

# **BUCKINGHAM AND RIVER OUZEL INTERNAL DRAINAGE BOARD**

## **BOARD MEETING**

**Minutes of the meeting held at 2pm on 6 November 2018 at Vale House, Stewartby.**

**PRESENT:** P Hirons (Chairman), F Chapman, S Cole, A Dransfield, R Exon, N Hawes, R Haynes, J Kane, V McPake, N Miles and D Prosser.

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

The Chairman welcomed Cllr Miles, a Milton Keynes Councillor representative, to his first meeting of the Board.

### **1 APOLOGIES**

Apologies were received from Messrs Bowsher, Brown, Gowans, Gurney, Hunt, and Spurr.

### **2 DECLARATION OF MEMBERS' INTEREST**

Mr Cole said he was a member of the Buckingham & District Anglian Association.

### **3 MINUTES OF THE MEETING HELD ON 15 MAY 2018**

**Members agreed that the minutes of the Board meeting held on 15 May 2018 were a true and accurate record.**

### **4 MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD 15 May 2018**

#### **Joint Management Committee – Vacancy**

The Clerk said the Joint Management Committee Resolution had been amended following the JMC meeting on the 15 October 2018. There was no longer a vacancy because the Buckingham & River Ouzel membership was now reduced from four to three members: Chairman, Vice Chairman, plus one member. Mr Prosser was currently the 'plus one member'.

#### **Health & Safety – Haulage of Excavators**

The Chairman asked about progress with the purchase of the low loader. The Director of Operations said following the JMC request that buying outright be compared with leasehold, proposals were being formulated for the JMC meeting on 21 January 2019.

#### **Crownhill and Crematorium, Milton Keynes**

Mr Dransfield asked what the outcome was regarding officers making contact with Anglian Water regarding the two screens. The Director of Operations said they were owned and maintained by Milton Keynes Council Highways Department. There had been an email trail which Mr Dransfield had been included in. The Director of Operations said he had planned to raise the issue with Milton Keynes Flood Group but then Milton Keynes Highways Department has stated that they look after them and there is evidence of them being cleared.

#### **Watling Street, Milton Keynes**

Mrs McPake asked what part of Watling Street the blocked culvert, which the Director of Operations had contacted the EA about, was on and if he had had any response. The Director of Operations said

it was not far from the big roundabout in the Woburn Sands area and the Main River section of the Ouzel. It was concerning the flood arches not the river. He said that generally the EA will clear a 'one off' blockage but it becomes more problematic for very large obstructions as these tend to become projects that then need a budget, in which case it can take longer.

### **Bylaws**

The Clerk said she was still waiting to hear back from Defra regarding approval of the bylaws.

The three Boards approved and signed off their new Bylaws, which included the wording amendments proposed by the Defra flood risk team regarding Bylaw 2 (C) and the definition of a watercourse to include SuDS and reservoirs, at the January/February meetings. After having advertised them in the prescribed manner and gaining approval from Natural England and Local Authorities they were then sent to Defra for Ministerial approval. Unfortunately, even though the Bylaw 2 (C) wording had been proposed by Defra their legal department advised that they would prefer to keep SuDS and reservoirs out of the Bylaws. As the inclusion of flood risk infrastructure, such as SuDS, in the Bylaws is now regarded as key by the Bedford Group, ADA and many other IDBs, the Clerk has been working with ADA's Technical Manager and Defra to find a mutually agreeable solution. It is hoped that this will be agreed soon. Boards will only need to approve the modifications, not start the process again.

### **National Consultation on de-maining Main Rivers**

Mr Dransfield asked if there were any decisions as regards de-maining and made particular reference to the Gt Ouse. The Director of Operations said the EA would not de-main parts of the Gt Ouse as it could become fragmented between urban and rural sections. They are more likely to de-main the Twins, Padbury Brook, as far as the confluence with the Gt Ouse. In order to get the watercourse in good order first the Board have requested, under Local Choices, that it be cleared. If it is then maintained for three or four years the Board could consider adopting it.

