

# BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

## Board Meeting

**Minutes of the meeting held on 8 February 2021 at 2pm held remotely via Microsoft Teams.**

**PRESENT:** D McMurdo (Chairman), J Scott (Vice Chairman), A Brown, J Davison, F Firth, S Jarvis, R Morris, M Nawaz, J Ream, J Russell, J Sampson, M Towler, T Turner and T Wootton.

**IN ATTENDANCE:** B Agass (Clerk/Chief Executive); J Oldfield (Director of Operations); A Smith (Committee Clerk) and N Souter (Principal Accountant).

### Action

**1 APOLOGIES FOR ABSENCE** were received from D Hodgson, B Huckle, C McHugh, M Robins and B Spurr.

### 2 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest.

### 3 MINUTES OF THE BOARD MEETING HELD ON 16 November 2020

The minutes of the Board meeting dated 16 November 2020 were accepted as a true and accurate record for the Chairman to sign.

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### 4 MATTERS ARISING FROM THE MINUTES OF THE BOARD MEETING HELD ON 16 NOVEMBER 2020.

**Jetting and CCTV** -The Chairman requested an update in relation to the partially collapsed culvert identified at Beeston Green. Members were informed the Board's engineers are still looking into the two viable options, any work due will begin during the bird nesting season and once land owner engagement has taken place.

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### 5 EXTRA-ORDINARY MINUTES OF THE JOINT MANAGEMENT COMMITTEE HELD ON 7 JANUARY 2021.

Members noted the Extra-Ordinary Joint Management Committee minutes.

### 6 UNCONFIRMED MINUTES OF THE JOINT MANAGEMENT COMMITTEE HELD ON 18 JANUARY 2021.

Members noted the Joint Management Committee minutes.

### 7 WORKS PROGRESS REPORT

The Director of Operations presented the Works Progress Report comprising the report and A3 plan. Members were advised Covid, saturated ground conditions and flooding have all affected the works programme. The Covid-safe working practices had altered working arrangements and has impacted on programme. The weather has affected works progress due to the catchment experiencing significant rainfall, with some areas receiving over 100mm of rain in a 48 hour period. This resulted in saturated ground conditions, with some areas of the

catchment having never fully recovered. The Board has therefore been restricted to work where ground conditions permit. Extra contracts have been awarded and contractors have been employed to seek to minimise the impacts on the programme.

The Chairman requested a breakdown of how maintenance costings are achieved to assist with forward planning, members felt this would be beneficial and would allow for appraisal between the Board's workforce and contractors. The Director of Operations advised that comparisons between in-house and external maintenance costs had previously been provided to the Board around 5 years ago however could be reviewed again. In previous years a niche market has meant a lack of available contractors. A tour of inspection was suggested to allow members to gain a greater understanding and appreciation of the Board's work, the Chairman requested this is arranged within the next few months once COVID restrictions are lifted.

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**Members accepted the Works Progress Report.**

## **8 PROPOSED WORKS PROGRAMME 2021/22, 2022/23 AND 2023/24 AND WORKS PROGRAMME COMMENTARY**

The Director of Operations presented the 3-year Works Programme, including the commentary and the appendices; schedule and map. Officers are currently reviewing the effectiveness of chemical spraying of weed.

**Members approved the 3 year works Programme for 2021/22, 2022/23 and 2023/24.**

## **9 TECHNICAL REPORT**

The Director of Operations presented the Technical Report and updated members on the following-

### ***West of Bedford Growth Area***

*The three drainage legal agreements (Marsh Leys, Culvert 6, and Ponds D&E) have entered a new phase of re-signing and re-sealing delaying engrossment and completion again. Further to the Board recently agreeing to consider its policy on adopting, transferring, and owning assets, given this further delay clarification has been sought as to whether there is the possibility of updating the documents at this stage and to review the agreements, given the length of time that has elapsed since they commenced drafting in 2006 (base period for the commuted sum calculations) and were initially exchanged in 2012. The Board's overarching general supervision role over all matters relating to the drainage of land within their district remains.*

Discussion took place-

The Chairman said the delay with the Marsh Leys agreements highlight the problems faced when not completed in a timely fashion. The Chief Executive added these are now aging assets and will therefore require a number of inspections before adoption. It was noted that consideration should also be given to the fact that the assets had been in place for some time, given that a number of years have now elapsed.

One member recognised the attractive and reasonable suggestion of renegotiating the commuted sum as time has passed and costs increased however agreed due to the delay in finalising the agreements felt this would not be viable.

Members questioned-

- The Board have an understanding of the ongoing future costs and inflation of the assets it maintains and adopts opposed to income from capital sums?
- What are the implications if the Board decides not to re-sign the legal agreements?

