

**BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD**  
**Board Meeting**

**Minutes of the Board meeting held on 7 November 2016 at 2pm at Vale House, Stewartby.**

**PRESENT:** D McMurdo (Chairman), J Davison (Vice Chairman), R O Bennett, M Egar, B Huckle, R Odell, J Russell, T Turner, M Weeks and T Wootton.

**IN ATTENDANCE:** F C Bowler (Clerk), J J Oldfield (Engineer) and R C Easom (Committee Clerk)

The Chairman welcomed Mr Russell, Director of the Forest of Marston Vale Trust to his first meeting of the Board.

**1 APOLOGIES FOR ABSENCE** were received from L Birt, A D Brown, F Firth, D Hodgson, S Holland, S Hunt, J Ream and J Scott.

**2 DECLARATION OF MEMBERS' INTERESTS**

During the course of the meeting Mr Russell, as Director of the Forest of Marston Vale Trust, declared an interest in the following:

Bell Farm Employment development,  
Marston Valley development, and  
Home Farm development.

**3 MINUTES OF THE BOARD MEETING HELD ON 6 JUNE 2016**

**The minutes of the Board meeting held on 6 June 2016 were accepted as a true and accurate record for the Vice Chairman, who had chaired the meeting, to sign.**

**4 MATTERS ARISING FROM THE MINUTES**

**Vacancy on the Elected Membership**

The Clerk said there remained a vacancy on the elected membership of the Board. She asked members to let her know of anyone within the drainage district who may be interested in becoming a Board Member and she proposed advertising the vacancy on the Boards' website.

**5 UNCONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 17 OCTOBER 2016**

**The Chairman presented the unconfirmed minutes which were noted.**

Discussion took place:

### **Ecology and Conservation – Water voles licencing**

The Director of Operations pointed out that the Buckingham & River Ouzel Board members had pointed out that the last paragraph under this heading could be interpreted as water voles being considered an invasive species which was not the case.

The Chairman suggested that, as the minutes were in draft format, they could be amended to clarify. The Committee Clerk agreed to do this.

### **Personnel Issues – Employee Health Checks**

The Chairman said he wished to highlight the issue of employee health checks which had been discussed by the JMC. He said a review of employee sickness had been carried out and members were content with the background to the high sickness which was mainly due to the long term sickness of one workforce member.

The possibility of introducing regular health checks was discussed given that 73% of the employees were over 40 years of age. However, given the relatively low level of sickness in the past six months it was decided not to pursue the issue at the present time. However, the level of sickness was being robustly monitored.

Mr Russell asked if any future plans had been put into place with regard to the ageing workforce. The Chairman said there were no plans at present although members were mindful of the situation.

## **6 PROGRESS OF WORK FROM APRIL TO OCTOBER 2016 FOR THE WORKS PROGRAMME 2016/17**

The Director of Operations presented the Progress of Works report, referring members to the A3 plan showing works programmed and completed. He said the dry weather had meant good progress was being made so far. He said, as usual, the Elstow Brook was a priority and the majority of the maintenance work on that watercourse was completed. However, quite a lot of the annual programmed works had not yet been completed, although additional contracts had been awarded to aid programme delivery.

### **Members accepted the Works Progress Report for the period from April to October 2016 for the Works Programme 2016/17.**

Discussion took place:

#### **Bells Brook**

Mr Bennett made reference to the poor condition of Bells Brook between the road Hill Lane and the confluence with the River Ivel. He asked whether the Board's Public Sector Co-operation Agreement with the EA could be used in order to get work carried out on the watercourse. The Director of Operations said he had taken officers from the EA to that area on an inspection day earlier in the year. Generally the River Ivel was in good condition in that area, as it had recently been weed cut by boat, but Bells Brook was identified as needing maintenance work. The Chairman said he would like to see Bells Brook and asked that the Director of Operations organise a visit for him.

### **Contractors – Fen Group**

Mrs Turner referred to the report that Fen Group had terminated two remaining contracts for watercourse maintenance as they were unable to honour their tendered rates and asked if the work had been covered by other means. The Director of Operations said the work will now be undertaken with the Board's workforce as the second tender was substantially more expensive. In order to off-set the extra work being carried out by the Board's workforce some other maintenance work is to go out to contractors.

### **Programme/Plant**

Mr Russell asked whether members considered it would be reasonable to profile maintenance works over the year to enable members to see what would reasonably be expected.

