

THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

Minutes of the Online Meeting of the Board held at 14:00 on Thursday 5 August 2021

PRESENT

Mr M J G Tapp BEM (Chairman), Mr G R Steed (Vice Chairman), Cllr M J Burgess (Deputy Vice Chairman) Cllr M D Conolly, Cllr D Crow-Brown, Mr P S Dunn, Ms N H Dyas, Mr D J Fuller, Mr P N Howard, Cllr P D Jull, Cllr D Ledger, Cllr D O Smith, Mr M P Wilkinson, Mr L Wooltorton and Mrs G Wyant.

IN ATTENDANCE

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

WELCOME

The Chairman welcomed Cllr M Sole – appointed by Canterbury City Council – to his first meeting. He also welcomed to the meeting Mr I Nunn (EA Operations Manager) and Mr D Godden (Rhino Plant Hire).

APOLOGIES FOR ABSENCE

The Chairman reported that apologies were received from Mr D M Botting, Cllr N Ovenden, Cllr G B Sparks and Mr P Williams.

EXPRESSIONS OF THANKS

The Chairman thanked everyone for the well wishes he had received and thanked the Vice Chairman for standing in for him over the last few months.

DECLARATIONS OF INTEREST

Mr D Fuller declared an interest on TDC's Planning Application OL/TH/21/0761 and Mr Steed reiterated his interest in respect of DDC's Planning Application 21/00402.

MINUTES OF THE MEETING OF THE BOARD HELD ON THURSDAY 27 MAY 2021

The minutes of the Board held on Thursday 27 May 2021 were received. It was proposed by Cllr Conolly, seconded by Cllr Ledger 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 19 JULY 2021

It was proposed by Cllr Jull, seconded by Cllr Crow-Brown and resolved that the minutes of the meeting of the Finance, General Purposes & Works Committee held on Monday 19 July 2021 be received.

MATTERS ARISING FROM THE MINUTES

Ref: W7G Environment Agency Works

Cllr Conolly asked if the EA have lodged their interest with the Kent Public Rights of Way about the British Horse Society's application for access at Hacklinge. Mr Nunn replied that an objection has been lodged and a reply is awaited from KCC.

Joint Report for the period 1 April to 30 June 2021

Ref: A3-6 Health & Safety (H&S)

The Chairman reported that the Board's H&S Policy is due to be reviewed for which a H&S Sub-Committee is required to help conduct the review and asked for volunteers. It was subsequently proposed by the Chairman, seconded by Mr Steed and resolved that the H&S Sub-Committee be composed of the Chairman, Mr Steed, Cllr Burgess and Cllr Ledger. It is aimed to have the updated policy documents ready to be considered by the Board at its meeting in November.

Mr Nunn reported that the enquiry on the fatal accident in the EA's Thames region is next week and more information will be known once the enquiry is finished. Mr Nunn stated that the EA's risk management procedures are all under review and the main point to highlight is that people become complacent when faced with the same tasks year on year and often do not consider the change in risk or additional risk that comes about through changes in circumstances. Since the incident, some activities have been stopped, such as the use of mobile cranes, boats in flood water, cleaning of fish passes, until procedures have been fully reviewed.

The Clerk & Engineer stated that he has forwarded the report issued by the EA to all staff and Mr Godden for information and discussion. He agreed that the biggest concern is that over-familiarity with routine tasks may lead to complacency, therefore these should be actively reviewed, and we need to be sure contractors are adequately qualified and experienced to carry out specialist tasks. Mr Nunn reported that the EA is considering contracting out all its specialist activities to competent contractors. He further reported that active monitoring is to be encouraged.

Ref: W4/WSR Rainfall & River Flow Data

Cllr Jull reported that the recent heavy rainfall caused the road to flood at Albert Road in Deal, with two properties flooded with sewage water. The residents informed Cllr Jull that foul water was coming up through the sewer, running down the road drains and into Mathews Close Dyke. Mr Nunn reported that the EA were recently successful in prosecuting Southern Water over their unlawful discharges along the North Kent Coast, but this has taken a long time and a lot of resources. Following this experience, the EA has a project evaluating how water companies can perform better and he will raise this matter, though it is extremely difficult to hold water companies to account. Mr Nunn stated that evidence gathering is an important process in getting a conviction and advised that all incidents be reported to the EA on its

Incident Hotline (0800 80 70 60) and where possible photographic evidence be submitted so that it is logged.

