

UMIDB
UPPER MEDWAY INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING of the BOARD
held at 17 Albion Place Maidstone
on **Tuesday 17 July 2018.**

Members of the Board Present

D Aikman - Chairman

O Baldock
P Harper
S Highwood
S McLeod
T Reader
H Rogers
C Stewart
R Thomas
C Wheeler

In attendance

M D Watson - Chief Executive
P Bush - Technical Engineer
L Rowland - Administration Assistant

D Lowe – Environment Agency
K Aucott – Environment Agency
S Thomas – Environment Agency

1. APOLOGIES

Apologies received from J Scholey, K Jay, M Round and G Swift.

2. APPOINTMENT OF CHAIRMAN, VICE CHAIRMAN AND COMMITTEES

The Chief Executive explained that the appointment of Chairman, Vice Chairman and Committees would be voted for in the next Board meeting.

The Chief Executive asked for a proposal for a Chairman for this meeting.

On a proposition by R Thomas seconded by H Rogers it was **AGREED** that D Aikman would chair the meeting.

3. ITEMS OF INTEREST DECLARATION

None of the members present declared a pecuniary and/or non pecuniary interest in any of the items to be discussed on the Agenda.

4. DECLARATION OF BOARD MEMBERS INTEREST

REPORTED that J Cannon, N Chantler, D Cooley, P Harper, K Jay, S McLeod, M Round, J Scholey, and C Stewart have not yet completed their Declaration of Board Members Interest form for the year 2018/2019.

RECEIVED Declaration of Board Members Interest forms for 2018/2019.

(As attached to these Minutes)

Copies of the Declaration of Board Members Interest Forms were available during the meeting.

Members were reminded that this form should be completed by ALL Board Members at the start of each financial year and amended as necessary during the year. Any staff member who has a significant interest should also complete a form. Forms should be completed at your earliest convenience and then returned to the office.

5. MEMBERS LIABILITIES

The Chief Executive reminded Members of their responsibilities whilst an elected Member of the Upper Medway Internal Drainage Board and went over the key points below:

“The Members have responsibility/accountability for the overall control of the IDB’s finances and therefore certain financial/fiduciary duties, breach of which could render them personally liable. These duties can be summarised as an obligation, in the context of this document, to act responsibly and with reasonable care in respect of the IDB’s finances and to properly and fully consider the implications of the IDB’s financial position. These rules are set by Government to make sure that no unacceptable risks are taken with public money. It is therefore very important that Members exercise independent judgment and proper care and diligence.”

The Chief Executive explained to members that this is taken from the ADA guidance note which has already been issued to members. A copy of the full guidance note is available on request.

6. PRIVATE & CONFIDENTIAL MATTERS

Members were reminded that all matters discussed relating to employees of the Board should at all times be treated as confidential. Members were reminded once again that there could be implications for the Board under Data Protection and Employment Law if matters discussed were disclosed to others.

7. **MINUTES**

RECEIVED a copy of the Minutes of the Meetings of the Board held on 6 March 2018.

(As attached to these Minutes)

AGREED by all Members present that the Minutes are correctly recorded and that they be signed by the Chairman.

8. **FINANCE COMMITTEE MINUTES**

RECEIVED the Minutes of the Finance Committee Meeting held on 6 March 2018.

(As attached to these Minutes)

Minutes were noted and no comments made.

9. **FINANCE COMMITTEE MINUTES**

RECEIVED the Minutes of the Finance Committee End of Year Meeting held on 24 May 2018.

(As attached to these Minutes)

Minutes were noted.

P Harper asked whether we do a review to make sure we are getting the best return on our savings. The Chief Executive confirmed that we do carry out regular reviews, however, interest is very low even when the best option is used.

The Chief Executive reminded Members that we will be moving away from NatWest to Handelsbanken now that we no longer receive free banking.

10. **INTERNAL AUDIT SUB COMMITTEE MINUTES**

RECEIVED the Minutes of the Internal Audit Sub Committee Minutes Meeting held 11 April 2018.

(As attached to these Minutes)

C Stewart apologised for not attending the meeting and for not passing on her apologies prior to the meeting.

