

BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD
Board Meeting

Minutes of the Board meeting held on 13 November 2017 at 2pm at Vale House, Stewartby.

PRESENT: D McMurdo (Chairman), J Davison (Vice Chairman), R O Bennett, A D Brown, N Costin, M Egar, F Firth, R Morris, J Russell, J Scott, M Towler and T Turner.

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

Prior to the start of the meeting the Chairman asked Mr Bennett, former Chairman of the Board, to present the Site Manager Eastern with a retirement gift from the Board in appreciation of his 46 years of service.

The Chairman welcomed new members Messrs Costin and Morris to the Board.

1 APOLOGIES FOR ABSENCE were received from S Dixon, D Hodgson, B Huckle, R C Odell, J Ream and M Weeks.

2 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest.

3 MINUTES OF THE BOARD MEETING HELD ON 5 JUNE 2017

The minutes of the Board meeting held on 5 June 2017 were accepted as a true and accurate record for the Chairman to sign.

Mr Bennett pointed out that under 'Planning Applications – Objections' the word metre was spelt incorrectly as meter.

4 MATTERS ARISING FROM THE MINUTES

Vacancy on Joint Management Committee

There were no names put forward to stand on the Joint Management Committee. The Clerk said the Standing Orders of the JMC may have to be amended. Presently the JMC requires the representation of the three Boards to be:

Bedfordshire & River Ivel: Chairman, Vice Chairman plus three members
Buckingham & River Ouzel: Chairman, Vice Chairman plus two members
Alconbury & Ellington: Chairman or Vice Chairman.

SuDs – Charging for development advice

The Director of Operations said that at the ADA Conference on 16th November 2017, in order to raise the profile of the issues, the Bedford Group were going to ask two questions of Therese Coffey MP,

Parliamentary under Secretary of State for the Environment, Defra. One question was regarding SuDs adoption and funding and the other concerned de-maining of Main River.

Environment Agency Precept

As requested at the previous meeting, the Director of Operations gave a verbal report concerning the issue of whether the Board receives value for money from its precept payments to the Environment Agency:

The Local Choices initiative was introduced a few years ago by the then Chairman of the Regional Flood and Coastal Committee. Initially, following its introduction, officers felt that the Board was able to influence where the EA carried out work within the Boards' districts. As recently as the previous financial year, work requested was carried out. Although more was carried out in the Buckingham & River Ouzel Board district than the Bedfordshire & River Ivel. However, in the current financial year, officers were not aware of any of the requested works being carried out or planned. The RFCC, which covers the Boards' districts, is the Anglian (Central) and it has no Chairman at present. The past two meetings had been chaired by stand-in Chairmen. The Boards' officers were keen to keep the Local Choices initiative and they would report back to the Board when they had more information.

The Chairman said he, as a representative of Bedford Borough Council, and Mr Brown, as a Central Bedfordshire Council representative, sat on the Anglian (Central) RFCC. Also, Mrs Turner was a past member. He said they had fought over the years for maintenance works to be carried out in this area. He said he was aware that Defra had decided not to appoint a permanent Chair; that the position should rotate. The Chairman said he had voiced concern about this but Therese Coffey MP, Parliamentary under Secretary of State for the Environment at Defra was still maintaining this should be the case.

Mr Brown said he believed that the RFCC Central region was the only RFCC which did not have a permanent Chairman and in his opinion a rotating Chairman was not satisfactory.

Mrs Davison asked what the Board could do to bring pressure to bear. The Chairman said the ADA conference on 16th November 2017 may provide an opportunity to raise the issue.

5 UNCONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 16 OCTOBER 2017

The Chairman presented the unconfirmed minutes which were noted.

Discussion took place:

Personnel – Sub-committee

The Chairman said the first meeting of the new sub-committee, set up to look more closely into recruitment and retention had taken place that day, just prior to the Board meeting. He said the work of the committee was on-going and the findings would be fed back to the JMC and the Boards.

