

BUCKINGHAM AND RIVER OUZEL INTERNAL DRAINAGE BOARD

BOARD MEETING

Minutes of the meeting held at 2pm on 1 November 2016 at Vale House, Stewartby.

PRESENT: P Hirons (Chairman), S Cole (Vice Chairman), P Bowsher, A Brown, F Chapman, R Exon, A Gurney, R Haynes, V McPake, D Prosser and A Webb.

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

OBSERVING: Gordon Boote, Flood and Water Manager and Interim LLFA Officer, Milton Keynes Council

1 APOLOGIES were received from Messrs Hunt, Osborn and Spurr.

Apologies from Mr Hawes were received after the meeting.

2 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest.

3 MINUTES OF BOARD MEETING HELD ON 14 June 2016

Members accepted, as an accurate record, the minutes of the Board meeting dated 14 June 2016 for the Vice Chairman, who had chaired the meeting, to sign.

4 MATTERS ARISING FROM THE MINUTES

Badgers

The Clerk tabled a copy of an Environment Agency update entitled 'Managing Badger Damage - Update on Progress July 2016'.

Bedford to Milton Keynes Waterway

Mrs McPake asked whether there had been any contact between the Board's officers and the Bedford and Milton Keynes Waterway Trust. The Director of Operations said there had and a meeting had been arranged by Jane Hamilton, Director and Chair of the Trust, to take place on 10th November 2016.

Con 29 and Con 290

The Chairman asked whether there was anything more to report regarding the proposed introduction by the Law Society of a new series of land search questions relating to SuDs, Land Drainage consents and Statutory Notices. The Clerk said she believed the new series of Land Search questions were introduced on 1st July 2016 but there was nothing further to report since she had raised the issue with ADA's Policy and Finance Committee. The Director of Operations said, at a recent meeting, Central Bedfordshire Council officers had mentioned that they had received a few enquiries and the Council had drafted a standard response about contacting the relevant drainage authority.

Internal Audit – Annual Internal Audit Report 2015-16

1.5 – The level of rate arrears at two Boards are above average although it is acknowledged that there are a large number of accounts.

The Chairman drew attention to the above comments of the Internal Auditor and asked how the average, to which he referred, had been arrived at.

The Clerk said she did not know and that she would ask the Internal Auditor and report back.

Management Action Plan – B. Ensure all Board members complete a current register of interest form. High priority.

Mrs Chapman said Central Bedfordshire Council had an on-line system for the Councillors' Register of Members Interest which was efficient and easier to track.

Caldecotte Brook, Milton Keynes – wooden bridge

Mrs McPake said the bridge had now been demolished and thanked the Board's officers for their advice on the issue.

Flood and Water Issues, Milton Keynes Council

Mrs McPake referred to the formation of the new management group and her invitation to the Board to attend. She said Gordon Boote, Flood and Water Manager and Interim LLFA Officer, Milton Keynes Council, who was present at the meeting as an observer, would be liaising with the Board.

Draft Buckingham & River Ouzel Newsletter

Mr Bowsher said he had not seen a final copy of the newsletter.

Mr Brown said he had not received the draft copy by email. The Committee Clerk said she had definitely sent it after the June meeting and would resend.

It was agreed to email the final copy of the newsletter to Board Members.

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

The Clerk said members may wish to comment on issues which could then be raised by Officers at the next JMC meeting on 16 January 2017.

Members noted the unconfirmed minutes of the Joint Management Committee meeting held on 17 October 2016.

Discussion took place:

Flooding at Stotfold

Mr Brown, as a Central Bedfordshire Councillor, said he could confirm that Central Bedfordshire Council funding towards the catchment study of Pix Brook had been approved and the study was to go ahead. Hertfordshire County Council was also to contribute. Also, flood kits were being distributed and five residents were on the flood response committee.

Ecology and Conservation – Water voles licencing

Mr Bowsher pointed out that the sentence under the first paragraph on Water Voles licencing could be seen as implying that water voles were an invasive species. Officers agreed that this is not the case. The point about invasive species being the riparian owner's responsibility was made during discussion of mink. The draft JMC minutes would be altered accordingly.

Health and Safety - Plant

Mr Brown asked what the trade-in offer for the John Deere 6130M, purchased in 2014, was. Officers said it was approximately £40,000.

Environment Agency Duty Roster

The Chairman highlighted the EA request that the Bedford Group provide two members of the workforce to join the EA's on-call workforce roster. He said JMC members had been very concerned about the risk.

Mr Haynes asked whether the Boards' insurance was sufficient. Officers said it was and the work would be carried out under the Boards' Public Sector Co-operation agreements with the EA. However, consideration of the request was in the early stages.

Investments

Mr Bowsher said he was concerned that Board members' details, in addition to those of members who were signatories, were being requested when the Clerk was trying to set up a new accounts with the Nationwide and new signatories with the Co-op Bank. He wondered if the responsibility of Board members should extend to banks being provided with their details and asked if this was a common problem amongst IDBs. The Clerk said she had not learned of any other Boards having similar problems, although some other Boards do invest through brokers.