The Chairman said it was the Board's policy to 'over-programme' in order that there was plenty of agreed work to carry on with if weather conditions proved favourable. However, he said he would be looking into the issue with officers prior to the next year's programme.

Mr Wootton asked whether the Board had sufficient, up to date equipment. The Clerk responded that apart from two tractors no other item of plant was older than 7 years.

Mr Egar said he agreed that new equipment should be considered in addition to using more contractors and reducing the Board's labour force. Mrs Davison disagreed with putting too much in the hands of contractors as the work is not always of a good standard. Mr Egar said penalty clauses in contracts should help address that.

The Chairman asked Officers to look at assets and depreciation and report to the Joint Management Committee on 17<sup>th</sup> January 2017 when estimates and the following year's works programme is to be discussed.

## **7 TECHNICAL REPORT FOR THE PERIOD JUNE TO OCTOBER 2016**

The Director of Operations presented the Technical Report.

### **Members accepted the Technical Report.**

Discussion took place:

### **Bell Farm Employment Development**

(Mr Russell, as Director of the Forest of Marston Vale Trust, declared an interest regarding a compulsory purchase order access rights issue and also commercial interest.)

The Director of Operations highlighted the Bell Farm employment development and talked about it in more detail.

### **Wixams (land south)**

Mr Huckle said he was very concerned to see that a residents' association was to maintain the SuDS and he asked what sort of guarantee there was that it would be maintained in the future. The Director of Operations said the situation was also of concern for Officers of the Board. It was a sad reflection of where the Board has been left following the Flood and Water Management Act. The Boards have worked hard over decades to ensure that SuDS were adopted and maintained by public bodies, such as the Board. He said the will of the developers was now required in order to obtain commuted sums for

long term maintenance of SuDS. Unfortunately, Defra is now not even stating that commuted sums are the preferred option. The Director of Operations said he envisaged that, in about 10 years, when the infrastructure needs attention, problems will arise because the management company or residents' association will require more money to carry out necessary works; funds which may not be available. The Board do not have duties, but powers, so there would be no duty for the Board to repair the failing infrastructure. It could serve notice and go in to carry out maintenance but money towards the cost of that maintenance may not be forthcoming.

Mr Wootton suggested that the Board carried out annual inspections in such cases as the Board could then flag up problems.

**It was agreed that the Chairman would raise the issue at the ADA Conference on 17<sup>th</sup> November 2016 and ask that ADA lobby the Defra Minister against registered charities, residents' associations, etc taking on responsibility for SuDS. Only public utilities or authorities with tax raising powers should take on such responsibility.**

### **Marston Valley**

The Director of Operations highlighted this development adding that it was up to the developers to provide the technical solution to adequately attenuate from the development sites.

Mr Russell, as Director of the Forest of Marston Vale Trust, declared an interest as the Trust owns Stewartby Lake. He added that the Trust were in discussion with O&H and that he would do what he could.

### **Damage to Electric Cable in watercourse, Luton Road, Wilstead**

The Director of Operations added that UK Power Networks had, during the last week, applied for consent for the electricity cable. However, the Board had not received a credit note for the invoice which was sent for the damage to the cable.

### **Pix Brook, post-flooding review of Stotfold**

The Director of Operations referred to the photographs in the report and said that on 12<sup>th</sup> June, less than a week after the last Board meeting, flooding occurred again. He said he was hopeful that the Board's study to assess the viability of relocating the trash screen may show a business case for highways to improve the culverts.

The Chairman referred to the top right-hand picture and said the developer had asked when the Board were going to sort out the flooding issue. He said there was a local problem regarding understanding where responsibility lay and he was very pleased that Central Bedfordshire Council was now taking the lead and progress has been made.

Mrs Turner added that she hoped that CBC were planning to keep the local Town Council informed. The Chairman said he has had direct contact with some residents and made it clear that the Board are doing their utmost. He felt it was ironic that the Board had not been made aware of a drop-in session held the previous week as on the very day it was held the Clerk had written to Alistair Burt, MP stating what good progress had been made. Hertfordshire County Council were now involved and engaging with CBC and CBC has made an application for funding to the EA Anglian Central Regional Flood and Coastal Committee (RFCC) which includes Hertfordshire.

The Clerk added that Mr Brown, Board Member and Central Bedfordshire Councillor, had recently informed her that Stotfold residents now had flood kits available to them with funding approved by the RFCC.

