

BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

**MINUTES OF THE GENERAL PURPOSES COMMITTEE 3 FEBRUARY 2014 AT 11.30AM
AND MINUTES OF THE BOARD MEETING 3 FEBRUARY 2014 AT 2PM**

Due to the office move, IT problems and the Christmas holiday period the General Purposes Committee meeting was rescheduled to the morning of the full Board meeting. For completeness, the papers for the Agenda items discussed at the General Purposes meeting were included in the full Board meeting booklet and were shown in italics (*items 7 to 10*) and a note explaining this was included at the bottom of the Board Agenda.

The Chairman of the General Purposes Committee meeting reported verbally to the full Board meeting the recommendations of the General Purposes Committee. The minutes of the General Purposes Committee meeting and the minutes of the full Board meeting are below:

BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

GENERAL PURPOSES COMMITTEE

Minutes of the meeting of the General Purposes Committee held on 3rd February 2014 at 11.30 am at Vale House, Stewartby.

PRESENT: B Huckle (Chairman); I Clifton (Vice Chairman) (arrived at 11.50am); G Barrell; R O Bennett; J Davison; D Osborn and J Ream.

IN ATTENDANCE: F Bowler (Clerk); J Oldfield (Director of Operations), and R Easom (Committee Clerk).

OBSERVING: N Souter, Finance/Rating/Admin Assistant

An agenda for the meeting was tabled. The agenda had previously been circulated as part of the papers for the Board Meeting scheduled in the afternoon.

1 APOLOGIES for absence were received from C Maudlin.

2 DECLARATION OF MEMBERS' INTERESTS

Mr Ream declared an interest regarding the request for works at Portobello Farm, Sutton, Sandy

3 TO CONSIDER THE WATERCOURSE SURVEYS REPORT

The Director of Operations presented the watercourse surveys report.

Members agreed to recommend to the Board approval of the Watercourse Survey Report including the budget of £5,000 for incidental survey work and agreed that the Clerk should be empowered to negotiate and approve expenditure by the Board from this budget.

Discussion took place:

Kings Ditch and Great Barford

Mr Huckle asked when the culvert survey and cleansing works proposed for Kings Ditch and Great Barford would take place. The Director of Operations reported that they had been inspected and there was no significant blockage, however the formal cleansing work was not yet programmed.

Land opposite Pig & Whistle, Stotfold

Mr Osborn said there were problems with the central pier of the bridge at this point in the Pix Brook and he was concerned about future development given that the public house was now up for sale. The Director of Operations advised lobbying Central Bedfordshire Council Planning Office regarding the issue.

4 REVIEW OF DEVELOPMENT CONTRIBUTIONS REPORT 2013/14

The Director of Operations presented the Review of Development Contributions report and drew the attention of members to additions to the report: bullet point c) and also ‘Where the discharge flow is into a tributary of the Board’s main network, the developer is required to fully fund the necessary adoption of the associated tributary watercourse.’

Members agreed to recommend to the Board that the report and the following be approved:

- (i) The general development contribution should be increased to £4.15 per impervious square meter from 1st April 2014;**
- (ii) Where the outfall flows into a Board watercourse the Board take a development contribution and/or where the outfall flows into a tributary, the developer will fully fund any necessary adoption;**
- (iii) The Clerk should be authorized to negotiate appropriate commuted sums from developers when the Board agrees to adopt new works.**

5 PROGRESS OF WORKS REPORT FOR THE PERIOD APRIL TO DECEMBER 2013

The Director of Operations referred members to the report and the A3 plan showing the progress of works.

Members agreed to recommend to the Board the approval of the Works Progress Report for the period April to December 2013.

Discussion took place:

The Director of Operations said the programme was behind schedule due to the adverse weather conditions. Higher river levels and flood conditions resulted in the workforce being diverted to carry out emergency works. Wet ground conditions have also hampered progress together with a high sickness rate attributable mainly to two members of the workforce who were now back at work.

Mr Barrell asked whether given the current situation in other parts of the country whether more works could be allowed during the bird nesting season. The Director of Operations said that there was no change in that respect.

