brown (TDC), Mr P S Dunn, Cllr P D Jull (DDC), Mr A D Linfoot (CCC), Cllr D O Smith (ABC) and Mr M P Wilkinson. This was agreed by all present.

APPOINTMENT OF AN INTERNAL AUDITOR FOR THE PERIOD ENDING NOVEMBER 2021

The Accounts and Audit Regulations require the Board to appoint/re-appoint an Internal Auditor for the ensuing year. It was proposed by the Chairman, seconded by Mr A D Linfoot and resolved that Mr D Griffiths of D G Consultancy, the current Board's Internal Auditor, be re-appointed as the Board's Internal Auditor for the period ending November 2021. The Chairman further stated that this is the second year of three as agreed by the Board at its meeting on 1 August 2019.

ELECTION OF AN INTERNAL AUDIT REVIEW TEAM FOR THE PERIOD ENDING NOVEMBER 2021

The Chairman stated that the Accounts and Audit Regulations require the Board to review its Internal Audit arrangements annually. This review is carried out by the Board's Internal Audit Review Team which consists of three Board Members. The current Internal Audit Review Team consists of the Deputy Vice Chairman, Cllr P D Jull and Cllr D O Smith. It was proposed to replace Cllr D O Smith on the Internal Audit Review Team due to him having been on the committee the longest (run on a 3-year rotation). The Chairman stated that Cllr D O Smith was not able to take part in the latest review and is absent today due to illness but expressed his thanks for his previous assistance and asked for a volunteer to join the team. Mr M P Wilkinson volunteered to join as the third member of the team. It was therefore proposed by the Chairman, seconded by the Vice Chairman and resolved that the Deputy Vice Chairman, Cllr P D Jull and Mr M P Wilkinson be elected as the Board's Internal Audit Review Team for 2020-2021.

## PRESENTATION BY MR MARTIN THOMAS (KSCP) ON THE BOARD'S BIODIVERSITY ACTION PLAN (BAP) PROGRESS

The Chairman invited Mr M Thomas to give the Board an update on the BAP progress. Mr M Thomas reported the following:

### Surveys of De-Mained Watercourses

The following five watercourses were surveyed: IDB 306 General Valley Dyke, IDB 307 Hogwell Sewer, IDB 310 Minster/Monkton Stream, IDB312 Gosshall Stream and IDB 313 Gosshall Stream Northern Arm (a total of 14km). Mr Thomas reported that these watercourses are all in a reasonable condition with some good habitat for their locations and nature; there were sporadic signs of water vole but some watercourse issues such as high nutrient levels. He further reported that the management sheets for these will be created during the spring of 2021 but there will be little deviation from the previous management and the introduction of alternating bank cuts and 50% desilt will bring benefits.

### Progressing Enhancement Plans

These projects have continued as detailed at the last Board meeting:

IDB 25 Buxford Dyke – a few site visits to Buxford Meadow revealed that the channel is naturally doing what was hoped to be created by installing large woody debris, which is still planned but only where necessary to reinforce the berms that have not vegetated well. Last year's winter floods enabled the river to start shaping itself. Channel capacity loss we will mitigate by excavating the opposite bank, maintaining conveyance. This work is to be carried out next week and the cattle drinks are due to be installed this winter.

IDB 7 Pig Brook – consists of tree planting to create some shade, aiming to reduce in-channel vegetation and it is also planned to install woody debris into the channel to narrow it in places to increase velocities and hence the scouring of silt. The overall aim of this project is to improve the channel, to create a suitable habitat for White Clawed Crayfish as there is a small population at the upstream end and this watercourse.

### Biodiversity Action Plan Review

- Five-year review of actions 2015-2020 draft now completed for the BAP Committee to consider.
- Review of the main BAP document – first set of changes have been completed and reviewed. Mr Thomas stated that he has categorised the changes to the document as follows:
  - Limited review of source documents
  - Changes to priority species where status have changed
  - Work carried out since 2015
  - Changes in management techniques since 2010
  - New management frameworks, initiatives, legislation
  - Emphasise partnership working
  - Document clarity and structure
  - Emphasise publicity for the work the IDB does

### Future Projects: Invasive Plants in the Lower Stour Marshes

This will have to be a collaborative project and initial conversations have been had with EA and other partner organisations. The aim is to map the distribution of plants, source funding and work with partner organisations and landowners. The original intention is to focus on Azolla which is common and widespread, but it may be possible to include other species such as Crassula.

