

BUCKINGHAM AND RIVER OUZEL INTERNAL DRAINAGE BOARD

Board Meeting

Minutes of the meeting held on 9 February 2016 at 2pm at Vale House, Stewartby

PRESENT: P Hirons (Chairman); S. Cole (Vice Chairman); P Bowsher; A Brown (*left 4.18*); F Chapman; A Dransfield (*left 3.45*); K Ferguson (*left 4pm*); A Gurney; N Hawes (*left 3.42*); H Hunt; V McPake; D Osborn; D Prosser; M Versallion (*left 3.15 approx.*) and A Webb.

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

OBSERVING: A Smith (Apprentice Business Admin Assistant)

The Clerk took the meeting *pro tem* and said she was sad to announce, to any members not already aware, the death of the Board's Chairman, Mr Henry Powell-Shedden. Mr Powell-Shedden became a member of the River Ouzel IDB in 1979, he helped steer the Board through its amalgamation with the Buckingham IDB in 2001 and then took over its Chairmanship in 2014.

Members observed a minute's silence in memory of Mr Powell-Shedden.

1 APOLOGIES FOR ABSENCE were received from Messrs Exon and Haynes.

2 DECLARATION OF MEMBERS' INTERESTS

Mr Hawes declared an interest regarding Buckingham Canal which was mentioned in the minutes of the meeting on 9th June 2015.

Mr Gurney declared an interest regarding development at Eaton Leys to which reference was made in the Technical Report.

3 ELECTION OF CHAIRMAN

Members agreed unanimously to the election of Mr Hirons as Chairman.

Mr Hirons took the chair.

ELECTION OF VICE-CHAIRMAN

Members agreed unanimously to the election of Mr Cole as Vice-Chairman.

4 MINUTES OF THE BOARD MEETING HELD ON 9 JUNE 2015

The minutes of the Board meeting held on 9th June 2015 were accepted as a true and accurate record except for one alteration under Matters Arising from the Minutes of 10 February 2015:

'Crownhill/Watling Street, Milton Keynes

Mr Dransfield said he was now satisfied that the vast majority of the run-off goes past the crematorium' – not cemetery as stated.

5 MATTERS ARISING FROM THE MINUTES

Cottingham Brook/Jubilee Brook, Milton Keynes

Mr Webb reported that contact with the Environment Agency has been successful as they intend to remedy the problems he had reported.

Essential User Vehicle/Mileage Allowances

The Clerk said she had emailed Mr Dransfield providing additional information regarding the Essential User Vehicle and Mileage Allowances and had invited him to meet with the EWG but had not received a reply. She also pointed out that Bedfordshire & River Ivel Board had agreed the changes at their meeting on 15th June 2015 and the Executive Working Group had discussed the issue again at the meetings in October 2015 and January 2016. Mr Dransfield said he had been too busy to respond to the Clerk's emails but agreed with the proposal and the rates which were brought to the Board at the meeting in on 9th June 2015 but suggested any future changes should be reviewed.

Members agreed the resolution of the EWG, approved by the JMC, to align the Boards' vehicle and mileage allowances to the Lincolnshire Boards.

Lakes Lane, Newport Pagnell

Mrs McPake said despite recent, heavy rainfall there had been no problems and the work carried out appears to have been successful.

Planning Applications

Mr Webb said he had not received any further details from the Director of Operations on the comments made on Milton Keynes Council and Aylesbury Vale District Council planning applications.

6 UNCONFIRMED MINUTES OF THE JOINT MANAGEMENT COMMITTEE HELD ON 26 OCTOBER 2015

The Chairman presented the minutes which were noted.

Discussion took place:

New Guidance from Mammal Society

The Chairman asked whether there had been any further developments. The Director of Operations said due to the Boards' legal opinion and the representations they had made, together with the Ely Group and Water Management Alliance IDBs, the class licence and position statement was still being refined but publication was imminent. ADA believe there is a case for the class licence and that the legal advice obtained is questionable.

The Chairman asked who had paid for the legal opinion. The Director of Operations said the Bedford Group had paid one third of the cost of the legal opinion.