(Mr Clifton arrived)

6 TO RECEIVE THE REVIEW OF WORKS PROGRAMME 2014/15 AND THE WORKS PROGRAMME COMMENTARY

The Director of Operations presented the programme and explained that the system was now in better condition following the enhanced programmes of the previous three years and a lighter, regular clearing was now what was necessary on the high risk watercourses which would enable more medium risk watercourses being included on the programme.

Members approved the Works Programme for the year 2014/15 and recommended the approval of the Board.

The following Requests for Work were approved by Members to be carried out within the three year programme 2014/15, 2015/16 and 2016/17 and recommended for approval by the Board on those terms:

- **Tempsford Estates – request to maintain 1800m of low risk, cat 3 watercourse.**
- **Parsonage Farm, Shillington – request for work to clear ponds that receive flood overflows.**
- **Portobello Farm, Sutton, Sandy – the Engineer verbally reported on this request, received on Friday 31st January 2014 and which was already included in the planned programme. (Mr Ream declared an interest).**

The following Request for Works were rejected by Members and recommended for rejection by the Board:

- **The Manor House, Barton le Clay – request for a financial contribution towards the cost of toe boarding.**
- **Medbury Farm, Elstow – request for a financial contribution towards the cost of access bridge repairs.**

Discussion took place:

Members discussed the various requests for works and agreed to reject the last two due to the fact that these were items which would have required a financial contribution from the Board and were not part of the usual maintenance works carried out by the Board.

7 TO REVIEW ESTIMATES OF THE INCOME AND EXPENDITURE AND TO MAKE RECOMMENDATIONS TO THE BOARD FOR THE RATE FOR THE 2014/15 FINANCIAL YEAR

Officers presented the estimates of the income and expenditure. The Clerk reminded members that JMC had agreed the Group Account estimates at their meeting on 28 October 2013.

Members reviewed the estimates and recommended the following for Board approval:

- (i) **Joint – Group Account – Engineering and Administration, Labour on cost and Plant Purchases and Funding**

- (ii) **Capital and Maintenance Development Fund; Capital Works – Grant in Aid capital Programme Funding.**
- (iii) **Maintenance Estimates.**
- (iv) **Occupiers' Rate Fund/General Estimates**

Members agreed to recommend to the Board a zero percentage increase in rate and special levy income for 2014/15 resulting in the rate of 3.95p in the pound and special levy income of £894,829.

Discussion took place:

Capital and Maintenance Development Fund

The Clerk said the Board was holding reasonable sums of money and commuted sums had recently been received for Wixams and RAF Cardington. The sums of money quoted in the report were subject to change as there tends to be a long lead in time before the funds are received. Funds had still not been received for Elstow Brook - Culvert 6. The Director of Operations said that the legal agreement was with Gazeley, the penultimate signatories, prior to the Board's. It was expected that the funds would be received during the 2014/15 financial year.

Mr Huckle raised concerns about the delays and asked why there wasn't a time frame to prevent the process being so protracted. The Director of Operations said the Flood and Water Management Act and the introduction of SAB (SUDS approval body) was designed to overcome these issues.

Mr Bennett made reference to the Grant In Aid needs bid application which the Board submitted to the Environment Agency in June 2013. The Director of Operations said the EA had had its allocated funding cut. Continuity commitment had been given for the Health & Safety Works, which are underway, but it was unlikely that funding for the Pix Brook alleviation scheme would be forthcoming.

The Clerk pointed out that the majority of capital commuted sum funding has 16% deducted from it to cover the Board's associated engineering and administration costs. However, in the future this will reduce as there will be less money from commuted sums, as the Local Authority will be responsible for adopting SUDS.

Occupiers' Rate Fund / General Estimates

The Clerk said that in producing the estimates she was mindful of the recommendation of Audit that balances should be no more than 1 year's rate and special levy income. She said the estimates had been based on 0% percentage increase for 2014/15 and a 1% increase for the two following years; 2015/16 and 2016/17.

8 ANY OTHER BUSINESS

There being no other business, the meeting closed at 12.30pm.

BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

Board Meeting

Minutes of the meeting held on 3 February 2014 at 2pm at Vale House, Stewartby.

PRESENT: R O Bennett (Chairman); J Davison (Vice Chairman); G Barrell; L Birt; A Brown; I Clifton; M Egar; D Hodgson; B Huckle; S Hunt; D McMurdo; R Odell; D Osborn; J Ream; and J Scott.

IN ATTENDANCE: F C Bowler (Clerk/Chief Executive); J J Oldfield (Director of Operations); R C Easom (Committee Clerk); D Gowing (Internal Auditor).

OBSERVING: N Souter, Finance/Rating/Admin Assistant

The Chairman opened the meeting welcoming Mr Gowing, the Internal Auditor and Miss Souter, the newly appointed Finance/Rating/Admin Assistant and said how pleased he was to be taking the meeting in the new building.

1 APOLOGIES FOR ABSENCE were received from I Dalgano and C Maudlin.

2 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of members' interests.

3 MINUTES OF THE BOARD MEETING HELD ON 24 JUNE 2013

The minutes of the Board meeting dated 24 June 2013 were approved as an accurate record.

4 MATTERS ARISING FROM THE MINUTES OF THE BOARD MEETING HELD ON 24 JUNE 2013.

There were no matters arising.

5 UNCONFIRMED MINUTES OF THE JOINT MANAGEMENT COMMITTEE HELD ON 28 OCTOBER 2013

Members accepted the Joint Management Committee minutes.

Discussion took place:

Flood and Water Management Act 2010

Mrs Davison asked whether the letter had been sent from the Chairman of the Bedford Group to Owen Paterson MP, Secretary of State for the Environment, Food and Rural Affairs about the lack of maintenance works carried out by the Environment Agency in the Upper Ouse catchment.

The Director of Operations said it was planned to draft one but the Association of Drainage Authorities had been involved in lobbying MPs regarding this and officers wanted to make their representations in-line with ADA's message.

The Chairman said a letter should be drafted to tie in with ADA but that it needed to be sent as soon as possible.

Mr Scott suggested that Owen Patterson, MP be invited to officially open the Bedford Group's new office and depot. The Clerk said that Jean Venables, Chief Executive of ADA, had invited Owen Patterson to visit the Bedford Group but she had not had a response.

New Office Depot Accommodation Progress Report

Mr Brown asked why the bird nesting season was relevant to the move from the two depots to the new depot in Stewartby. Officers explained that during April, May and June maintenance works are restricted due to bird nesting and this quiet time will provide the opportunity to move the depots with least disruption to the works programme.

6 WATERCOURSE SURVEYS REPORT

Following the recommendation of the General Purposes Committee, members approved the Watercourse Survey Report including the budget of £5,000 for incidental survey work and agreed that the Clerk should be empowered to negotiate and approve expenditure by the Board from this budget.

7 REVIEW OF DEVELOPMENT CONTRIBUTIONS

The Director of Operations presented the Review of Development Contributions report and drew the attention of members to additions to the report: bullet point c) and also '*Where the discharge flow is into a tributary of the Board's main network, the developer is required to fully fund the necessary adoption of the associated tributary watercourse.*'

Following the recommendation of the General Purposes Committee, members approved the report and the following recommendations:

- (i) The general development contribution should be increased to £4.15 per impervious square meter from 1st April 2014;**
- (ii) Where the outfall flows into a Board watercourse the Board take a development contribution and/or where the outfall flows into a tributary, the developer will fully fund any necessary adoption;**
- (iii) The Clerk should be authorized to negotiate appropriate commuted sums from developers when the Board agrees to adopt new works.**

Discussion took place:

Mr Brown queried how a 'small development' was defined. The Director of Operations said this was subject to impermeability, greenfield run-off rates and attenuation design, which related to consenting and did not need to align with planning regulation definitions.

Mr McMurdo queried the free discharge. The Director of Operations said discharge must comply with the law regarding development. However, the Board would accept that attenuation from small development could be attenuated in channel, if the watercourse received increased maintenance to accommodate this. Soak-aways would normally be used and they would need to comply with building regulations.