Mr M Thomas thanked everyone for listening and invited any questions. The Chairman thanked Mr Thomas for his informative and interesting presentation and asked that the recently issued ADA template on the BAP be taken into consideration when finalising the IDB's BAP. The Clerk & Engineer stated that he has still not been able to access the document, but he will endeavour to do so to ensure that all points are covered as part of the review.

Dr D Price stated that a breach of an embankment has been mentioned with regards to the works on the Pig Brook Stream and asked for more details. Mr M Thomas replied that a suggestion has been made to breach a low bank running perpendicular to the main flood barrier to allow greater flow for wetland reconnection, but this proposal is part of a possible second phase of works, therefore he is yet to determine whether this is desirable. The Clerk & Engineer added that part of this proposal is within the FSR impoundment area so there will be a need to liaise with the EA and the Panel Engineer when the time comes.

The Clerk & Engineer asked if Mr M Thomas anticipates leading the Invasive Plants project on behalf of the IDB. Mr M Thomas replied that all the details are still to be discussed and funding needs to be sourced, this needs to be a joint project, but it is difficult to get everyone involved.

### MINUTES OF THE MEETING OF THE BOARD HELD ON THURSDAY 6 AUGUST 2020

The minutes of the Board held on Thursday 6 August 2020 were received. It was proposed by Cllr G B Sparks, seconded by Mr A D Linfoot, 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

#### PLANNING APPLICATIONS

Cllr M D Conolly commented on the Government's proposed changes to Planning, stating that it is a very serious issue for Kent Councils and nearly all have submitted strong objections. Cllr M D Conolly reported that under current plans, Dover District Council plan is to build 600 dwellings per year under the planned period, this proposal will increase this figure to just under 1,300 which is unachievable. There is currently a lot of activity in Parliament and the Local Authorities to challenge these proposals and hopefully change them.

The Chairman asked Cllr M D Conolly to explain the Government proposals to the rest of the Board. Cllr M D Conolly explained that the Government wants to speed up and simplify the planning process, the concern is that it will reduce the ability of Councils to properly control development in their areas. There is also a new "rogue algorithm" produced to indicate the number of dwellings that individual Councils are going to be expected to deliver if these plans go through.

Cllr P D Jull commented that there has been media coverage on the ministerial comments that the "rogue algorithm" is unlikely to proceed in its current form because of the degree of outrage in responses to it, as it requires an unrealistic increase in so many districts to the number of houses

required to be built. He further stated that Dover District Council's Local Plan is at a reasonably advanced stage and efforts are being made to further develop and finalise it.

The Deputy Vice Chairman asked if ADA have made any representations about the drainage implications of these proposals. The Clerk & Engineer reported that ADA responded to the consultation with their main points being:

- Proposal that growth areas automatically receive outline planning permission – ADA has stated that known flood risk areas should be excluded from growth areas.
- Proposal to remove the formal duty to cooperate – ADA commented that flood risk cannot follow administrative or planning authority boundaries.
- Proposed Consolidation Infrastructure Levy – ADA commented that IDBs should be able to access this levy if flood risk is one of the issues on a site.

The Deputy Vice Chairman was pleased that ADA has submitted comments, but he believes the proposals appear to completely fail to address drainage and flood risks.

Cllr D Crow-Brown asked if a District Council has a Local Plan in place does it prevent more houses being imposed on that authority. The Deputy Vice Chairman replied that Ashford Borough Council have had their Local Plan in place for over a year but under the new proposals, the Council faces a worrying increase of around 25%.

The Chairman mentioned that the new law requiring Councils' assurance that any development will not have a detrimental effect on the watercourse it discharges to is also causing problems. The Clerk & Engineer commented that locally an assessment was carried out by Natural England in 2017 about the condition of the Stodmarsh National Nature Reserve and since June 2019 there were warnings about development having a significant impact on the lakes' water quality. A detailed advice note was produced for local planning authorities in July 2020. The EA is investigating the impacts of wastewater treatment works in the Stour and is due to report in 2022 and in the meantime Natural England has requested that all new developments in the catchment that drain to the Stour achieve nutrient neutrality. Calculations need to be made and if neutrality is not achieved mitigation measures must be put in place such as buffer strips, wetlands, tree planting and so on.