H Rogers requested a verbal report on where we are with data protection/GDPR, and in particular wanted to know whether we have a privacy policy on our website.

The Chief Executive confirmed we do not currently have a privacy policy on the website and Members agreed this was something that we should have as soon as possible.

A GDPR update will be covered in the next section - matters arising from previous business.

11. MATTERS ARISING FROM PREVIOUS MINUTES

Minutes of meeting 1 August 2017

Item 13 – Engineers Report

A request by D Aikman for Officers to look at the additional costs due to Landowners not allowing the IDB to carry out the necessary works efficiently, which affects the rates they pay.

The Chief Executive explained that he has not yet managed to look at this – ongoing.

Minutes of meeting 1 August 2017

Item 20 – Any Other Business, New Office and Lower Depot combined facility

Investigations to be carried out, with the findings and proposals to be reported to the Board.

The Chief Executive explained that this matter is ongoing. Any updates will be reported to the Board at the next meeting.

Minutes of meeting 21 November 2017

Item 16 – Environment Agency Precept Report Update

UMIDB to consider and work out a plan for PSCA direct with EA for precept money from April 2019 onwards.

An update was provided from the Environment Agency – see item 17.

Minutes of meeting 23 January 2018

Item 9 - Minimal Bank Balances Policy

Officers to look into further lending/emergency funding options.

It was agreed to set the minimal bank balances at £350,000 at the Upper Board Meeting held on 23 January 2018.

The Technical Engineer explained that Officers are still to look into further lending/emergency funding options.

Minutes of meeting 23 January 2018

Item 13 – Any Other Business, GDPR

GDPR to be looked into to ensure the Board's policies comply. ADA guidance to be obtained.

The Technical Engineer informed Members that he attended a TMBC GDPR training course on 9 July 2019 and he found it very informative and interesting.

The Chief Executive explained that the guidance from ADA hasn't been very clear and we are going to focus on our own operation.

The Technical Engineer explained that the majority of our exposure are the paper records we hold and keeping computerised records is the way forward. A major shredding operation will be needed.

David Griffiths, our Internal Auditor will also be reviewing this at his next interim review, later in the year.

Minutes of meeting 6 March 2018
Item 14 – Health & Safety Meeting

Joint winter policy agreed and to be submitted to Board for approval.

The Technical Engineer explained this policy is still being written and will be submitted to the Board for full approval before the next winter approaches.

Minutes of meeting 6 March 2018
Item 15 – EA Precept payment

Precept report indicates maintenance that is normal EA maintenance work. Members to suggest areas where work can be carried out.

See item 17 – Environment Agency Report later in the minutes.

12. HEALTH & SAFETY UPDATES

R Thomas commented that he was very impressed with the attitudes and quality of response from staff in the Works, Health & Safety meeting.

The Technical engineer confirmed that emergency lighting had been fitted at the Upper Depot 25 May 2018.

He also confirmed that meetings with our health provider took place in May 2018 and health assessments are hoping to start in August 2018.

The Technical Engineer explained that the same presentation was given to the Lower Board regarding the asbestos in the office and they wanted some extra checks and things put in place. An update will be put to the Lower Board at their Board meeting next week.

The Technical Engineer also confirmed that we are progressing with the various policies required but we are working on the most important first.

13. PLANNING APPLICATIONS

RECEIVED the various planning applications the Board has been invited to comment on since its last meeting.

(As attached to these Minutes)

The Chief Executive read through all the planning applications received.

Members noted the Planning Applications for which the Chief Executive had commented on.

14. CONSENTS

RECEIVED particulars of applications requiring the written consent of the Board.

(As attached to these Minutes)

- a) Delaware Farm, Hever Road, Edenbridge
Proposal: Reinstatement of ditch to realign it to a minimum of 2 metres away from new garden structure, to remove pipe and install a new open span bridge downstream of the property.

Following Member consultation, consent was **GRANTED** on 30 May 2018.

15. ENGINEER'S REPORT

RECEIVED the Engineer's Report Number 153.

(As attached to these Minutes)

The Chief Executive read through the Engineers Report that showed the work carried out from February 2018 to June 2018.

The Chief Executive explained that the mechanical weed cutting work will commence later this month.