6 PROGRESS OF WORK FROM APRIL TO OCTOBER 2017 FOR THE WORKS PROGRAMME 2017/18

The Director of Operations presented the Progress of Works report, referring members to the A3 plan showing works programmed and completed. He pointed out that some watercourses shown on

the plan may not show as complete when works such as flailing may have taken place ahead of the clearing which may not yet have been carried out.

Members accepted the Works Progress Report for the period from April to October 2017 for the Works Programme 2017/18.

Discussion took place:

Mr Brown made reference to the report which stated that 30% of mechanical clearing and 30% of dredging had been carried out. He was concerned that this was too small a proportion considering the current stage in the financial year and suggested contractors should be brought in. The Director of Operations said he hoped the previous paragraph of the report had explained the reason for this. Different works are carried out at different times of the year and clearing and dredging generally take place only during the latter part of the year.

The Chairman asked that the Director of Operations provide Mr Brown with a forecast of the programme to show how much of the works he hoped would be completed by the end of the financial year.

Stotfold

Mr Bennett asked about the blockage removals on Pix Brook and whether or not the trash screen was still in place. He said he wanted to ascertain whether the removal of the trash screen by the emergency services had worsened the situation. The Chairman said that Central Bedfordshire Council was taking the lead on a catchment study which included flooding and debris problems in Stotfold. They were evaluating findings and looking into how to address the flooding problems including the possibility of changing the structure of the road. Mr Brown added that the situation there was being well-monitored by CBC.

7 TECHNICAL REPORT FOR THE PERIOD JUNE TO OCTOBER 2017

The Director of Operations presented the Technical Report. Mr Brown pointed out that the total number of objections to planning applications was incorrectly totalled and should have read 23 not 22.

Members accepted the Technical Report.

Discussion took place:

Commercial development adjacent to Superstore and Bells Brook, Biggleswade

Mr Firth asked for more information on this development as it was in his Central Bedfordshire Council ward. The Director of Operations said it was concerning land north of Sainsbury's which had previously been the subject of a planning application for a proposed lorry park and was now an employment/distribution site. The Board has previously objected to planning applications on flood risk grounds. However, the EA are now taking the lead on the flood risk assessment and the Board's officers have agreed in principle to the developer's current design. The developer is seeking to discharge surface water into the Board's watercourse rather than Bells Brook, so will require Land Drainage Consent from the Board.

Legal Agreements – delays

Mr Russell asked which party's solicitors were holding up the signing of legal agreements. Officers said it was the Board's; Woodfines. Mr Russell said he had heard there had been delays on the

Board's part and felt that it did not reflect well on the Board. Officers said they had been doing their best to speed up the process and had recently taken on the services of an additional firm of solicitors from Lincoln, Wilkin Chapman, who have experience of drainage boards. Officers said it had only been during the last year there had been some hold ups. There were some legal agreements which were delayed due to technical issues but, in general, the Board was not holding up progress.

Oxford to Cambridge Express Way

The Director of Operations added that there had been a stakeholder meeting held in October 2017 to which the Board's officers had not been invited. However, ADA is on the Infrastructure Group and officers will check with Innes Thomson, ADA Chief Executive, that they have been consulted and offer to be representatives.

8 EXTERNAL AUDIT

The Clerk presented the Annual Return for the year ended 31 March 2017 which included the External Audit report. An unqualified opinion had been given with no matters arising.

Members approved the External Audit Report dated 23 August 2017.

9 FINANCE REPORT for the period 1 April to 30 September 2017

The Clerk presented the Finance Report which included:

- a) Receipts and payments through the Board's individual bank account with Lloyds from 1 April – 30 September 2017;
- b) Cheque list for 2017/18;
- c) Investment and Bank accounts balances as at 30th September 2017;
- d) Income and Expenditure Account for the period ending 30th September 2017 and
- e) Balance Sheet as at 30th September 2017.

Members approved the Finance report for period 1 April to 30 September 2017.

Receipts and Payments through the Board's individual bank account -

There was a surplus of £164,361.

Discussion took place:

Cheque List

The Chairman pointed out that there were two cheque numbers the same. The Clerk said she would look into the matter and report back.