Mr Webb asked whether there was another rule for developers. The Director of Operations said there was not and they should give due regard to protected species. There was a similar water vole class licence for developers which had been through a period of consultation and had recently been published.

Mr Bowsher said he would recommend following ADA's approach, agreed with Natural England, and if officers consider it unworkable then raise their concerns again with the Board.

Mr Hunt suggested that mink should be eradicated as they were the main threat to water voles.

7 WATERCOURSE SURVEYS REPORT

The Director of Operations presented the Watercourse Surveys report.

Members approved the Watercourse Surveys report and the associated allocated expenditure.

8 REVIEW OF DEVELOPMENT CONTRIBUTIONS

The Director of Operations presented the Review of Development Contributions report.

Members approved the report and the following recommendations:

- (i) The general development contribution should be increased to £4.52 per impervious square metre from 1st April 2016;**
- (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.**

9 PROGRESS OF WORK REPORT - APRIL TO DECEMBER 2015 FOR THE WORKS PROGRAMME 2015/16

The Director of Operations presented the Progress of Work report including the A3 plan showing the completed works in black. The Director of Operations said since January problems were being encountered due to waterlogged ground.

Members approved the Progress of Work report April – December 2015.

Members also approved the Board's £6,000 contribution to the Parks Trust for vegetation and tree works on the Broughton and Loughton Brooks.

Discussion took place:

Mr Ferguson said there was a watercourse in Cotefield Drive, Leighton Buzzard which flooded and he was unsure who to contact. The Director of Operations asked that Mr Ferguson speak to him outside of the meeting in order to establish whether or not Cotefield Drive was in the Board's district and to give Mr Ferguson the appropriate advice.

Mr Osborn said an Eggington farmer had stated that the watercourse in that area has never been maintained. The Director of Operations said the watercourse had been maintained but it would not be dredged every year. Also, during 2015 we experienced significant vegetation growth so, any clearing of vegetation in early July may not have been obvious a few months later because it grew again very quickly. He said he would check with the Board's Site Manager.

10 REVIEW OF WORKS PROGRAMME 2016/17, 2017/18 AND 2018/19 COMMENTARY

The Director of Operations presented the review of works programme and an A3 plan was tabled showing the categories of watercourses in the Board's district.

Members approved the Works Programme 2016/17.

Requests for Work

Members discussed the following requests for work:

- Cosgrove watercourse S19 – request from landowner to maintain 1800 metres of medium risk, category 2 watercourse. The estimate for this watercourse maintenance is £12,750.
- Granborough watercourse S54 – request from landowner to maintain 1200 metres of medium risk category 2 watercourse. The estimate for this maintenance is £8,500.
- Eddlesborough watercourse 144 – request from landowner to maintain 400 metres of low risk, category 3 watercourse. The estimate for this watercourse maintenance is £4,100.
- Eaton Bray watercourse 136 – request from landowner to maintain 1850 metres of medium risk, category 2 watercourse. The estimate for this maintenance is £18,500.
- Great Gap watercourse 129 – request from landowner to maintain 950 metres of medium risk, category 2 watercourse. The estimate for this watercourse maintenance is £9,600.

Officers said the total cost of the requests for work was £53,400 but would be eligible for a Highland Water contribution. The works were included in the estimates for 2016/17.

The Director of Operations said historically, requests for work have been brought before the Boards. Officers carry out a site visit and then, if they agree the work is necessary, the land owners are asked to submit a request to go before the Board.

(Mr Versallion left)

Members suggested the setting of a fixed budget each year for requests for work.

Members approved in principle the requests for work but requested more information be sent to them via email prior to agreement.

Trash Screen Inspection Regime and Emergency Works

The Director of Operations said that currently checks on screens were being carried out one day per week. The Asset Inspector will clear them if he is able and he reports any sites where heavy clearance is required. The Clerk added that in times of heavy rainfall the screens are checked more often.

11 TO REVIEW ESTIMATES OF INCOME AND EXPENDITURE FOR THE 2016/17 FINANCIAL YEAR

The Clerk presented the estimates of the income and expenditure and reminded members that JMC had agreed the Group Account estimates at their meeting on 26 October 2015 and explained that the Buckingham & River Ouzel Board pay 40% of the joint cost.