Cllr M J Burgess stated that he thinks that there are several different locations in the country in a similar position. He further commented that it is unclear what is required and because of that nearly all planning applications falling within this area are being put on hold, causing problems to all local planning authorities concerned.

#### MINUTES OF THE MEETING OF THE FINANCE, GENERAL PURPOSES & WORKS COMMITTEE HELD ON MONDAY 19 OCTOBER 2020

It was proposed by the Vice Chairman, seconded by the Deputy Vice Chairman and resolved that the minutes of the meeting of the Finance, General Purposes and Works Committee held on Monday 19 October be received.

#### MATTERS ARISING FROM THESE MINUTES

Ref:W5                      Planning Applications

Dover District Council (DDC)

The Clerk & Engineer reported that he contacted the DDC about the development at Elmstone highlighted by Cllr P D Jull at the last meeting, it is a proposal for nine caravans for seasonal workers, very close to the Elmstone Lead Dyke and he has flagged this with the DDC. The current proposals are for shallow soakaways and the EA has raised concern about high groundwater levels, so it has been requested that the Board be consulted on the details of drainage if the proposals change.

### CONGRATULATIONS

Mr P N Howard offered his congratulations on behalf of the Board to the Chairman on being awarded the British Empire Medal for services to local flood risk management in this year's Queen's Birthday Honours List. All others present echoed this. The Chairman thanked everyone for their support.

## **Joint Report of the Clerk & Engineer and Finance & Rating Officer for the period 1 July to 30 September 2020**

Ref: A3-6                      Health & Safety – COVID-19

It was reported that attendance at the office with some home working has continued to limit contact between staff. Regular wipe-down procedures continue to be followed and an NHS Track & Trace QR code poster is now displayed at the office. Focus will remain on the key elements of our work, including priority watercourse maintenance, water level management, consenting, financial reporting and audit, with appropriate controls. Government advice will continue to be followed.

W1-8                      Flooding in Deal

Cllr P D Jull stated that he had reported that Southern Water had applied for a road closure in Albert Road, but no major works took place. The Chairman suggested that pressure should be kept up to solve/improve this situation. Cllr P D Jull stated that as part of the local planning process mentioned earlier a lot of Councils are keeping Southern Water and their failings in focus. The Clerk & Engineer added that whilst Southern Water is reportedly making improvements it is disappointing that they fail to attend joint meetings to discuss the problems. He further reported that Rhino Plant Hire completed the second weed cut at Mathews Close and Southwall Road Dykes in October as planned.

Mr D Thompson reported that the EA had completed a thorough weed cut of Southwall Sewer and also carried out a silt survey which revealed low results. Therefore, from the EA and the IDB's perspective the watercourse is in a relatively good condition. The Chairman stated that incidents should be photographed and reported to the EA and the IDB.

W1-32                      National Flood and Coastal Erosion Risk Management Strategy

It was reported that Government adopted the Strategy on 25 September 2020 and all risk management authorities must now take the strategy into account in their activities.

W1-32.1                      National Flood Risk Assessment (NaFRA2)

The Clerk & Engineer stated that he is waiting for further guidance from ADA which may lead to a change on the Board's overall Policy Statement. So far ADA has flagged that the main issues for

IDBs are how local authority appointed members on Boards can have more of an influence and work between councils and other partners.

The Clerk & Engineer reported that he spoke with Ms M Bailey managing this project locally and a detailed document has been produced for the consultants and she will ensure that this information is being passed down to the surveyors. Dr D Price stated that the Board's Water Level Controller's assistance with this project is very much appreciated – this survey is gathering information for the Lower Stour model for the Flood Map.

Ref: W7G      Environment Agency Works

The Chairman asked if the Coldharbour Outfall works were finished. Dr D Price replied that the new frame and flap have been installed and should be finished today. Ms G Mitri Renner reported that the dampers now in place are working and salinity levels will be monitored. She reported that the old flap had to be left on site due to poor ground conditions, but this will be removed in the spring.