### **Oxford to Cambridge Express Way**

Mrs McPake mentioned that she had attended several meetings with regard to the Oxford to Cambridge Express Way and hoped that the Board was being kept informed. The Director of Operations was to attend Milton Keynes Flood and Water Management meeting where there would be discussion with Highways England on the Express Way. Mrs McPake said there were also meetings taking place with Bedford & Milton Keynes Waterway Trust. The Chairman asked Mrs McPake to request that any information be circulated to the Board. The Clerk said she was on the Strategic Group with Highways England and was therefore being kept up to date with developments. The Director of Operations said he had made mention of both Bedford and Milton Keynes Waterway and Oxford to Cambridge Express Way in the Technical Report. Also, mentioned in the Technical Report was the fact that the Chairman of the Beds & River Ivel Board and the Group was planning to write to the various parties concerned with national infrastructure and reiterate the need for agreements with IDBs.

### **To approve the new Board Policy Statement and Addendums: Assets in drainage district and ecological sites in drainage district.**

**Mr Dransfield asked whether his suggestion, in the extract below, had been passed on to ADA:**

*The Clerk presented the new Board Policy Statement and informed members that the actual policy statement would be uploaded to the Boards' website but not the addendums.*

*2.2 - Mrs McPake suggested that 'and compliance with GDPR' should be added.*

*3.2.- The Chairman referred to the last bullet point on page 2 – 'Improving the detection, forecasting and issue of warnings of flooding, co-ordinating a rapid response to flood emergencies and promoting faster recovery from flooding' and made the point that the Board*

*were not first responders. The Clerk said they were Government objectives and the Board's role was to support them and aid where they could.*

*Mr Dransfield suggested that the wording should be changed to 'National Objectives' and 'The National Objective sets out....'*

*The Clerk said she would take back to ADA the above suggestions.*

The Clerk apologised and said she had not yet raised this with ADA but she would do so before the next Board meeting.

## **5 UNCONFIRMED MINUTES OF JOINT MANAGEMENT COMMITTEE MEETING HELD ON 15 OCTOBER 2018**

**The Minutes of the Joint Management Committee meeting were noted.**

Discussion took place:

### **Plant**

During discussion about pumps Mr Dransfield suggested that it could be worth finding out if local fire authorities had any good secondhand ones as they frequently renew their equipment.

Regarding the teleporter, and the Director of Operations reporting that the price for the new one had exceeded the budget, Mr Haynes said he would advise the Board against buying a secondhand one as they are complex machines and there is a lot that can go wrong. A warranty is also very important.

### **Ecology and Conservation**

Mrs McPake asked if the Board had been advised by the ecologist to leave stinging nettles, given that the numbers of butterflies and dragonflies are reducing. The Director of Operations said the main focus of the Board's ecologist was to protect the Board from unlawful practice. By default the Boards' working practices on most watercourses are to flail one bank only and leave the bottom foot, the non-working bank is left. Butterflies and dragonflies are not protected species.

Mr Cole mentioned that he had seen a mink on the Lenborough stretch of Padbury Brook; in the weir pool where the mill is.

### **Personnel**

#### **Category H driver training**

Mr Dransfield was not convinced that the LDO should be trained in Category H at the Boards' expense if it was not necessary. However, other members agreed with officers that it could be useful to have at least one operative with category H and be able to track longer distances on public roads. It could save downtime and the cost of a contractor.

#### **Trainee Land Drainage Operative**

The Clerk said interviewing for the post would take place on Friday 16 November 2018.

#### **Contractors – Letter from LDO regarding perceived poor standard of work**

Mr Dransfield asked how long the contractor concerned had been working for the Board and whether the work had been monitored. Officers said the contractor was fairly new to the Board and used to working in the Fens. The Boards' urban areas are very different. However, at the Board's request the contractor had gone back and made the work acceptable. They were awarded the contract following a competitive tender process and were considerably cheaper than the other contractors. It is usual for new contractors to take a while to get used to the Boards' requirements.