Mr Hodgson said he thought that the recommendation from the General Purposes Committee should be clearer. The Chairman said it would be made clear in the minutes.

8 PROGRESS OF WORKS REPORT 2013/14

The Director of Operations presented the Progress of Works Report explaining that the programme was behind schedule.

Following the recommendation of the General Purposes Committee, members approved the Works Progress Report for the period April to December 2013.

Discussion took place:

Mr Eggar asked whether work not carried out last year would take priority. The Director of Operations said he could not guarantee that would be the case as it depends upon weather conditions. In some cases the land owner may turn the Board's workforce or contractors away because of the extremely poor ground conditions. The Director of Operations said every effort would be made to prioritise the outstanding works from the 2012/13 programme of works.

Kings Ditch, Bedford

Mr McMurdo said he was delighted to see that Kings Ditch was in the programme for 2013/14 and asked when the work would be carried out. He was concerned because the ditch had had high water levels twice recently following heavy rain.

The Director of Operations said that the system was working as well as it could. He agreed that the ditch had been full but not at risk of flooding because the levels in the main river and Kings Ditch had been monitored closely. Mr McMurdo said he would like to be informed when the maintenance work on the ditch has been carried out.

Mr Brown said the map was useful and he could see that the urban area of Bedford had had work carried out but the wider area in Central Bedfordshire had not. He asked if rural areas were not being given priority.

The Chairman responded that Bedford was very sensitive and annual maintenance was essential. Other watercourses do not have the same priority.

The Director of Operations said there was historical categorisation of watercourses. Elstow Brook was a critical watercourse and high risk. The Drainage Board watercourse from Shefford to Shillington and the Flit from Clophill to Flitwick have been maintained in the last 2 or 3 years which is correct for medium risk watercourses. These watercourses were dredged then, and are only scheduled for light vegetation flailing in the programme to keep them in good order. The watercourses have not been neglected as work has been carried out quite recently. In addition, some low risk watercourses are not shown as there is encouragement to do less for the benefit of wildlife.

9 REVIEW OF WORKS PROGRAMME 2014 AND WORKS PROGRAMME COMMENTARY

The Director of Operations presented the Works Programme and explained the categories of watercourses and the Board's higher investment over the past three years to get the high risk watercourses in good condition. It is now planned to carry out lighter maintenance in the form of flailing and weedcutting.

Following the recommendation of the General Purposes Committee, the majority of Members approved the Works Programme for the year 2014/15.

The following Requests for Work were recommended for approval by the General Purposes Committee and subsequently approved by Members. The work to be carried out within the three year programme 2014/15, 2015/16 and 2016/17:

- **Tempsford Estates – request to maintain 1800m of low risk, cat 3 watercourse.**
- **Parsonage Farm, Shillington – request for work to clear ponds that receive flood overflows.**
- **Portobello Farm, Sutton, Sandy – the Engineer verbally reported on this request, received on Friday 31st January 2014 and which was already included in the planned programme. (Mr Ream declared an interest).**

Members of the General Purposes Committee recommend that the following Request for Works be rejected by Members and Members of the Board subsequently recommended for rejection:

- **The Manor House, Barton le Clay – request for a financial contribution towards the cost of toe boarding.**
- **Medbury Farm, Elstow – request for a financial contribution towards the cost of access bridge repairs.**

Discussion took place:

Mr McMurdo said the recommendations from the General Purposes Committee were not clear.

Mr McMurdo, Mr Egar and Mr Brown mentioned various areas of the works programme where works were still to be carried out, particularly the Cotton End area. The Director of Operations explained that a lot of maintenance work had been carried out in the Elstow area but he envisaged that if the weather was good then the outstanding areas would be completed and any work not completed will be carried forward into the next year.

The Director of Operations said it was envisaged that maintenance work on the area between Flitwick and the M1 should be carried out by a contractor within the next 2 months. He said he did not envisage the other area being done until the next year.

Mr Brown asked whether there was sufficient labour if the Board was using contractors.