The Clerk & Engineer stated that this is a long running issue, on which KCC is to include it in a report on recent flood events in and around Deal. He further reported that he had suggested to KCC that the details of the agreement between the EA and Southern Water, which allows polluted flood water to be discharged to this freshwater system, be included in the report as this would make it easier to monitor and enforce. In addition to this, it has been suggested that the size and condition of the pipeline from Albert Road to Mathews Close Dyke be checked and confirmed, to ensure that it is not contributing to the problem. Mr Steed stated that the effect on people from flooding is tremendous and everything that can be done to improve this situation should be done, especially as flooding incidents are on the increase.

The Clerk & Engineer stated that following the EA's successful prosecution, Southern Water may become more engaged, whilst in the past they have failed to attend joint meetings which were mainly about their failing assets. He further stated that he is intending to invite Southern Water to a future Board meeting to give a presentation on their plans to reduce these types of discharges.

Ref: W7 IDB Programme of Works (Including works carried out under PSCA)

De-silting

The Chairman reported that the 2021-22 IDB de-silting programme was increased to 20km following the inclusion of the Air Ministry Dyke (IDB32), in order to help reduce flooding problems. The changes will increase de-silting costs £2,739 and the F&GP Committee has recommended to the Board that this be approved. It was proposed by Chairman, seconded by Mr Steed and resolved that the de-silting budget for 2021-22 be increased by £2,739, to total £38,487. All members were in favour.

Structures Maintenance

The Clerk & Engineer reported that the repairs to the Penstock at Mile Feed have been completed successfully but a more substantial refurbishment of the wider structure is still planned for later this year (by EKEP).

Ref: W7G Environment Agency Works

Mr Nunn provided an update as follows:

- Weed cutting and vegetation management programme has started.
- The response procedures at Hothfield to do with signage and road closures have been reviewed and the trigger levels adjusted with the intention to get the signs out and cleared sooner.
- The EA is still working to the eel regulations, but Defra does not allow flood defence funding to be spent in aid of environmental enhancements such as fish friendly pumps.
- There is some capital reconditioning funding being used to replace one of the Minster pumps and the pipework to make it fish friendly. This is still in the procurement stage, but it is hoped that work is done before the winter. However, delays may be experienced due to shortages and difficulty in acquiring the necessary materials.
- There is a proposal for future years' reconditioning funding to be increased from £250,000 to £500,000 per asset.
- The operating levels at Minster pumping station and related marshes will need to be reviewed, with the intention of maximising gravity discharges through Kingfisher Outfall and to minimise the need for pumping.

- Brooksend Outfall leak repair has been attempted but there was too much shingle so it will be repaired in the autumn when the shingle has been cleared.
- The following projects are being carried out by East Kent Engineering Partnership (EKEP):
 - Kingfisher Sluice – works to start next week.
 - Lampen Sluice – FRAP application is in process and works are due to start in September.
 - Boiling Spot Stop – EKEP putting together options to be evaluated.
 - Little Stour and Nailbourne – proposals to be presented to the EA in late September.
- The government has boosted capital investment funding over the next 6 years so hopefully some schemes which have been in the pipeline for years can be completed.
- Brewery Sluice – redesign work been completed, with a smaller flap and weed-screen to be fitted, but work not due until the spring.
- Cooper Street – the Archimedes screw has been removed and estimates are awaited for refurbishment in the autumn.
- All automated weed-screens have been offline for the last month, being refurbished, but are now back online.

Ref: W5 Planning Applications

The Chairman invited comments on the Planning Applications listed on the F&GP Committee meeting minutes. There were no queries or comments.

Ref: W15 Applications for Consent

The Chairman invited comments on the Applications for Consent listed on the F&GP Committee meeting minutes. There were no queries or comments.

Ref: W15 Enforcement issues

The Technical Assistant provided the following updates:

Ordinary Watercourse at Sarre.

We are continuing to liaise with UKPN about the unconsented works which are obstructing the channel. We have been assured that this remedial work will be undertaken by the end of August.

Ordinary Watercourse alongside the George and Dragon, Fordwich.

This work has now been completed, which should help prevent flooding in King Street.

Land Behind Victoria Crescent, Ashford.

The landowner in question has been in contact to advise that he has only extended his fence line and agreed to a site visit, so this may have been a neighbour misunderstanding.

Ordinary Watercourse at Chitty Lane, Chislet.

A site visit has taken place and we are in touch with the landowner to ensure that the situation is rectified as soon as possible.

Ref: F2 IDB Annual Reports to DEFRA

The Chairman reported that the IDB Annual Report (IDB1 form) for year ended 31 March 2021 was completed and is to be submitted to Defra, Environment Agency, County and District Councils by 30 September. In accordance with the Local Audit and Accountability Act 2014 and the transparency code for smaller authorities the completed IDB1 form will also need to be published on the Board's website

and outside noticeboard. There being no queries or comments it was proposed by the Chairman, seconded by Cllr Crow-Brown and resolved that the IDB1 form be received and approved for publishing and submission.