### **Biosecurity Policy and Biosecurity Procedures**

The Chairman asked whether it was a legal requirement of the Board to notify the EA about invasive species. The Director of Operations said previously the EA had been running a local project to collect and collate data on certain invasive plants, but now data should be uploaded on-line on the plant tracker website: [www.plantracker.org.uk](http://www.plantracker.org.uk) . There is no legal requirement to report on invasive species. The responsibility not to spread them and manage them on land rests with the landowner.

### **Government SuDS Review**

Mr Cole asked what area the Government's review of the application and effectiveness of planning policy for Sustainable Drainage Systems (SuDS) covered and was it specific to drainage board districts. The Director of Operations said all SuDS were covered in consultation with Lead Local Flood Authorities and drainage boards.

### **General Data Protection Regulation (GDPR) and the Data Protection Bill**

The Clerk reported that staff training in GDPR, by an external provider, would be taking place in January 2019 along with a review of current data protection procedures.

## **6 PROGRESS OF WORK FROM APRIL TO OCTOBER 2018 FOR THE WORKS PROGRAMME 2018/19**

The Director of Operations presented the Works Progress report.

### **The Works Progress Report was accepted by the Board.**

Discussion took place:

The Chairman asked about the works in Claydon Brook, shown in red, still to be commenced. The Director of Operations said the remaining work on Claydon Brook was clearing and dredging not just spraying. The work should be finished before winter.

Mrs Chapman asked whether the hot summer had presented any problems. The Director of Operations said it helped because the working bank was firmer and weed growth was later but the downside was that the birds were nesting later and from mid-July onwards, when works recommenced, more vigilance was required.

Mr Dransfield said he was impressed that so much work had been completed in six months that included the bird-nesting season. The Director of Operations said that spraying weed growth had enabled the Board to gain back about two months of maintenance work time compared to the previous mechanical weed cutting regime. Mr Dransfield asked if there remained another six months of work in the programme. The Director of Operations said he thought that there was as what remained included heavy clearing. If it did look like the programme was to be completed before the end of the financial year then he would bring additional works to the February Board meeting for approval.

## **7 TECHNICAL REPORT – MAY TO SEPTEMBER 2018**

The Director of Operations presented the technical report.

### **The Technical Report was accepted by the Board.**

Discussion took place:

## **Lower Weald**

Mr Prosser said there had not been a large enough quantity of rain yet to test the flood alleviation works at Lower Weald but he believed it should make a tremendous difference.

## **Planning Applications**

The Clerk explained that after identifying a problem with the way Aylesbury Vale District Council uploaded its planning application data online they were now sending all of their planning applications to the Board.

Mr Dransfield commented that only a third to half of the Board's planning objections appear to be maintained. The Director of Operations said in some cases planning officers do not understand flood risk. Often there is no flood risk assessment (FRA) with a planning application. They should really be rejected by the planning officers as incomplete but instead the Board has to object to the application. Following similar discussion with the Beds & Ivel Board it has been resolved to contact the planning authorities and offer training. This would help explain the Boards' requirement of the 9 metre bylaw strip. Mr Dransfield said he supported the idea of planning officers being offered training. He suggested that planning committee members should also be offered training.

Mr Kane highlighted a planning application, at Houghton Regis, which included the planting of trees and construction of a footpath within the Board's 9 metre bylaw strip, to which the Board had objected. He said he expected that planning permission would be granted. The Director of Operations said it may get planning consent but it would not have land drainage consent so it could not proceed if it could not accommodate the Board's requirements for access. Mr Kane was concerned that the construction would still go ahead. He believed it was due to a lack of knowledge and he agreed that the planning committee members and planning officers should be better informed.

Mr Exon said he sat on Milton Keynes Council Planning Committee. He said each application is judge on its own merits and if there was an issue which the IDB has raised then it would go to committee and would be taken into consideration.

Mr Dransfield asked what powers the Board has and Mr Miles asked about redress. The Director of Operations said there is redress. The Board is not a statutory consultee to the planning process but it is a statutory body regarding regulation of the Land Drainage Act. If land drainage consent is required but the applicant fails to adhere to it, enforcement action can be taken.