Mr Osborn proposed a vote of confidence in the Director of Operations.

The Clerk explained that there had been 2 consecutive years with adverse weather conditions and, in addition, sickness and that it was hoped that the programme would be back on schedule again soon.

The Director of Operations reiterated that the programme for 2014/15 included the works that were unlikely to be completed in 2013/14 given the unprecedented wet weather, as reported in the Board papers.

The Clerk also explained that due to the office move and IT issues it had been decided to hold the General Purposes meeting on the morning of the Board meeting and pointed out that the same papers had gone to both meetings. The agenda with the Board meeting papers had shown in italics those items which were for review and recommendation by the General Purposes Committee, there was also a note at the bottom of the Agenda to that effect. Therefore the General Purposes Committee was only able to provide a verbal recommendation this year because of the time scales.

The Chairman explained that the General Purposes Committee had approved the works programme and expenditure and made the recommendations regarding the requests for works.

10 ESTIMATES

The Clerk reminded members that the joint expenditure had been approved by the Joint Management Committee on 28th October 2013 and the General Purposes Committee had approved the estimates and recommended the 0% increase in the rate and special levy income for 2014/15.

Members approved the following estimates:

- (i) Joint – Group Account – Engineering and Administration, Labour on cost and Plant Purchases and Funding**
- (ii) Capital and Maintenance Development Fund; Capital Works – Grant in Aid capital Programme Funding.**
- (iii) Maintenance Estimates.**
- (iv) Occupiers’ Rate Fund/General Estimates**

Discussion took place:

Joint Estimates

Ms Hunt asked about the travel time which was shown on the Labour on Cost Account. The Clerk explained that the members of the workforce are paid an allowance for travelling to the various sites which includes time and mileage, plus an annual allowance for the use of their vehicles. Ms Hunt suggested increasing the basic salary to take account of this, however, the Clerk said the practice was in line with other drainage boards.

Capital and Maintenance Development Fund – Minor Works – Great Barford

Mr Odell queried the term ‘scour’. The Director of Operations explained it was erosion to the bed or bank caused by the movement of water.

Maintenance Estimates

Mr Scott commented on the Board’s practice of addressing the problems before they arise.

General Estimates

Mr McMurdo suggested that the 1% increase in the following two years should be disregarded. The Clerk said that it was just indicative.

Ms Hunt enquired about conference fees. The Clerk said the ADA conference fees had been approximately £120 each for herself and the Director of Operations.

11 TO SET THE DRAINAGE RATE FOR THE FINANCIAL YEAR 2014/15 AND TO AUTHORISE THE CHAIRMAN TO SEAL THE RATE

Members agreed a zero percentage increase in rate and special levy income for 2014/15 resulting in the rate of 3.95p in the pound and rate and special levy income of £894,829 and authorised the Chairman to sign and seal the rate.

The Chairman congratulated the Clerk on the production of the estimates given the difficult year.

12 TECHNICAL REPORT (INCLUDING SCHEDULE OF CONSENTS) FOR THE PERIOD JUNE TO DECEMBER 2013

The Director of Operations presented the Technical Report.

Members accepted the Technical Report.

Discussion took place:

13 (i) EXTERNAL AUDIT

The Clerk presented the external audit report for the year ended 31 March 2013 and apologised for the wrong front page having been attached to it. The correct front page, showing the external auditor report on page 4 of the Annual Return was tabled at the meeting.

The Clerk reported that with the exception of the issue which queried the level of the Fidelity Guarantee and an issue concerning £36,000 being received into the plant fund rather than being shown separately as income, the Board had been given an unqualified opinion.

Members accepted the External Audit report for the year ended 31 March 2013.

Discussion took place:

Fidelity Guarantee

Mr Hodgson said he was sure that the Director of Finance at Bedford Borough Council would be able to advise the Board on what the Council has regarding Fidelity Guarantee.

13 (ii) INTERNAL AUDIT REPORT – follow up of 2012/13 Audit

The internal auditor, David Gowing, presented the report which was a follow up of the 2012/13 audit. He said he was pleased to say, as in previous years that the Board continues to have good controls and he could provide adequate assurance.