Ref: F.5-4 Watercourse Maintenance Contract

The Chairman reported that Invitations to Tender were issued, and the Contracts Sub-Committee will meet in early September to evaluate all tenders received.

Ref: F6-1 Environment Agency Precept

The Chairman reported that the final Precept Report, detailing the final allocations for 2020-21 and proposed allocations for 2021-22 was made available to all Members and asked for any comments.

The Chairman referred to the allocation of £15,000 towards an IDB mobile pump for incident response. The cost is estimated to be between £25,000 and £30,000 and the EA agreed to contribute £25,000 from the Precept; £10,000 was paid during 2020-21 and £15,000 is to be paid during the current financial year. The Clerk & Engineer further stated that a 12” tractor mounted mobile pump will be procured once all funds are received, but the Board may need to consider providing any deficit from balances. The Chairman stated that it would be beneficial for the IDB to have its own mobile pump and proposed that a contribution of up to £5,000 be made available from balances if needed to complete the purchase of the mobile pump during this financial year. This was seconded by Cllr Jull and agreed by all present.

It was proposed by Mr Steed, seconded by Cllr Burgess and resolved that the EA’s Annual Precept Report for 2020-21 be received and approved.

Ref: F8-6 Surface Water Development Contributions

Mr Steed reported that the Development Sub-Committee has developed a Planning & Consenting Strategy and a Development Control Charges and Fees document which better suits our circumstances. It is anticipated that this will result in better involvement in the planning and consenting process and will also enable the Board to levy a charge which can then be used to support works done by the IDB to help reduce local flood risk. The Sub-Committee concluded that this is a positive initiative to take forward and recommend to the Board that it be adopted. The Clerk & Engineer added that this will help to address some of the issues which are currently unfunded when development occurs and discharges to otherwise unmaintained watercourses. Mr Steed stated that this will raise the IDB’s profile with the Local Authorities in terms of the IDB’s interest in planning applications.

Ms Dyas asked what happens when the IDB adopts a structure and the funds run out. The Clerk & Engineer replied that it is a set fee for a defined period, of 50 or 100 years, and then the structure would return to riparian responsibility. He added that the fee is only to maintain a through-flow and not for structural maintenance, which remains with the asset owner. The intention is to introduce the surface water development contributions, and then for the Board to decide individually on the adoption of any private structures. It was also discussed by the Sub-Committee that it would be useful if those future decisions were made in conjunction with other consents, in the sense that the decision is delegated to the Chairmen and local Members.

The Chairman stated that since the documents were emailed to the Members only two days ago (but with only a few very minor alterations) he would like to give them more time to examine them and raise any issues or concerns. He therefore proposed that the Planning & Consenting Strategy and the Development

Control Charges and Fees document be formally approved subject to any concerns raised within the next two weeks. This was seconded by Cllr Burgess and agreed by all present.

ADMINISTRATION

Ref: A1-1 Board Members

The Clerk & Engineer reported that the Board's Chairman, Mr Martin Tapp BEM, after 51 years' continuous service and 31 years as Chairman, has decided to step down from the Board. He will therefore not stand for re-election in October and this meeting is his last of the full Board.

The Chairman stated that he has enjoyed his time on the Board and thanked all present and past Members for their understanding and support, particularly those on the F&GP and as Chairmen. He expressed his special thanks to the staff and the contractors who give the Board a first-class service and have made his time as Chairman worthwhile and enjoyable. He thanked Mr Nunn and the many past and present EA personnel he has liaised with over the years. He also thanked Mr Godden and the contracting team and expressed his appreciation for the good work they carry out.

The Clerk & Engineer expressed his thanks on behalf of the IDB staff past and present, and future, for the way Mr Tapp has developed and led the Board. He stated that it has been an absolute pleasure and a privilege to work so closely with him over so many years and thanked him for all his support and advice. He stated that Mr Tapp has been an excellent Chairman and mentor and stated that he was very pleased when he was awarded the British Empire Medal for services to local flood risk management as it was thoroughly deserved. He further stated that he had led the transformation of this IDB, from what was a simple drainage authority to what he thinks is now a competent and far more diverse risk management authority. He has improved the lives of numerous people in local communities, with many of them probably not even being aware of his work. Mr Dowling finished by saying that he had hoped Mr Tapp would continue for another 15 years, to see him to retirement, but 51 years of dedicated service is possibly enough, and he wished him all the best for a long, healthy and happy retirement.