The Director of Operations advised members and confirmed once the agreements are complete there is a defect correction maintenance period to resolve many of the points raised. The Board are therefore not at risk of adopting substandard assets, as these will be put into good order before being accepted, however there is the issue of the commuted sum being outdated although allowances were made for replacement contingency plans.

The Chairman advised that he and the Clerk had already signed the agreements, so the Board may or may not be required to re-sign the agreements, prior to exchange/completion.

**In the event the Board is asked to resign, the Chairman and members requested the following is presented at the next meeting for Members to re-approve-**

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- **An independent review and condition survey is undertaken**
- **A briefing statement highlighting the risks, benefits and estimated costs associated**
- **Reminder of the total commuted sum**

### **Stewartby Park**

The Director of Operations informed the Board, since the papers were circulated the Board's solicitors have reported no further progress has been made.

*The Board and the developer (Persimmon) are eager to resolve the agreements and Persimmon has transferred the appropriate funds to the Board's solicitor, Woodfines. The Board's officers met remotely with Woodfines on 9 December 2020 to progress the agreement and continue to push for progress, as there had been no progress since August 2020. Unfortunately, the Board's solicitor does not appear to have made any progress following the meeting with officers.*

**Members requested the Chairman writes to the Board's solicitor to express the disappointment in the progress made.**

DM

### **Pix Brook, Standalone Farm Reservoir**

Members were advised, as requested at the Board's previous meeting, a Member sub-group has met to appraise the Pix Brook. They recommend that a condition survey be undertaken of the Pix Brook reservoir structure to assess sluice gate reliability and life expectancy to aid future plans for refurbishments.

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*The Board's specialist M&E contractor has repaired the faulty limit switches but has identified further faulty sensors and a brake fault on the middle gate that now require repairing. To avoid the risk of the middle gate failing to respond to rising water levels, it is fully raised and locked in position. The two outside gates that were repaired are in automatic mode. This restricts flow downstream to only that passing through the fixed 'letter-box' culvert and over the two working gates.*

The Chairman confirmed the catchment study will continue to be lead by the LLFA- Central Bedfordshire Council.

### **King's Ditch, Bedford**

The Director of Operations updated members on the project and confirmed pre-commencement works are on track for delivery during the school summer holiday period.

**Members accepted the Technical Report.**

## **10 REVIEW OF DEVELOPMENT CONTRIBUTIONS**

The Chairman presented the report-

*During 2020/21 the rate has been £5.45 per impervious square metre. The area of the site used to calculate the payment would be the total impervious area plus 10% or the whole site area whichever is smallest. For the year 2021/22 it is believed that an increase to £5.50 per impervious square metre, (a 0.4% increase on the previous year), would be appropriate to reflect both current RPI (retail price inflation) and increases in construction industry costs and should provide the required funds for the works described*

The Chairman requested, any adoption of new works are referred back to the Board prior to proceeding with any agreement.

**Members approved the report and the following recommendations:**

- (i) The general development contribution should be increased to £5.50 per impervious square metre from 1st April 2021;**
- (ii) The Chief Executive / Clerk should be authorized to negotiate appropriate commuted sums from developers when the Board agrees to adopt new works and refer back to the Board prior to proceeding.**

## **11 ESTIMATES**

The Principal Accountant presented the Estimates.

### **Joint – Group Account**

#### **A1 – Engineering, Finance and Administration Staff Costs**

Members were asked to note the post meeting adjustment which had been made to reflect the JMC's decision at their meeting on the 19<sup>th</sup> January.

*It was agreed that the pay increase should move in line with the Local Government pay award. Staff costs are now based on a 2.75% increase; a middle ground of the options provided. The JMC agreed they would meet again if a figure is not established before 1st April 2021.*

This gives a proposed estimate for joint budget Engineering, Finance and Administration of £734,240.

### **Labour on Cost Account (Post JMC meeting adjustments)**

The Chairman highlighted to members the increase in Vehicle and Mileage allowances. He explained this significant uplift on the current year is as a result of a change within the staffing structure to include an additional 3.5 members of staff.

The Principal Accountant added, the estimates for 2021/22 were based on the actual figure from 2019/20 as this is estimated to be a more comparable year; due to the COVID-19 restrictions the figures from 2020/21 were therefore not used.

Members were advised the Employers superannuation estimated increase is based on the 3.8% pay increase awarded in 2019/20, the 2.75% increase this year along with the 1% increase in employers pension contributions for the triannual valuation. This estimate also includes the additional members of staff.

### **Maintenance Estimates**

The Principal Accountant presented the revised estimates for 2020/21 of £739,638.

### **Occupiers' Rate Fund/General Estimates**

The Principal Accountant presented the general estimates. Members were asked to note 8 Environment Agency Precept should read - "Allowance has also been made for a 5% increase for each of the following two years."