There were two issues which the internal auditor was recommending:

- a. Where appropriate the use of confidential Board/Committee reports (pink papers) to be introduced.
- b. Consider voluntary introduction of the Data Transparency Act, either in full or in part.

The Clerk said these items were discussed by the Executive Working Group on 14 January 2014. It was agreed that the confidential papers should be introduced. However, the EWG agreed that the Board would comply with the Data Transparency Act either in part or in full, if and when IDBs were included in the legislation.

Members accepted the Internal Audit Report.

Discussion took place:

Mr Hodgson advised against the use of pink papers.

Mr Brown queried the 'L' for low priority being given to item b and suggested that the issue would not be tackled. The Clerk said that it would be and discussion had already taken place on the issue.

13 (iii) TO RE-APPOINT THE INTERNAL AUDITOR

Members approved the re-appointment of Mr David Gowing as Internal Auditor to the Board.

14 FINANCE REPORT for the period to 31 December 2013

The Clerk presented the Finance Report.

Members approved the Finance Report.

Discussion took place:

Mr Hodgson advised that the Board look carefully into the issue of funds being held mainly with Lloyds. Mr McMurdo suggested the use of external advisers, however, the internal auditor said he did not consider them effective. The Clerk said she was mindful of this issue, it had been discussed at the EWG and she had to forms to apply for an account with the Nationwide.

15 TO APPROVE THE REVISED FINANCIAL REGULATIONS

The Clerk presented the revised financial regulations explaining that the amendments had been necessary due to the change over to paying suppliers by BACS.

Members approved the revised Financial Regulations.

16 TO APPROVE THE SCHEME OF DELEGATION

Members approved the Scheme of Delegation.

17 TO APPROVE THE ADDITION OF POWERS OF ENTRY ON TO THE BOARD EMPLOYEES ID CARDS

‘BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

POWERS OF ENTRY

Introduction

The Board is required to approve the following wording which will be used on official documentation, including identity cards, and which gives authorization to its officers and representatives using the Powers of Entry on to Land to carry out its works under the Land Drainage Act 1991 (amended 1994):

‘14 (2) The Board has Powers on Ordinary Watercourse to a) maintain existing works; b) to improve any existing works; and c) to construct new works to any watercourse or drainage works. 14 (4) authorizes any person to enter on the land for the purpose of maintaining existing works.

64 (1) Any person authorized by an internal drainage board, after producing a duly authenticated document, may at all reasonable time enter onto land for the purpose of exercising any function of the Board and any function of the Act’.

The Board authorizes its officers and representatives under the above sections of the Land Drainage Act 1991 (amended 1994), and will provide duly authorized documentation of authority.’

Members approved the above wording for inclusion on the Board’s employees’ ID cards.

18 OFFICE AND DEPOT DEVELOPMENT

The Director of Operations tabled a Progress Report on the Office and Depot development dated January 2014.

Members accepted the progress report.

Discussion took place:

Mr McMurdo suggested asking the Local Authorities to use their influence to put pressure on BT to provide the telephone lines. Mr Hodgson also offered to help in his capacity as Mayor of Bedford.

Mr Brown raised the issue of landscaping on the site and green screening. The Director of Operations said a provisional amount of £3,500 had been allowed for landscaping however, a contractor had received quotes of £8,000. The planning condition has no time limit and it is intended to see how the ground settles. He added that a hedge was planned for screening. Mr Brown asked whether landscaping requirements were being changed or the budget was being reviewed. The Director of Operations said it would be both. Mr Brown supported providing landscaping to finish off the development.

19 ANY OTHER BUSINESS AT CHAIRMAN’S DISCRETION

Mr McMurdo suggested that electronic copies of agendas of other committees be provided. The Clerk clarified that the agenda of the General Purposes Committee meeting which took place that morning had been included in the agenda provided to Board members and the papers were also the same as those provided to Board members.

20 DATE OF NEXT MEETING: 16 June 2014 – Board Meeting

The meeting closed at 4pm.