Mr Bowsher asked about rules as regards IDB investments. The Clerk said the Boards in the Bedford Group do have an investment strategy. It specified AAA investment but this was not now available. Also, the Boards could invest only in sterling, which could be in gilts or bonds. External audit checks were carried out, Boards' cannot borrow from banks and investments should be as low risk as possible.

The Clerk said she had responded to the Co-op Bank that Joint Management Committee members were not all prepared to give their details and was awaiting a response. The Chairman said the issue was serious as one member was prepared to resign rather than provide personal details.

Boards' Offices – Business Rates appeal

The Clerk said the end of September deadline for the valuation office response was actually a provisional date.

6 PROGRESS OF WORKS PROGRAMME (PROGRESS OF WORKS REPORT FROM APRIL TO OCTOBER FOR THE WORKS PROGRAMME 2016/17)

The Director of Operations presented the Progress of Works report including the A3 plan. He added that good progress with the 2016/17 programme had been made so far.

The Progress of Works Report from April to October 2016 was accepted by the Board.

Discussion took place:

Chemical Weed Control

Mr Bowsher asked what chemical was used in the chemical weed control and whether officers were aware of the impending European Commission ban on glyphosate. The Director of Operations said he believed it was glyphosate and he was aware that the EC was considering whether or not to ban it. If the ban was to come into force then there was no alternative chemical and mechanical weed cutting would need to be carried out. This would have an effect on the estimates as 2 weeks of chemical spraying equates to approximately 10 weeks of mechanical weed cutting.

The Clerk said the issue of chemical weed control could be a question for the panel at the ADA Conference on 17th November.

Mrs McPake asked that Officers keep members informed on the issue, via email.

Verney Junction

Mr Webb was concerned that plans to develop land with approximately 10,000 houses in the Verney Junction area could wipe out any maintenance works carried out.

Members and Officers agreed that the development was in the very early stages, with no planning department decision made as yet, therefore maintenance should continue as planned.

Works carried over from 2015 still to complete

Mr Brown was concerned that there was still outstanding maintenance works from 2015, shown in yellow, and suggested that they should take precedence over the watercourses shown in red. The Director of Operations said this was not necessarily the case as some of the red watercourses may be categorised as requiring annual work and given a higher priority due to risk. However, he agreed that the completion of outstanding 2015 works should be pursued.

Anglian Water Services – Watercourse M20, North Marston

The Chairman asked whether the issue concerning the damaged water main, which was an unconsented crossing, was resolved. The Director of Operations said it was not as Anglian Water Services have, so far, not responded to the Board's dispute of the claim.

Mr Haynes said he farmed land in the vicinity of the damaged water main and he said there were three more bursts underground which he hoped Anglian Water would be repairing soon. He added that the Board maintenance works carried out in that area had been excellent.

The Chairman thanked Mr Haynes for his comments.

7 TECHNICAL REPORT FOR THE PERIOD JUNE TO OCTOBER 2016 (INCLUDING SCHEDULE OF CONSENTS)

The Director of Operations presented the Technical Report.

The Technical Report was accepted by the Board.

Discussion took place on:

Mill Lane, Hulcote

Mr Cole asked whether fish migration was something that had been considered by the Board in relation to the proposed construction of the weir by the riparian owner. The Director of Operations said it was the responsibility of the consent applicant to design the weir and not in the Board's remit to specify construction of a weir. The Environment Agency have the over-arching role as regards fisheries. When the Board issues consent it does ask for an environmental assessment, appropriate to the application, but this usually involves water voles and nesting birds.

Mr Cole proposed that the Board's Officers consult with the EA on the issue in order to ensure that the Board is not liable for any omissions by the consent applicant.

Members agreed that Officers should consult with the EA regarding the construction of the weir.

East West Rail

The Director of Operations added that since the Board report had been produced a meeting had been arranged for 22 November 2016, between the Board's Officers and Network Rail.

Mrs McPake said there had been problems regarding the Woburn Sands bridge and the schedule continued to be considerably delayed. She was pleased to hear that Officers had a meeting date.

Environment Agency and Defra

The Clerk tabled an Environment Agency document, Internal Drainage Boards Great Ouse catchment update, October 2016.

Twins/Padbury Brook – Main River section

Regarding the EA proposal that the river be considered for de-maining and become an ordinary watercourse under the jurisdiction of the Board, the Chairman asked whether there would be additional funds for maintenance of the section if it was adopted. The Director of Operations said this was not clear at present. It could be that the Board secures funds from the EA General Drainage Charge or the Board's drainage district could be altered. The Clerk added that another alternative could be to request a reduction in the precept which the Board pays to the EA. In addition, the Board would receive funds in highland water contributions when maintenance is carried out.

Officers said there is currently a drainage board east of Thetford which is negotiating the adoption of a watercourse which the EA is going to de-main. Part of the process is likely to involve the IDB extending its district. This is currently being discussed with Defra. It is a new process that, once agreed, should become clearer.