JOINT BUDGET - ENGINEERING AND ADMIN

Prior to leaving the meeting Mr Versallion had asked that the Engineering and Administration staff costs be shown separately.

Mr Brown asked about the Staff training/Conference estimate of £5,000 and why it had increased after a revised estimate of £3,000. The Clerk explained that the Board now employ two apprentices. An Association of Accounting Technicians (AAT) apprentice and a Business Administration

apprentice. The AAT apprentice was due to complete her studies but it was hoped that the Boards would approve her progressing to study the Association of Chartered Certified Accountants (ACCA) qualification.

LABOUR ON COST ACCOUNT

Mr Cole queried the £10,000 estimated expenditure on workforce sick pay when the workforce was only 11 operatives. The Clerk said in recent years there had been more than one instance of employees taking 6 months off work due to long term sickness. Mr Bowsher said the Board was working within a national, legal framework and the budget of £10,000 was realistic due to past experiences. The Clerk added that the Bedford Group does employ Croner as HR consultants.

Mr Hunt asked why basic pay was shown separate to holiday pay. The Clerk explained that individual Boards were charged a 105% overhead to cover holiday pay and sick pay.

Mr Cole asked about the protective clothing and small tools budget, he said it amounted to almost £1,000 per employee, per year. The Clerk said she didn't consider that to be excessive given the amount of PPE required, particularly when chainsaws are used. Also, the purchase of chainsaws and their maintenance is included in the small tools budget.

PLANT PURCHASES AND FUNDING

Mr Brown asked if there was a practical criteria for the replacement of plant items. Officers said there was. It was normally after 7 years for plant and 5 years for works trucks. As regards items of plant officers also examine how many hours an item has worked. The Director of Operations pointed out that officers had recently decided to replace a Volvo prior to a JCB excavator which was scheduled to be replaced due to the amount of hours the Volvo had worked and the cost of maintenance.

Mrs Chapman asked whether there had been any more problems regarding the theft of plant since the John Deere tractor was stolen in May 2015. Officers said there had not. The insurance money had been received and a replacement purchased. Also, officers were looking into purchasing extra CCTV and improved fencing.

Mr Bowsher commented on the big drop in the value of the Volvo excavator purchased in 2014/15 and asked at what point the current value was assessed. The Clerk said at the end of the financial year.

CAPITAL AND MAINTENANCE DEVELOPMENT FUND

Magna Park

Mr Brown asked whether it was usual for a Section 106 agreement for sustainable drainage assets to be adopted by the Parks Trust. The Director of Operations said it was in Milton Keynes. The inter-connecting channels were meant to be shallow swales but they were built too deep. The Parks Trust agreed to take on the responsibility for the maintenance and has received an additional commuted sum for hand works. Some drainage agreements are still not entered into. The Board will adopt some but not all.

Mr Brown said the table was confusing and asked what the remainder of £1,026,000 was to be allocated for after the £107,000 had been identified as funding for the Board. The Director of Operations said the strategic assets are in the landscape and the Board would be adopting some assets but others may adopt other assets. Milton Keynes has a drainage tariff for the expansion areas, but some funding would be from Section 106.

Mr Bowsher said he was not sure if the £1,026,000 was just drainage although he was aware that the Parks Trust was taking on parkland surrounding the balancing ponds. The Director of Operations said he would check and clarify.

Kingston Weir, Broughton Brook

The Chairman asked if the Board would be managing the works. The Director of Operations said the Board would employ contractors to build and manage the refurbishment.

(Mr Hawes left)

Caldecotte Scheme

Mr Bowsher asked whether the development at Church Farm would affect the area. The Director of Operations said the Old Park Farm/Church Farm would not as the development was to be fully attenuated. Officers had previously advised on design, byelaws and maintenance access requirements. Mrs McPake said residents did not fully understand flood risk at Caldecotte and she had previously tried to inform them of the situation.

