

BUCKINGHAM AND RIVER OUZEL INTERNAL DRAINAGE BOARD

BOARD MEETING

Minutes of the meeting held at 2pm on 14 June 2016 at Vale House, Stewartby.

PRESENT: S Cole (Vice Chairman), P Bowsher, A Brown, A Dransfield, R Exon, A Gurney, J Hawes, V McPake and D Prosser.

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

In the Chairman, Mr Hiron's absence, the Vice Chairman, Mr Cole chaired the meeting.

1 APOLOGIES were received from Messrs Hirons, Dixon, McLean, Spurr and Webb.

2 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest.

3 MINUTES OF BOARD MEETING HELD ON 9 FEBRUARY 2016

Mr Dransfield asked why he was mentioned in discussion of the Technical Report when raising concerns about flood attenuation in the Western Expansion Area 11, near to Lower Weald, when he had been shown in the minutes as leaving the meeting prior to the discussion. The Committee Clerk explained he had raised the issue before the discussion of the Technical Report but it had been put under that subject heading as his comments related to Lower Weald.

Members accepted as an accurate record the minutes of the Board meeting dated 9 February 2016.

4 MATTERS ARISING FROM THE MINUTES

Capital and Maintenance Development Fund – Magna Park

Mr Brown said he had not received any further information on the queries he had raised concerning Magna Park and the S106 estimate of £1,026,000 which had been shown in the table of Milton Keynes Drainage Tariff development sites. The Director of Operations said he had emailed members and believed Mr Brown had been included. He agreed to re-send the email.

To Review Estimates of Income and Expenditure for the 2016/17 financial year – Joint Budget – Engineering and Admin

Following the request from Mr Versallion to show Engineering and Administration separately, the Clerk said it was difficult to split because the two departments do not operate in isolation. She said that a rough estimate would be 62% Engineering, 25% Rating and Finance and 13% General Admin. In addition, some of the Engineering and Administration costs are recouped.

Eaton Leys

Mr Bowsher said he was aware that Aylesbury Vale District Council's Local Plan was out for consultation and the development at Eaton Leys was not in it. He asked whether the Board monitors potential sites for development and flood risk. He said he had had a cursory look and was sure there were a lot of sites around Buckingham and Winslow. The Director of Operations said the Boards' officers were heavily engaged with filtering out those developments on the weekly planning lists of Milton Keynes Council, Central Bedfordshire Council, and Bedford Borough Council, as well as the other local authorities. The Board's officers had been involved with the previous rounds of local

plans, Strategic Flood Risk Assessments and Water Cycle Strategies, but he was aware that many local authority officers had changed since then. He said would have a closer look at AVDC although he had recently had a meeting with AVDC concerning the Strategic Flood Risk Assessment.

The Chairman said the first draft of AVDC's Local Development Plan was published the previous Friday and some prior consultation had included IDBs. As far as Winslow was concerned he said if drainage becomes an issue the Council could get the drainage board involved. He added that a lot of the Plan was not yet agreed.

Mr Brown said that part of Central Bedfordshire's Local Plan was approximately 820 new development sites and 1000's of houses were on the CBC Local Plan and he expected the IDB would not be involved at the early stages. The Director of Operations said the Board would be involved, as appropriate for flood risk, and would like this to be prior to public consultation.

Audit – External Audit Report 2014/15

Mr Dransfield said he believed it was not a legal requirement to fill in the Boards' standard Register of Members Interest form. He said he had now signed that he accepted the Members Code of Conduct.

The Clerk said it had been necessary to amend the Register of Members Interest form to include the agreement to abide by the Members Code of Conduct. This issue was raised only by the external auditors for the Buckingham and River Ouzel Board and The Clerk added that she had raised the issue of a lack of consistency amongst the various external auditors with the Association of Drainage Authorities.

5 UNCONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 25TH APRIL 2016

Members noted the unconfirmed minutes of the Joint Management Committee meeting held on 25th April 2016.

Discussion took place:

Badgers

Mrs McPake asked about the IDB comments regarding badgers. The Director of Operations said the Boards' comments would be regarding problems such as where badgers burrow into the side of a watercourse, which affects conveyance and also tracking with excavators on top of badger sets which can cause a set to collapse. He added that officers had raised these issues with the EA.

6 PROGRESS OF WORKS PROGRAMME (PROGRESS OF WORKS REPORT 2015/16)

The Director of Operations presented the Progress of Works report including the A3 plan. He added that it had been a good year and the vast majority of works had been completed.

The Progress of Works Report 2015/16 was accepted by the Board.

Discussion took place:

Lakes Lane, Newport Pagnell

Mrs McPake said she had been asked to pass on the thanks of Milton Keynes Councillor, Douglas McCall, for works carried out by the Board on Lakes Lane, Newport Pagnell.

A421, Wavendon

Mr Exon queried the fact that a section of watercourse shown in red, close to the A421, near Wavendon, was not completed. He was concerned because the area had sites allocated for development. The Director of Operations said access was a problem, it was less of a priority at present and there was a possibility that the watercourse may be re-engineered by the developers.