Mr Nunn stated that he would like to support this statement and added that from the Environment Agency's perspective, dealing with a vast number of IDBs, he can say that this IDB, through the Chairman's leadership, has always been a positive group to work with. He added that the way the Chairman has led it has made this happen, whether it be the Sandwich Tidal Defences Scheme or what we are going to do about the office clock. He added that it has been an absolute pleasure to work with him and stated that words are not enough to thank him for all he has done.

Mr Steed echoed all of these sentiments on behalf of all the Board Members and stated that personally it has been an absolute privilege to work with him, and his leadership has been fantastic. Without wishing to repeat all of the comments made, he wished him all the best for the future.

The Chairman thanked everyone for their kind words and stated that he has always felt that the IDB and the EA are doing the same work and need to support each other, and if something goes wrong it is important not to blame each other.

Ref: A2-3.1 Members Training – Governance & Accountability

The Chairman urged Members to watch the final Governance & Accountability training module, provided by the Association of Drainage Authorities, which focuses on Funding and Financial Management – the link has been sent to all Members.

Ref: A3-2 Election of Members

The Chairman reported that the Register of Electors was produced and made available for inspection by interested persons between 12 July to 31 July inclusive and a Notice was placed on the Board's website and noticeboard to this effect. No comments were received.

The Election was initially and incorrectly scheduled to take place on Thursday 21 October 2021, but this has now been changed to Thursday the 28th October 2021. It was proposed by the Chairman, seconded by Cllr Ledger and resolved that the Register of Electors be approved, and that the Election date be set for 28th October 2021.

Ref: A7-2 Local Government Pension Scheme

It was reported that the Barnett Waddingham's Actuary's IAS19 Report for the year ended 31 March 2021 was received and due to changes in financial assumptions to prepare the report there has been a blanket increase of 28% across the pension fund's Net Defined Benefit Liability (NDBL). The Board's NDBL increased from £499,000 on 31 March 2020 to £674,000 as 31 March 2021 – an increase of just over 35%. KCC advised that no immediate action is required to attenuate this deficit, but the Board can opt to request a contribution review or choose to increase payments above the Actuary's certified contribution (currently 21%). The Board's Internal Auditor advised the Board to wait for the next Triannual Valuation which is on 31 March 2022 with changes to the employer's contribution to take place from 1 March 2023. It was proposed by the Chairman, seconded by Mr Steed and resolved that no changes are made and to await the Triannual Valuation, this was agreed by all.

Ref: A8-1 Keeping our Rivers Flowing Summit

The Clerk & Engineer reported that ADA and the CLA hosted an online "Keeping our Rivers Flowing" Summit on 24 June where over 150 delegates discussed the reality of our river systems, the consequences of underinvestment in watercourse maintenance, and solutions for better managing our catchments from source to sea. He further stated that this Summit's objectives were mainly to stress the need for maintaining the existent river systems rather than focussing on capital schemes. A recording of this meeting is to be made available.

Ref: A8-1 ADA Conference & AGM 2021

It was reported that the ADA Conference and AGM will be held online on **Wednesday 10 November**. There is an excellent line-up of speakers for the Conference, including Floods Minister, Rebecca Pow MP, Lord De Ramsey, and, with an environmental flavour to proceedings in the week of the international COP26 conference hosted by the UK, we also hope to hear from Prof Sir Dieter Helm, chair of the Natural Capital Committee. The AGM will, as last year, follow as a separate event in the afternoon.

Ref: W1-32 FCERM Strategy Action Plan

The Clerk & Engineer reported that the Environment Agency published an Action Plan to support the delivery of the National FCERM Strategy for England, which was published last year. The Action Plan contains contributions from across the flood risk management sector, including bodies such as the NFU, National Flood Forum, ADEPT, and the Town & Country Planning Association. On behalf of its members, ADA has committed to five actions towards the objectives and measures of the Strategy which focus on the water level management of lowland catchments typical of internal drainage districts.

Ref: A8-1.7 Board's Website

Following the launch of the Board's new website (www.rsidb.org.uk) at the beginning of June, Cllr Conolly asked if the "traffic" had increased. The Technical Assistant stated that he does not have this information but will investigate.

Ref: A10-21 Beavers

It was reported that ADA has been liaising with Defra regarding the possible reintroduction of beavers across England and had highlighted the recent problem at Betteshanger, and also the landowner's intention to claim for damages. It is extremely important that all affected parties respond to the consultation, to help ensure that IDBs and other RMAs are given the ability to easily manage problem situations, without having to seek formal permits etc.