MAINTENANCE ESTIMATES

Mr Cole asked whether the estimated £3,000 for Environmental Surveys/Enhancement expenditure was sufficient. The Clerk said it was a contingency for any small items of expenditure. Other environmental costs such as maintenance works surveys by the Boards' ecologist and sampling are included in general maintenance expenditure.

OCCUPIERS' RATE FUND/GENERAL ESTIMATES

The Clerk said the balances were in line with audit recommendations and she was recommending a zero percentage increase in the rate and special levy income for 2016/17.

There would be increases in special levy for Milton Keynes Council, Central Bedfordshire Council and Aylesbury Vale District Council due to land previously rated as agricultural changing to development and attracting special levy.

Mr Ferguson asked about how soon the land is deemed to be under special levy. The Clerk said it is that Board's statutory right to change land to special levy as soon as it is no longer in agricultural use. Although, changes are only reviewed annually.

Mr Ferguson said he had queries about various parcels of land and he would need to talk to officers. The Clerk invited him to visit the Boards' offices.

Members approved:

- (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**

12 TO SET THE DRAINAGE RATE FOR THE FINANCIAL YEAR 2016/17 AND TO AUTHORISE THE CHAIRMAN TO SEAL THE RATE

Members agreed a zero percentage increase in rate and special levy income for 2016/17 resulting in the rate of 4.80p in the pound and rate and special levy income of £632,485 and authorised the Chairman to seal the rate.

(Mr Ferguson left)

13 TECHNICAL REPORT (INC. SCHEDULE OF CONSENTS) – JUNE TO DECEMBER 2015

The Director of Operations presented the Technical Report.

Home Farm, Great Horwood

The Clerk added that since the Board papers had been published the landowner at Home Farm, Great Horwood had accepted the Board's offer to fell the damaged tree.

Members approved that Technical Report and Schedule of Consents – October to December 2015.

Members also approved, as a gesture of goodwill, a without prejudice contribution of £1,175 towards the works that the landowner had carried out on a leaking syphon on watercourse no. M28 and Padbury Brook.

Discussion took place:

Lower Weald

Mr Dransfield raised concerns about flood attenuation associated with the new development. The Director of Operations said he believed that the Western Expansion Area 11 over-attenuates within a large flood storage reservoir to provide some betterment to Lower Weald. He had also been in discussion with various landowners regarding additional minor improvements.

Mr Bowsher said he believed the situation will not be clear until all connections are made. Mr Dransfield said he would keep an eye on the situation.

Eaton Leys

Mr Webb asked if officers could provide any further information on the development. The Director of Operations said the Board had only made comments to the planning officers on the outline Environmental Impact Statement but would only have opportunity to comment further once a planning application is submitted, and there was no other information available at present.

Mr Cole commended officers for spotting the inaccuracy of the claim by the developers.

(Mr Brown left)

IDB Scheme funded with EA/Defra Grant In Aid under the Medium Term Plan (MTP)

Mrs McPake, as a Milton Keynes Councillor representative on the Regional Flood and Coastal Committee, said that a number of authorities had submitted proposals for work to be carried out and the next RFCC meeting will agree specific projects.

Planning Applications

It was pointed out that Milton Keynes Partnership no longer exists and it should be removed from the list of local authority planning applications.

14 AUDIT

i) EXTERNAL AUDIT REPORT 2014/15

The Clerk presented the report of the external auditors, Mazars LLP.

The External Auditor's report stated the following:

Except for the matters reported below, on the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The Board has stated in Section 2, item 3, that it has taken all reasonable steps to assure itself that there are no actual or perceived matters of non-compliance with laws, regulations or proper practices. However, we have identified that the Board does not seek signed declarations of office from newly elected Members of the Board. In future the Board should seek such declarations and ensure that they include reference to adhering to the organisation's code of conduct.

The Clerk explained that although all new members have been issued with a Code of Conduct they had not been required to sign to say they will abide by it. This has now been rectified by including a line on the Register of Members' Interest form. This amendment to the Register of Members' Interest form is covered under agenda item 17.

Members accepted the External Audit Report 2014/15.