Padbury Brook

Mr Hawes asked about the plans for partnership working between the Board and the EA and maintenance of Padbury Brook, as some local landowners had asked him about maintenance works. The Director of Operations said the EA, under their Local Choices initiative, have, this financial year, agreed to use £50,000 of the Board's precept to carry out works in the Board's area with a view to getting Main River in good order. This included the Padbury Brook. The Board could undertake works under the Public Sector Co-operation Agreement, but it was not in the current plan. He added that the Board would not look to get a low risk watercourse 'de-mained' unless it was handed over in good condition.

7 Technical Report for the period January to May 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:

Lower Weald

Mr Dransfield asked about the individual property protection and how effective the door guards and flood-proof doors were. The Director of Operations said the guards were good in flash flood events but need to have been put in place prior to the flood event. The flood-proof doors offer more protection but are not as practical, as the door cannot be used during a flood event. He added that there have been mixed reviews about property protection works, although Defra are promoting them. None of the individual property protection is as effective as a drainage scheme.

Mr Prosser said he believed the planned lowering of the causeway, if low enough, would solve the problems with flooding in Lower Weald. The Director of Operations said the new landowners were amenable to the lowering of the causeway. He said in addition there would be a bund at the upstream end to reduce overflowing water running down the track and ponding on the main road, improvements to the roadside ditch and removal of the weir and channel works. He said he hoped the works would be completed during the current financial year. The planning department has agreed that the works would be permitted development of flood defence works and there would need to be a 28 day public consultation period.

East West Rail

Mrs McPake said the schedule had been delayed a further two years with electrification being put back 5 years. The link to Milton Keynes station will have issues regarding land drainage. Mrs McPake said she meets with Network Rail from time to time and offered to suggest that they have a consultation meeting with the Board. The Director of Operations said officers would welcome consultation with Network Rail. He added that officers have pointed out to Network Rail that they may also need to speak with Milton Keynes Council regarding drainage.

Bedford to Milton Keynes Waterway

Mr Bowsher asked whether a new flood risk strategy was necessary. The Director of Operations said the Board's position was still the same, the developers need to demonstrate that there will be no increase in flood risk. Mrs McPake said she had flagged up the on-going need for the Waterway consortium to consult with the IDB and offered to liaise with John Best, Vice Chairman of the Bedford and Milton Keynes Waterway Trust.

Milton Keynes – Brooklands Meadow Phase 1 SuDS

The Director of Operations said that since the Technical Report was produced the Board has received more information. Mr Bowsher said the Parks Trust would be taking responsibility for the surrounding parkland.

Con 29 and Con 290 Land Searches

Officers said they had concerns about the proposed introduction by the Law Society of a new series of land search questions relating to SuDs, Land Drainage Consents and Statutory Notices. Officers are currently liaising with Central Bedfordshire Council regarding the implications. Officers said CBC alone receives approximately 8,000 land search queries per annum, which would amount to 30 per working day. Together with the other Local Authorities within the Boards' drainage districts this could present a significant resource issue for the Boards, although a fee could be charged. The Clerk said the full implications are not yet clear but she has raised the issue with ADA's Policy and Finance Committee.

8 INTERNAL AUDIT

(i) To Receive the Annual Internal Audit Report 2015/16

The Clerk presented the Annual Internal Audit Report. The Internal Auditor's opinion, in respect of areas covered by the report was that he could provide adequate assurance on the system of controls and would expect to be able to record substantial assurance following the next review.

Members approved the Internal Audit Report dated April 2016.

Following a proposal by Mrs McPake, members gave a vote of thanks to the Clerk for her work on the audit.

Discussion took place:

Mrs McPake asked what the current situation was regarding the following issue raised in the Executive Summary:

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. However, unlike other IDBs the Bedford Group has no dedicated rating officer. A review of staff duties means that more time can be given to reducing the accounts queries and arrears. One aspect is the investigation of land where the owner is unknown. Bailiffs are also being engaged to help trace and recovery.

The Clerk said there are a lot of pony paddocks, or similar areas of land, where owner/occupiers change frequently and it can be time consuming tracking down the new owner/occupiers. Outstanding rates are currently, approximately £6,000. The work associated with the rating is spread across all of the administration personnel with the Clerk, as Rating Officer, overseeing the work. She added that she did not believe the volume of work warranted a full-time rating officer.

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

Mr Dransfield asked why the above point on the Management Action Plan was put at high priority. The Clerk said it was because it was an issue highlighted by external auditors. It concerned the need for members to sign that they agreed to abide by the Members Code of Conduct, this undertaking had therefore been added to the Register of Members Interest Form.

Mr Dransfield said he believed the information required on the Register of Members Interest form was beyond legal requirements.

(ii) To Approve the Revised Risk Register reviewed 31st March 2016

The Clerk presented the revised risk register and referred members to the copies of the Risk Assessment Matrix, which were tabled. She said that in future copies would be sent out with the Risk Register.

Members approved the Revised Risk Register.