Post meeting note: the Group Account cheque number of 1095 was correct. The EA Precept cheque number should have shown as 1096.

Investment and Bank Account Balances as at 30th September 2017

Mr Brown asked why there was a sum of £1,290,048 showing in the Instant Access Account. The Clerk said she has been in the process of moving the investment from one account to another. The investment matured a few days prior to it being re-invested and this would show in the financial

accounts for the end of December 2017, which would be presented at the next Board meeting in January 2018.

Income and Expenditure Account for the period ending 30 September 2017

Mr Firth commented on the £905 deficit on the Labour Operations Account. The Clerk said there was a charge out system for the workforce with a 105% on-cost. The workforce has been two men down and it is expected that by the end of the financial year the account will be in surplus.

Balance Sheet

Mr Russell referred to the £2.3M Capital Development Account and asked whether the Board were achieving the calculated sums. The Clerk said Commuted sums were calculated using Treasury Green Book discount rates but in recent years, due to very low interest rates, returns had been lower than anticipated on some funds. Mr Russell pointed out that there would be exposure to costs in the long term.

10 UPDATING OF BOARD BYELAWS

The Clerk presented the draft Byelaws document, which showed changes to the existing byelaws recommended by the Board's officers and based on Defra model byelaws.

It was recommended that all Boards in the Group adopt the same byelaws and that all would have the 'No obstructions within 9 metres of the Edge of the Watercourse' byelaw rather than the 7 metre distance which had previously been the case with the Bedfordshire & River Ivel and the Alconbury & Ellington Board byelaws.

Included in the draft but not part of the model byelaws is '33 Interpretation: Watercourse means watercourse or waterbody'.

The Clerk also highlighted '3 Control of Introduction of Water and Increase in Flow or Volume of Water'. The draft showed either existing wording or new wording which was taken from the model byelaws.

Members approved the Byelaws made by the Bedfordshire & River Ivel Internal Drainage Board for the Chairman and Clerk to sign with all changes as shown in the draft document and, in addition, agreed to maintain the existing wording under clause 3 as follows:

3 Control of Introduction of Water and Increase in Flow or Volume of Water

No person shall, without the previous consent of the Board, for any purpose, by means of any channel, siphon, pipeline or sluice or by any other means whatsoever, introduce any water into the District or, whether directly or indirectly, increase the flow or volume of water in any watercourse in the district.

The Clerk said the final copy of the Byelaws would be signed by the Chairman and herself and then be sent to Defra for approval.

Discussion took place:

Mr Brown asked what a 'batter' was. The Director of Operations said it was the term applied to a slope.

Mrs Davison referred to 'Protection of flood plain' and asked which flood plain this applied to. The Clerk said only flood plain within the Board's drainage district.

Mr Egar asked whether the Board's byelaws had any more power than a planning objection. The Director of Operations said they were a legal requirement and landowners had to comply with the Board's byelaws and even with planning consent the applicant would still need land drainage consent from the Board regarding activities relating to any watercourse in the drainage district.

11 ANY OTHER BUSINESS

General Data Protection Regulation (GDPR)

Mr Morris asked whether the Board was aware of the GDPR which was coming into force in May 2018. The Clerk said she was aware. She had partaken of some 'webinars', informed the Boards' IT consultants and been going through the process ready for May 2018. She added that the drainage rating system was a key area. Mr Morris added that paper documents should not be overlooked. Also, as a public body the Board was required to have a Data Protection Officer who would need to be both independent and competent and it was quite common for organisations to share one. The Clerk said she was considering proposing sharing one with the Lincolnshire Clerks, in the same way that they will be using the same internal auditor. Mr Morris said he would forward information on to the Clerk.

Board Member Training – Tuesday 5th December 2017

The Clerk reminded members about the Board member training which was to take place on 5th December. There would be presentations from the Bedford & Milton Keynes Waterway Trust and the Boards' consultant ecologist. It was planned to commence at 10am and finish at approximately 1.30pm.

12 DATE OF NEXT BOARD MEETING – 29 January 2018

The meeting closed at 3.20pm.