(ii) INTERNAL AUDIT

Members accepted the Internal Auditor's Interim Report on 2015/16 Audit.

iii) TO RE-APPOINT THE INTERNAL AUDITOR

Members agreed to re-appoint Gowing Internal Audit Services Ltd.

15 FINANCE REPORT TO 31 DECEMBER 2015

The Clerk presented the Finance Report.

Members approved the Finance Report to 31 December 2015.

16 (i) TO APPROVE PROPOSALS TO CHANGE MEETING STRUCTURES, REMIT AND FREQUENCY

The Clerk presented the report which had been discussed at the Executive Working Group meeting on 11 January 2016. It outlined the background which was driving the proposal to change meeting structures, remit and frequency, it included details of the Bedford Group's existing committees and membership, the Board's existing individual Board meetings and committees and the alternative options.

Members agreed the following Executive Working Group resolution:

- (i) The Bedfordshire & River Ivel and the Buckingham & River Ouzel Boards to hold Board meetings three times a year in February, June and November.**
- (ii) The Alconbury & Ellington Board meets twice a year in February and June except election year when an additional meeting is held in November.**

- (iii) **Joint Management Committee to hold three meetings per year – January, May and October – with the unconfirmed minutes of those meetings going to the next Bedfordshire & River Ivel and Buckingham & River Ouzel Board meetings.**
- (iv) **The Executive Working Group will be dissolved and the next scheduled meeting on 11 April 2016 will not take place.**
- (v) **The General Purposes Committees will cease to exist.**
- (vi) **The Joint Management Committee representation will, as previously, be based on a 60/40 percentage split as in the administration of the Bedfordshire & River Ivel and the Buckingham & River Ouzel Boards:**

**Beds & River Ivel – Chairman, Vice Chairman, plus three members
 Bucks & River Ouzel – Chairman, Vice Chairman, plus two members
 Alconbury & Ellington – Chairman or Vice Chairman
 (Total of 10 members)**

These proposals, together with an updated scheme of delegation and standing orders for the Joint Management Committee, will be an agenda item at the February 2016 Board meetings and, if approved by the Boards, will come into effect in April 2016. The next JMC meeting scheduled for 25th April 2016 would, if approved, be the first meeting under the new regime.

16 (ii) TO APPROVE THE REVISED JOINT MANAGEMENT COMMITTEE RESOLUTION

Members approved the revised Joint Management Committee Resolution and the Board’s current membership on the JMC:

P Hirons, Chairman (ex officio), S Cole, Vice Chairman (ex officio), V McPake, D Prosser

16 (iii) TO APPROVE THE REVISED SCHEME OF DELEGATION

Members approved the revised Scheme of Delegation.

17 TO APPROVE AMENDED REGISTER OF MEMBERS’ INTEREST FORM

The Register of Members’ Interest form had been amended to satisfy the requirements of the external auditor

Members approved the following addition to the Register of Members Interest Form:

I also declare that, as a Member of the Buckingham & River Ouzel Internal Drainage Board, I have read, accept and will abide by the Board’s Members Code of Conduct.

18 ADA Gt Ouse Branch Executive Committee representative

The Clerk said the two other Boards in the Group were currently represented on the ADA Gt Ouse Branch Committee and asked whether any members of the Buckingham & River Ouzel Board would like to sit on the committee.

Members agreed that Mr S Cole, Vice Chairman, should represent the Board on the ADA Gt Ouse Branch Committee.

19 ANY OTHER BUSINESS

Maintenance Works and IDB Practices

Mr Bowsher asked whether, in the light of recent, extreme flood events, there had been any pressure on IDBs nationally to change practices. For example, the retaining of water in upland areas. The Director of Operations said there was already attenuation by design and he had yet to be convinced about how the planting of trees could prevent flooding in winter. There was an existing infrastructure which needs to be maintained and Main River had been left to deteriorate. There was a need for more maintenance and the management of water within the channel. He said there had been a lot of debate recently regarding whether it is right that there is a legal duty to protect wildlife but not people.

20 DATE OF NEXT MEETING

Board meeting - 14 June 2016.

The meeting closed at 4.34pm.