**Members agreed that officers should address the issue of planning departments not always heeding Board objections. They agreed training should be offered to council members and officers and requested that they be informed on the outcome of a sample of objections.**

## **8 EXTERNAL AUDIT**

The Clerk presented the report of the external auditors for the year 2018/19 and reported that an unqualified opinion had been given with no matters arising.

**Members accepted the External Auditor report for the year 2018/19 dated 3 September 2018.**

## **9 FINANCE REPORT for the period 1 April to 30 September 2018**

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 2018;
- b) Cheque list for 2018/19;
- c) Investment and Bank accounts balances as at 30<sup>th</sup> September 2018;

- d) Income and Expenditure Account for the period ending 30<sup>th</sup> September 2018 and
- e) Balance Sheet as at 30<sup>th</sup> September 2018.

**Members approved the Finance report for period 1 April to 30 September 2018.**

Discussion took place:

#### **Drainage Rates**

The Chairman asked what amount of agricultural rates were still outstanding for the current financial year. The Clerk referred to the balance sheet which showed £11,651 and said that currently it was approximately £11,000 and that reminders were about to be sent out. She expected that this would be significantly reduced by the end of the financial year.

#### **Highland Water Contributions**

Mr Dransfield asked what the EA Highland Water, shown under Current Assets, was. The Clerk said this was the amount outstanding from the EA who pay the Board a contribution towards their maintenance cost for water received within the IDB watercourses from outside of the IDB district.

### **10 TO CONSIDER THE RECONSTITUTION OF THE BOARD**

The Clerk explained it is a Defra recommendation, endorsed by ADA, and considered best practice that Boards should be no larger than 21 members.

The Clerk said she had intended to bring a paper to the Board but had learnt that Defra are currently carrying out a consultation into IDB membership. She, therefore, considered it would be best to postpone this discussion.

**Members agreed that the Clerk should bring to the Board various alternatives to consider regarding reconstitution once Defra has published the results of the consultation and their guidance.**

Discussion took place:

Mr Dransfield asked how many MKC councillor members there were. The Clerk said there were six. The Board was currently short of elected members. There are currently eight and there should be twelve.

Mr Miles asked if there was a way to encourage Local Authority members. The Chairman said the Board would be happy for anyone interested visit the Board's offices.

Mr Cole asked about co-opting of members. The Clerk said the Boards can and do co-opt members.

### **11 ANY OTHER BUSINESS**

#### **IDB Insurance – The Risk Factor Insurance Solutions**

The Clerk reported that Mr Brown, although not present, had asked her to report that he has suggested a review of the Boards' insurances after seeing an advertisement in the ADA Gazette Summer 2018 for a company called The Risk Factor Insurance Solutions. They claim that they have saved clients up to 45% of their insurance costs in one year. The Clerk said she was aware of the company and knew other drainage boards used them. She added that the Bedford Group does use a broker who is on the Boards' list of preferred suppliers and the Boards' insurances are placed with various insurers.

Mr Brown had suggested the Clerk obtains quotations from The Risk Factor. The Clerk said she would do this.

**Public Meeting following Great Ouse pollution incident**

Mr Cole said there was to be a public meeting the following day, 7 November, regarding a pollution incident which occurred in the Great Ouse earlier in the year.

**Oxford to Cambridge Express Way**

Mr Dransfield mentioned a workshop which was to take place at MKC on 7 November regarding the Express Way. The Clerk said she was due to attend a meeting with CBC and MKC regarding this on the 21 November 2018.

**Bedford and Milton Keynes Waterway**

Mr Kane asked if the Board were up to date regarding the above project. The Director of Operations said they were. He had attended the annual conference on 31 October. The main focus had been the Marston Valley development in Central Bedfordshire Council, including the Beds & Ivel IDB area. At the current time there has not been much progress on the Milton Keynes area.

Mrs McPake said she would be raising at the meeting tomorrow what ‘overlaps’ there are.

**12 DATES OF NEXT MEETING – 5 February 2019**

The meeting closed at 3.45pm.