Mr Brown asked why the Board should consider taking on the maintenance of a watercourse which had been left to deteriorate. Officers said the watercourse is regarded as low risk by the EA because of its rural nature, hence the lack of funding for maintenance. Consideration was being given to the Board adopting the watercourse because it would be beneficial to the Board's ratepayers, as an important catchment carrier and as land has been flooding more frequently given its current poor condition. Mr Bowsher said he expected the decision to adopt the watercourse would be a Board decision. Officers confirmed that any proposal to adopt the watercourse would be brought before that Board and it would be a Board decision. However, at this stage Officers were merely keeping the Board informed.

Planning Applications

The Chairman asked what form the Board's 'Conditions' took when planning applications were reviewed. The Director of Operations said the Board's Comments were bespoke to each application as sometimes there may be gaps in information provided in a Flood Risk Assessment. For example, an FRA may state there will be a 'soak away' but with no specific details. The Board will then specify, in its Conditions, that it should be to the specific British Standard.

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 no matters were raised.

Members approved the External Audit Report dated 31 August 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.

Members accepted the Finance Report.

Discussion took place:

Brooklands

Mr Bowsher asked if the Brooklands, Milton Keynes Council Commuted Sum payment had been accepted prior to the legal agreement being completed and asked about the risk involved in holding the money prior to the agreement being signed. The Clerk said the payment had been accepted and was being held as a separate investment, and would be repaid if the agreement did not go ahead.

Income Received in Error – Environment Agency

The Chairman asked about the ‘Environment Agency (Received in error B&I)’ sum of £222,972. The Clerk said the EA has mistakenly paid the Bedfordshire & River Ivel Board highland water contribution into the Buckingham & River Ouzel Board account. The sum was also shown in the Balance Sheet under Current Liabilities.

Board Expenses

The Chairman asked what the Board expenses, with a balance remaining of £6,109, were allocated for. The Clerk said the ADA subscription for the year would be approximately £4,000 and the remainder would be the External Auditor fees which were also outstanding.

Balance Sheet

Mr Brown commented on the fact that the reserves were approaching £2M and asked why the Board needed such high reserves. The Clerk said that by the end of the financial year the reserves will be nearer £1M. The Capital Development Account will have the addition of the funds for the Magna Park development but the Occupiers Rate Fund will be approximately £500, 000.

10 TO APPROVE THE REVISED FINANCIAL REGULATIONS

The Clerk explained the reason for the revisions to the Financial Regulations which mainly involved the fact that there was no longer an Executive Working Group and also the newly qualified Association of Accounting Technician had a new job title; that of Accounts Officer, and was undertaking more financial tasks.

The Chairman raised the issue of ‘Ordering of Goods’ and suggested that a limit should be included as to who could order and to what level of expenditure.

Mr Brown added that he considered that under ‘Contracts’ and ‘Action to be taken’ where estimated value of goods/services was up to £25,000 ‘No quotation/tenders required’ was ambiguous and should state ‘No quotation/No tenders required’.

The Clerk said she would discuss the issue of ordering goods with the Internal Auditor who was visiting the Boards’ offices on 6th December and she would then re-revise the document taking note of the comments made. The document would then be taken to the Joint Management Committee prior to Board approval at the next round of Board meetings in January/February 2017.

11 ANY OTHER BUSINESS

Eaton Leys, Milton Keynes

Mr Webb said he could find no mention within the Board papers of the major development at Eaton Leys, Milton Keynes. He was concerned that the plans which have gone to Milton Keynes Council showed only two small SuDS ponds which seemed inadequate for the scale of the development.

The Director of Operations said the Board had commented on the development approximately 18 months ago. The Board's Officers have disagreed with Gallagher, the developer's, attenuation figures and also disagreed with their flood risk assessment as it showed one watercourse and not both. However, the previous week Gallaghers had rung claiming that the discharge rate had been agreed with the Board. Officers had informed them that the discharge rate had not been agreed, as it appeared to have been taken from a different site.

The Director of Operations added that the Drainage Board is impartial on the matter of development. Milton Keynes has a strategic attenuation policy so development can take place but it needs to be done correctly and engineered using the correct figures. The developers have not consulted with the Board.

The Chairman asked whether Milton Keynes Council insists on Drainage Board agreement. Mr Exon, Milton Keynes Councillor who sits on the Development Control Committee said he was not sure but said the strategic plans are fairly comprehensive and the drainage board is probably involved.

Mr Bowsher suggested that permission could be given, subject to IDB approval. The Director of Operations said he was reluctant for that to be agreed as, once approved, even in outline planning, drainage is usually compromised as access is often squeezed.

Mr Webb said two watercourses do not appear on the developer's plans. The Director of Operations suggested that after the meeting Mr Webb consult with the Board's Principal Engineer and Officers can then provide him with briefing notes for the Council.

12 DATE OF NEXT MEETING – 7 February 2017

The meeting closed at 3.25pm