The estimates had been based on a 2.5% increase in rate and special levy income for 2021/22 and for the following two years 2022/2023 and 2023/2024. Some Councils will again see an increase in their Special levy due to land in their Districts moving from agricultural to urban/developed.

Members were advised this includes the contribution to the agreed office and depot development, to be split 60/40 between Bedfordshire and River Ivel and Buckingham and River Ouzel.

The Principal Accountant advised the Boards reserves over the next few years are dropping considerably, therefore it is recommended an increase is agreed.

### **Members noted and approved the following estimates:**

- (i) Joint – Group Account – Engineering and Administration, Labour on cost and Plant Purchases and Funding;**
- (ii) Capital;**
- (iii) Maintenance;**
- (iv) Occupiers' Rate Fund/General Estimates;**

## **12 TO SET THE DRAINAGE RATE FOR THE FINANCIAL YEAR 2021/22 AND TO AUTHORISE THE CHAIRMAN TO SEAL THE RATE**

**Members agreed a 2.5% increase in rate and special levy income for 2021/22 resulting in the rate of 4.150p in the pound and rate and special levy income of £1,008,951 and authorised the Chairman to sign and seal the rate.**

**DM**

## **13 FINANCE REPORT for the period to 31 December 2020**

The Principal accountant presented the Finance Report which included:

- Receipts and Payments through the Board's individual bank account with Lloyds from 1 April to 31 December 2020;
- Cheque/Direct Debit list;
- Investment and Bank Account Balances as at 31<sup>st</sup> December 2020;

#### **Receipts and Payments-**

The Principal Accountant detailed the net movement in the period leaving a net surplus of funds of £511,577.

#### **Investment and bank account balances-**

The Principal Accountant advised the Board held balances of £3,972,841 at 31<sup>st</sup> December 2020.

**Members approved the Finance Report.**

### **14 TO RE-APPOINT THE INTERNAL AUDITOR FOR 2021/22**

The Chief Executive advised members TIAA were appointed in 2018 as the Board Internal Auditors after completion of a tender process for a period of 4 years with the option of a further two years.

**Members approved the re-appointment, TIAA as internal Auditors, to the Board for the financial year 2021/22.**

### **15 TO APPROVE THE RISK MANAGEMENT POLICY & STRATEGY**

The Chief Executive presented the report and revised risk management policy which follows the recent risk management workshop held by the Group and reflects current circumstances.

#### ***Introduction***

*The Bedford Group has an agreed Risk Strategy and Policy. The policy mirrors the Association of Drainage Authorities(ADA) model IDB Policy which has been widely adopted by IDB's providing consistency and identifies common overarching aims across the sector.*

*In delivering its functions the Group looks to meet its environmental obligations and commitments and seek opportunities to enhance the environment.*

*The Group supports the national aims and objectives for the management of flood risk and water levels as outlined in the National flood and coastal erosion risk management strategy for England 2011 (the National Strategy) to ensure the risk of flooding and coastal erosion is properly managed in a co-ordinated way and to the 5 key policy statements/objectives produced by ADA. The Group has confirmed previously that objectives and approach will be consistent with these.*

*The Group has 3 specific stated objectives to:*

- *Provide and maintain an arterial surface water drainage system that is managed to achieve sustainable standards of flood protection.*
- *Conserve and enhance the environment whenever practical ensuring there is no net loss of*

biodiversity.

- Ensure that the Boards in the Bedford Group comply with current UK and EU Legislation.

### **Context**

*The Bedford group currently has arrangements in place to manage and monitor risks that may impact on the delivery of objectives. recognises its responsibility for good governance, local accountability, and financial security, achieving value for money from its operations. As an independent public body, the Group is committed to the pursuit of economy, efficiency, and effectiveness.*

*An internal audit report in 2019 recommended that whilst a complete rewrite was not required a review of the Group Risk Management Strategy and Policy should be undertaken to update the policy to reflect current circumstances.*

*To assist with the review a workshop for members and teams facilitated by the Group's Internal Auditor was held remotely in November 2020. The workshop covered a range of areas including:*

- *The need for clear organisational objectives*
- *Causes that may trigger a risk.*
- *Identifying genuine risks and the effect of risks.*
- *Risk management controls*
- *Appetite for risk in various circumstances*
- *Dynamic risk assessment and management*

*Member feedback indicated that they found the workshop helpful in stimulating debate and contributions. A key topic of discussion during the workshop was that whilst the 5 overarching ADA policy statements outline key aims of the organisation, they are broad statements. Ideally objectives and actions to achieve objectives should be:*

*Specific  
Measurable  
Achievable  
Realistic  
Timely*

### **Current Approach.**

*The Group seeks to adopt a pro- active approach to risk management; key risks are identified, and mitigation actions agreed and monitored Risks that could impact on the delivery of objectives are discussed at Board meetings together with lessons learned.*