Ms Thompson reported that the EA's maintenance programme is on track with all machine weed cutting finished and most of the hand weed cutting done, with the Nailbourne being cut now. She further reported that some work has also been completed on the Northern Sea Wall and pioneering works are due to start in January.

Cllr M D Conolly asked the EA to comment on the local news reports that the quality of the Wingham River is poor and deteriorating. Ms G Mitri Renner replied that as the Flood Asset and Field Teams they are unable to comment on water quality issues but they she will pass the enquiry on and report back. Mr M Thomas commented that the Wingham River suffers from a lack of flow, largely caused by abstractions.

Ref: W5      Planning Applications

The Chairman invited comments on the Planning Applications listed fully in the F & GP Committee meeting minutes.

Ashford Borough Council

**19/01032** – Approval of reserved matters in relation to 12/00400 – Construction of 82 residential dwellings and associated works within Parcel R, Chilmington Green.

This application was previously reported to have been approved. However, further complaints have been made by local residents about the activity on this site. The Deputy Vice Chairman asked the Clerk & Engineer if he had heard any more about the requested joint meeting between ABC, KCC, EA, IDB, BDW and local Councillors. The Clerk & Engineer replied that unfortunately he has not heard back but he has spoken with the developer and arranged a site meeting with them and KCC SuDS Team to look at some aspects, but there is still a need to push for the joint meeting to discuss all issues. The Deputy Vice Chairman stated that he will chase this up.

Thanet District Council

**20/0648** – Erection of 20 two-storey holiday homes with associated works at Stonelees Golf Course, Ebbsfleet Lane, Ramsgate.

Cllr D Crow-Brown asked if there are any updates on this application. The Clerk & Engineer replied that he had commented that surface water discharge rates must not be increased, and maintenance access must be retained but he has heard no more on this. He stated that he will request an update.

Ref: W15                    Applications for Consent and Enforcement Actions

The Chairman referred to the applications for consent listed in the F & GP Committee meeting minutes which have been approved in consultation with local members. There were no comments on these.

Ref: F1-2                    Interim Audit of Accounts for year ending 31 March 2021

The Chairman reported that the Internal Auditor, Mr D Griffiths, conducted his Interim Audit of the Board's accounts and accounting documentation, for the year ending 31 March 2021, on 14 September 2020 as per the report included in the F&GP Minutes. The Chairman stated that this was a good report with no issues raised. There being no further comments the Chairman proposed that the Interim Internal Audit Report for the year ending 31 March 2021 be received and approved, this was seconded by the Deputy Vice Chairman and agreed by all present.

Ref: F14                    Board's General Reserve

The Chairman stated that the Internal Auditor requests the Board to annually review the Financial General Reserves Target which was set at £350,000 in August 2017. The Chairman proposed that this target should remain at £350,000, this was seconded by Cllr P D Jull and agreed by all.

Ref: F.1-5                    Conclusion of Audit – Annual Governance & Accountability Return  
(AGAR)  
for the year ended 31 March 2020

It was reported that the Board's External Auditors (PKF Littlejohn LLP) completed their review of the Board's AGAR for the year ended 31 March 2020. The External Auditor's certificate and report is given at Section 3 on page 6 of the AGAR and details any matters arising from the review. The External Auditors approved the AGAR with no recommendations or actions required. The completed AGAR, which the Board is required to approve, has been published on the Board's Website and on the Board's Notice Board outside its office. It was proposed by the Chairman, seconded by Cllr G B Sparks and resolved that the AGAR for the year ending 31 March 2020 be received and approved.

Ref: F2                    IDB Annual Reports to DEFRA

It was reported that the IDB Annual Report (IDB1 form) for year ended 31 March 2020, previously approved by the Board, has been submitted to Defra, Environment Agency, County and District Councils. In accordance with the Local Audit and Accountability Act 2014 and the transparency code for smaller authorities, the completed IDB1 form has been published on the Board's Website and on the Board's Notice Board outside its office.