### **Pix Brook, Standalone Farm Reservoir**

Mr Weeks asked whether the study options included works to the reservoir itself and increasing its size. The Director of Operations said there were three sluice gates and an embankment and generally the flow passes through the sluice gates. The dam needs to be strong enough for water to pass over it in an extreme flood event, as required by the Reservoirs Act 1975. The reservoir engineer is looking at the worst case scenario if the gates were to fail. There was an option to increase the size of the reservoir by raising the crest but increasing storage can increase flood risk.

The Chairman said the study was important for the meeting which was due to take place on 9<sup>th</sup> November between the Board, CBC and Herts CC and the on-going dialogue.

### **Complaint**

The Director of Operations said the complaint had been responded to under the Board's formal process. The drainage system from Home Farm development land has always flowed in that direction and he did not believe that it was a legitimate complaint and although it was outside the Board's district the Board may be involved in maintenance in the future.

Mr Russell, as Director of the Forest of Marston Vale Trust, declared an interest as the Home Farm development SuDS are on land owned by the Trust.

### **Planning Application Objections**

The Director of Operations said a lot of planning objections were raised due to insufficient information being provided.

He also highlighted his concern about the CBC application no. CB/15/03182/FULL at former Pig Unit, Hitchin Road, Stotfold and the erection of 131 dwellings, to which the Board had objected, and said the latest application had increased the discharge rate.

**It was agreed that the Chairman would write to Mr Spurr, CBC Councillor and ask that he raises the issue of this application and the Board's concerns. He would also send a copy of his letter to Alistair Burt, MP.**

Mrs Turner said she was very keen to learn the outcome of all of the Board's objections to planning applications in order to build a picture of whether or not the planning authority is heeding the Board's objections. Mr Wootton said he considered that an excellent suggestion.

The Chairman said he would work with Officers of the Board and Councillors on gaining more information on the outcome of the Board's planning application objections.

## **8 EXTERNAL AUDIT**

The Clerk presented the Annual Return for the year ended 31 March 2016 which included the External Audit report. An unqualified opinion had been given and the only matters which were raised were that that Board should comply with all of the Internal Auditors recommendations, which it had.

**Members approved the External Audit Report dated 27 September 2016.**

## **9 FINANCE**

### **i) Finance Report**

The Clerk presented the Finance Report as at 30 September 2016, including the Cheque List, Investment and Bank Account Balances and the Income and Expenditure Account for the period ending 30 September 2016. She apologised for the error at the bottom of the Finance Report, it should have read 'Net Deficit' of £87,614, not 'Net Surplus'.

#### **Members accepted the Finance Report.**

Discussion took place:

#### **Income and Expenditure Account**

The Clerk pointed out that Capital Development income was always difficult to estimate as there was generally 'slippage' with legal agreement negotiations with developers.

The Chairman added that he had recently signed 12 copies of a legal agreement for Kings Reach, Biggleswade, the Board being the last party to sign. He was not content that there were a large amount of handwritten amendments which needed initialling. The developers' solicitors were not prepared to send the document back to be re-typed. He said there had been 50-60 handwritten alterations which required initialling.

#### **Investments**

Mr Weeks asked who manages the investments. The Clerk said that the Joint Management Committee make decisions on investments at its meetings.

## **10 TO APPROVE THE REVISED FINANCIAL REGULATIONS**

The Clerk said that the revised financial regulations needed to be re-revised and go back to the Joint Management Committee for approval prior to going to the individual Board meetings in January/February 2017. This was because, at its recent meeting, the Buckingham & River Ouzel Board had agreed that the Ordering of Goods section should be revised because there were no restrictions as to who could place orders and to what values. A new draft will be taken to the JMC meeting on 16 January 2017.

Members commented on the fact that restrictions regarding ordering could present problems when, for example diesel was required. Also, it was suggested that the wording under 'Contracts' be revised and the Clerk said she would consult with the Internal Auditor on both aspects.

## **11 ANY OTHER BUSINESS**

#### **Vacancy on the EA Regional Flood and Coastal Committee**

The Clerk informed members of a vacancy on the EA Regional Flood and Coastal Committee which covers the Great Ouse Catchment and said she could provide more information if any member was interested.

**12      DATE OF NEXT BOARD MEETING – 30 January 2017**

The meeting closed at 3.21pm.