Discussion took place:

Loss of income through error or fraud

Mr Dransfield queried how the risk level of '6' was arrived at. The Clerk said this issue had previously arisen in Board meetings and she had spoken with the internal auditor about it. She was now clear that the level of 6 is to 'flag up' the need for insurance. Mr Dransfield said he believed it was illogical and should be challenged. However, Mr Bowsher said he could see the point of putting the risk level at 6 as it means that control measures are focused on.

The Chairman added that a register is a record, produced at a specific point in time and therefore, different to a review. The register was recording a risk to the management at that time. The report on how the risk will be managed and the review of that report was important.

Mr Brown queried the amount of increase of the Fidelity Guarantee insurance. The Clerk said the insurance had been increased to £2M.

(iii) To Approve the Internal Audit Strategy & Audit Plan 2016/17

The Clerk presented the Internal Audit Strategy & Audit Plan 2016/17. The plan covered all three Boards in the Group and the total plan days were 3.5.

Members approved the Internal Audit Strategy & Audit Plan 2016/17

9 FINANCE

i) Finance Report for the year ended 31 March 2016

The Clerk presented the Finance Report.

The Chairman drew members' attention to an error on page 34, in the Cheque List, where the last entry of £10,000 has been omitted from the total. The total should have read £935,573.66.

Members approved the Finance Report for the period 1 April 2015 to 31 March 2016.

Discussion took place:

Mr Dransfield referred to Milton Keynes Council Special Levy payments for the year and commented that the amount of money was significant compared with what the Board spends in Milton Keynes. He suggested that as Milton Keynes became more urbanized there was a danger that less work would be carried out.

Mr Dransfield also considered a scenario where Milton Keynes Council became its own drainage board. Mrs McPake added that she would imagine that it would need to be a separate authority from the Council. The Director of Operation said it would still be within the Buckingham and River Ouzel Drainage Board's area.

The Clerk said that the special levy was based on the amount of developed land and that was the reason the amount of special levy had increased in recent years. However, local authorities receive back from central government the bulk of the special levy paid and it is assumed that the local authorities will receive increased council tax revenue due to the extra development. Also, the Board has kept the rate in the pound unchanged for the past 5 years and reduced its balances.

The Director of Operations said more work was required from the Board the more urbanized an area as the consequences of flooding would be significantly greater in urban areas. There is a need to prioritise urban drainage. Although the drainage system does still need to be looked at as a whole, as flows from the urban area rely on the rural area being in good order so as to receive those increased flows. The Clerk added that the Board is not only involved in maintenance works but development control and planning.

Mrs McPake added that a line on a plan showing maintenance works did not indicate the amount of work involved in that maintenance.

Mr Dransfield said he wished it recorded that in his opinion the amount of work carried out in Milton Keynes was disproportionate to the amount of money paid by the Milton Keynes Council in special levy.

ii) To approve the Financial Statements for year ending 31 March 2016.

The Clerk presented the Financial Statements.

Balance Sheet – The Clerk said that £14,000 Office and Depot Development balance, under Fund Balances and Reserves, was for additional CCTV and gates to the entrance of the site.

Members approved the Financial Statements for the year ending 31 March 2016 for the Chairman and Clerk to sign.

iii) To approve the Annual Governance Statement year ending 31 March 2016

Members approved the Annual Governance Statement (answering questions 1 – 8 in the affirmative) for year ending 31 March 2016 for the Chairman and Clerk to sign.

iv) To approve the Audit Commission Annual Return year ending 31 March 2016

Mr Dransfield pointed out that the alterations to Section 2, in the 'Year ending 31 March 2015' column needed to be initialed.

Mr Bowsher asked where the £1,049,321 figure for year ending 31 March 2015, shown in Section 2 of the Annual Return, had come from in the Financial Statements. The Clerk said that £1,049,321 was not in the Financial Statements as this was the figure brought forward from the end of the 2014-15 financial year. The year ending 31 March 2016 brought forward figure of £1,114,557 shown in Section 2 of the Annual Return, was the same figure as at the bottom of the balance sheet on page 10 of the Financial Statements.

Members approved the Audit Commission Annual Return for the year ending 31 March 2016 for the Chairman to sign.

10 ANY OTHER BUSINESS

Caldecotte Brook, Milton Keynes – wooden bridge

Mrs McPake said Milton Keynes Council had made the decision that a wooden bridge over Caldecotte Brook would need to be demolished. There had been a lot of consultation and the Board will be formally consulted.

Flood and Water Issues, Milton Keynes Council

Mrs McPake said a strategy has been agreed and a management group had been formed. Their remit was mainly to look at highways and drainage issues and she would like to invite the Board to attend. The Chairman thanked Mrs McPake.

The meeting closed at 3.21pm

Just after the meeting had closed members were given a draft of the 'Buckingham and River Ouzel Newsletter dated April 2016' which was to go out with drainage rate demands and inform other public bodies. Members were asked for comments on the draft. Mr Brown had already left and the Committee Clerk said she would send a copy on to Mr Brown via email.