ADMINISTRATION

Ref: A.1-1                    Dates for 2021 Meetings

It was proposed by the Chairman, seconded by Cllr P D Jull and resolved that the following dates for meetings of the Finance Committee and the full Board in 2021 be approved (locations subject to Covid19 restrictions of the time, so may be held on-line):

Finance Meetings (10:30 at IDB office)      Board Meetings (14:00 – Venue tbc)

Mon 18 January 2021  
Mon 10 May 2021  
Mon 19 Jul 2021  
Mon 18 Oct 2021

Thurs 4 Feb 2021 DDC Offices  
Thurs 27 May 2021 Godmersham Village Hall  
Thurs 5 Aug 2021 ABC Offices  
Thurs 4 Nov 2021 CCC Offices

Ref: A2-3.1      Members Training – Governance & Accountability

The Chairman reported that he had listened to the latest training module, provided by the ADA which focus on Delivery of Functions and suggested all Members view it.

Ref: A3-4      Council Appointments

The Chairman stated that as previously reported Mr A D Linfoot OBE, after 26 years' service to the Board, will retire from it in May 2021 when his latest appointment by Canterbury City Council comes to an end. The Chairman stated that Mr Linfoot has made an invaluable contribution to the Board and will continue as a member of the Finance, General Purposes & Works Committee until his retirement. Contact will be made with Canterbury City Council in due course to confirm their new appointment and the new appointee will hopefully replace him on the Finance Committee to maintain a member from each Council in the Committee.

Ref: A7-1      Employment of Staff

The Chairman reported that following the Employment Sub-Committee's decision to employ a Technical Assistant, the job was advertised and 68 applications were received. These were short listed, eventually to 5 applicants for interview. Due to the current situation regarding Covid19, these are planned to be held online later this month, with a planned start date of 4 January 2021.

Ref: A8-1      Association of Drainage Authorities – Annual Conference & AGM

The Chairman reminded the Members about ADA's 83rd Annual Conference, to be held online at 10:30-12:30 on Wednesday 11 November 2020 as a Zoom Webinar. The Annual General Meeting 2020 will also take place online, as a separate meeting at 14:00-15:30 on the same day.

ANY OTHER BUSINESS

Ms N Dyas stated that she has been approached by members of the public and a Minster Parish Councillor enquiring if the EA has any short-term plans to maintain the river Stour at Minster as this section has not been maintained for years. She further stated that the marshes frequently flood, more than is necessary, and the river should be cleaned to increase its capacity so that it can better cope with the effects of climate change. Ms G Mitri Renner replied that she understands the residents' concerns and thanked Ms N Dyas for reporting on this. She continued to say that they must work closely with other EA teams to find the right balance. Dr D Price stated that he is not aware when this area was last de-silted but prior to any work being done surveys need to be carried out, and he has applied for a budget for a regular survey programme to start. It is expected that this will take place next year if budget is approved and this will determine what work needs to be done.

Ms N Dyas stated that she farms this land, and therefore declared an interest, and knows that the river used to be desilted on a regular basis. She further stated that Mr Caudwell, ADA Chairman, commented in the ADA Gazette last winter that “the lowest and most hydraulically crucial sections of Main Rivers are often immediately upstream of estuary areas and their maintenance is seen as a low priority activity because people and properties are not in direct line of fire. The latest significant rainfall events have proved that strategy to be wrong and the sting in the tail has been the distressing inability to move water away from flooded areas in a timely fashion.” Ms N Dyas further stated that she noticed the same comments were made in the latest ADA Gazette and she felt it worth asking the question.

The Clerk & Engineer agreed that river surveys are essential, to establish what work is needed and also to obtain funding. He also stated that the correct operation of the Stonar Cut is key, in line with the previously agreed procedure. Ms G Mitri Renner replied that the EA has been struggling with workload and resources over the past year so this procedure has not been properly implemented or communicated, but a consultant is now focusing on fine tuning this procedure.

The Chairman stated that this river was regularly maintained in the past but agreed that this had ceased in recent years without consultation. He further highlighted that there are different needs of up- and down-stream interests and agreed that the correct running of the Cut is essential. The Clerk & Engineer commented that one of the problems is the reported discrepancy with the telemetry. Ms D Thompson explained that the EA’s telemetry is set to a local datum, whereas the gauge-boards are set Ordnance Datum. The Clerk & Engineer replied that the different readings are understood but when converted there is still a reported 200mm discrepancy which needs to be investigated and corrected. Ms G Mitri Renner replied that she will look into this and report back.

#### MEETING CLOSED

There being no other business the Chairman thanked all for their attendance and declared the meeting closed.