*The Strategic Risk Register is formally reviewed annually by members; however, risks can change and fluctuate regularly and there is a need to be agile and responsive to emerging causes of risk which can occur at any time within the business planning cycle.*

*Whilst risk management is visible and integrated into the culture of the organisation it is appropriate to review objectives from time to time to ensure they remain consistent with the aims of the organisation.*

*To effectively measure progress on achieving key organisational priorities, objectives need to be clear and measurable, provide focus and clarity, are realistic and provide a timescale for achievement.*

## Conclusion

*To help further integrate risk management into service delivery regular risk management updates should be considered and incorporated as regular item on Board meetings alongside the annual review of the strategic risk register. This will aid effective reporting / monitoring of executive intelligence ,where appropriate on some of the key risks facing individual Boards.*

### Members agreed the following-

- a. **Approved the updated Risk Management Policy**
- b. **Introduce regular reporting of relevant key dynamic risk issues to Individual Board meetings as appropriate.**
- c. **Agreed to undertake a review of the current objectives to develop SMART objectives and relevant actions.**

BA

## 16 UPDATE ON CHIEF EXECUTIVE RECRUITMENT – INTERIM ARRANGEMENTS

The Chairman presented the report and updated Board members on the outcome of recent Joint Management Committee deliberations regarding approaches to the recruitment of Clerk and Chief Executive following the resignation of the current Chief Executive.

The Chairman advised that along with representatives from all three Boards, Bedfordshire and River Ivel Board representatives of the Joint management Committee (JMC) whose remit includes staffing and HR matters had all been in attendance and contributed to the JMC meetings held, to consider options available and that it had been agreed that an interim solution should be instigated in the first instance to enable a review of longer-term options.

Members of all three boards had also received communications from the Chairman of JMC to provide updates on this matter and the approach to be adopted.

The Chairman also advised that the JMC Committee met on the 27<sup>th</sup> January and had agreed proposals to initially enter into interim arrangements with another group of IDB's known collectively as the Water Management Alliance for the provision of interim Clerk and Chief Executive services for a period of up to 12 months with a six month review.

Members were in full support of the interim arrangements with Water Management Alliance.

**After discussion members noted the update and confirmed their agreement to enter into an arrangement with the Water Management Alliance (WMA) for the provision of services including Interim Clerk and Chief Executive for a period of up to 12 months (with a six month review), and that Phil Camamile, an officer of Kings Lynn Internal Drainage Board (a constituent member of the WMA) will be appointed to assume the duties of Clerk and Chief Executive on an interim basis under this arrangement and**

**RESOLVED that under section 11(5) of the Land Drainage Act 1991 and section 13(4) and (9) of the Flood and Water Management Act 2010:-**

1. **The Bedford Group of Drainage Boards and its constituent Boards (the Bedford Boards) enter into an agreement for up to 12 months with a 6 months review with Kings Lynn Internal Drainage Board**

(Kings Lynn) for the provision of the services of an interim Clerk and Chief Executive and such other professional, technical and administrative services as may be necessary for the support of such interim Clerk and Chief Executive, to include the secondment of staff;

2. Staff undertaking functions or services for the Bedford Boards under such an agreement shall remain in the employment of Kings Lynn but may also undertake functions or services for Kings Lynn and constituent boards of the Water Management Alliance;
3. Phillip Camamile be designated the proper officer and Clerk and Chief Executive of the Bedford Boards for the period of the agreement.

The Chairman requested members approval for the interim Clerk/CEO be added to the bank account signatories once in post.

**Members agreed to the interim Clerk/CEO, Mr Phil Camamile, to be added as a signatory to the bank account.**

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## 17 CONSULTATIONS, WORK UPDATE & IDB NEWS

The Chief Executive presented the report which detailed the Environment Bill.

*The government has tabled a motion to carry over the Environment Bill to the Second Parliamentary Session. The text of the motion simply ensures that the bill will be carried over into the next session and also sets the agenda for Report Stage.*

*Covid-19 has inevitably resulted in exceptional pressure on the Parliamentary timetable which has reduced the amount of Parliamentary time available for the scrutiny of legislation.*

**Members noted the report.**

## 18 FUTURE BOARD MEETING DATES

Date	Day	Time
7 June 2021	<b>Monday</b>	2pm
8 November 2021	<b>Monday</b>	2pm

*(amended post meeting in consultation with the Chairman to enable the attendance of the Interim Chief executive. The revised dates will be circulated to committee members for clarification.)*

## 19 ANY OTHER BUSINESS AT THE CHAIRMAN'S DISCRETION

**DATE OF NEXT MEETING: Monday 7 June 2021**

The meeting closed 4:24pm.