Mr Steed reported that EKBAG suggested a website be set up to manage information and there have been two proposals: Kent Wildlife Trust host the site or that an independent site be commissioned – the latter option has a cost for which there is currently no funding. Mr Steed opined that it should be an independent site so that the group's views and aspirations do not get confused with those of Kent Wildlife Trust. The Clerk & Engineer agreed but felt that there is not enough activity or progress with the EKBAG to warrant a new website. He further stated that if guidance to landowners is to be the main aim, on what they can do to manage beavers, it may be better to have an informational page on the Beavers Trust website rather than developing a new similar webpage. However, the Beaver Trust is naturally pro-beaver, whereas the EKBAG (and the IDB) are wishing to remain impartial. The Chairman stated that he thought it to be acceptable because there is always an opportunity to have a minority report which is more cautious than the overall approach. The Clerk & Engineer stated that he will reply to the group along the lines discussed.

The Clerk & Engineer stated that there is an emphasis on impartiality, but the majority of this group's members are far from impartial and promote the introduction of beavers. As a member the IDB is not against it in the right location with adequate management tools and if a public consultation takes place, we need to make sure that the IDB, the EA and others can manage the negative impacts without the need to go through lengthy permit processes. Mr Steed agreed and stated that the EA is a member but predominantly only their biodiversity team attend and asked if it is possible to have someone attend from the flood risk management team. Mr Nunn agreed and stated that he will try to get a more balanced representation from the EA to try to ensure that the negative impacts are properly considered. The Clerk & Engineer stated that in the end it will be the EA and the IDB who will have to deal with the problems caused by the introduction of beavers, as it is already happening with the problems at Hacklinge Pumping Station, burrowing at Yules Arch and tree felling and burrowing on the Little Stour embankments.

Bramley Associates completed its survey of the Hacklinge Marshes area, on behalf of the EKBAG, which confirmed a considerable amount of beaver activity across the majority of the marshes, this is an important record and it is hoped that it will lead on to further work: to extend surveys further up the catchment, to assess the likely number of beavers present at each location, and to help identify and assess the main risks on water level management and flooding. The Chairman asked if this report highlights damage caused by the beavers. The Clerk & Engineer replied that the report refers to "activity" not damage. The Chairman stated that the Beavers Trust on a national basis is doing a wonderful job in publicising beavers almost weekly in all different publications but there is no mention of negative effects which is slightly concerning. Mr Steed stated that therefore it is so important that the EA's representation on this group addresses these negative effects (from a flood risk perspective).

ANY OTHER BUSINESS

Azolla Project – Kentish Stour Countryside Partnership (KSCP)

The Clerk & Engineer reported that KSCP are taking the lead in trying to eradicate Azolla (an invasive weed) from our river systems for which they must be praised. The IDB is committed to do its part to remove this weed and suggested initial focus on the Hacklinge Marshes because it is a well contained site and will enable working from the top of the system out. He further reported that they applied for £20,000 funding from the EA over a 4-year period, but to qualify for this KSCP must find other external funding. The Clerk & Engineer stated that in the past the Board has contributed with staff time, but KSCP are asking for a monetary contribution towards this project, and we must consider that a lot of the IDB watercourses are affected by Azolla.

The Clerk & Engineer proposed to the Board that a £3,000 contribution be made this financial year with a view to contributing a similar amount over the next 3 years if the project is successful. The Chairman stated that it would be a great result if this weed could be managed. Mr Steed echoed his support for this project but suggested an annual update/review, because previous efforts have improved the situation only for a short time. The Clerk & Engineer stated that he believes the plans are to survey each year over the 4-year period. Mr Nunn stated that he will check on the proposal and report back.

The Clerk & Engineer stated that for this project to progress, KSCP need some indication to whether the IDB is willing to contribute and how much, therefore it would be helpful to have an agreement in principle if the Board agrees. The Chairman proposed that an agreement in principle be made to contribute £2,500 this financial year and, subject to progress, potentially another £2,500 per year over the following 3 years – a total of £10,000 if we can report good results especially on IDB watercourses – and that the authority be delegated to the Chairmen to make a final decision depending on the final reports from Mr Nunn and the Clerk & Engineer, this was seconded by Cllr Jull and agreed by all present.

NUTRIENT NEUTRALITY for new development in the Stodmarsh area

Cllr Ledger reported that Ashford Borough Council has agreed to purchase land to provide wetlands as a mitigation for the Stodmarsh Nutrient Neutrality problem/project and it may impact the Board's watercourses. Cllr Burgess reported that areas are being assessed and some of these wetlands will have to be within the area of building sites and be in place before construction may begin. Further details will be made available as this project develops.

MEETING CLOSED

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