C Wheeler asked if de-silting has to be carried at a certain time of year.

The Chief Executive confirmed that de-silting will be done at the back end of the season (between November and February) after the weed cutting has been done.

The Chief Executive explained that the excavator was damaged and items stolen from it on 12 June 2018.

H Rogers asked whether we had started an insurance claim.

The Technical Engineer confirmed the damage had been reported and we are waiting to receive the repair bills before submitting them to the insurance company for reimbursement.

16. WORKS, HEALTH & SAFETY GROUP MEETING

RECEIVED a copy of the Works Health & Safety Group Meeting Minutes dated 5 March 2018.

(As attached to these Minutes)

The Technical Engineer explained that another Works, Health and Safety Group Meeting had also taken place at the beginning of July, after the Board pack for this meeting had been sent to Members.

Minutes were noted with no comments made.

17. ENVIRONMENT AGENCY REPORT

RECEIVED a copy of David Lowe's email to the Chief Executive dated 12 June 2018.

(As attached to these Minutes)

David explained of the £119,500 paid to the EA so far the Board had agreed to fund £19,400 on flood resilience measures in the Medway catchment, £5,000 on new retention boards on the River Beult, £30,000 on consultants looking into the bridge design for New Bridge and Stephens Bridge, and potentially £15,000 for pioneering works on the Summerhill Stream. The Board had previously not liked the idea because it regarded it as normal maintenance works but the Chief Executive had since changed his mind and agreed that the £15k appeared to be quite a bit of pioneering along a long length and that the majority of the work was being done outside the district. Members were happy to go along with the Chief Executives recommendation.

Sam Thomas then explained to members about the Smarden scheme where the EA wanted to spend £50,000 worth of the Precept money carrying out some upstream tree work and desilting as a result of removing the sluice structure in the village. The work was already behind schedule so they needed the Boards permission to use the money. After some serious debate members **AGREED** to the EA using the money.

18. INTERNAL AUDITORS END OF YEAR REPORT 2017/2018

RECEIVED a copy of the Internal Auditors End of Year Report 2017/2018 produced by David Griffiths on 16 May 2018.

(As attached to these Minutes)

The Chief Executive confirmed that David will review our GDPR processes during his next interim inspection.

19. BOARD INSPECTION

Chief Executive explained that he hoped that the visit to the new Lower Board Pump Station would have happened by now. However, this has been delayed because the lease has not yet been signed by the landowner. It is expected that the inspection will take place in September 2018 and this will be a joint inspection.

20. ELECTIONS

RECEIVED a copy of the Programme for the Preparation of Register and Election of Members for 2018 Elections.

(As attached to these Minutes)

The Chief Executive informed members that we have a statutory process to go through for land owners to be elected as Board Members.

The Chief Executive asked Members to approve the Register of Electors, which are all the landowners that pay rates in the drainage district. This is to avoid having to hold a further Board meeting to have the Register of Electors approved.

On a proposition by S Highwood seconded by R Thomas it was **AGREED** to approve the Register of Electors.

The Chief Executive will now be placing a Notice on the website which will be in place for the next 14 days.

Should any landowners come back with any amendments this would need to be approved by the Board and the Chief Executive suggested that a representative be nominated.

On a proposition by R Thomas seconded by S McLeod it was **AGREED** that P Harper would approve any amendments to the Register of Electors.

The Chief Executive explained that in addition to the website notice, letters must be distributed to all land owner Board Members asking whether they wish to continue as Board Members. He further explained that should any Members wish to step down they must do so in writing.

T Reader confirmed he had already given notice in writing and the Chief Executive confirmed receipt of this letter.

The Chief Executive handed out letters to S Highwood, S McLeod and C Wheeler.

The Chief Executive pointed out that there was Vacant positions in the Lingfield and Headcorn areas.

21. ADA SE BRANCH ANNUAL MEETING

RECEIVED a copy of the Minutes of the ADA SE Branch Annual Meeting held on 26 April 2018.

(As attached to these Minutes)

The Chief Executive explained he had stepped down as Director to the ADA Board due to being unable to attend the last meetings due to other commitments.

22. ADA CONFERENCE 2018

The Chief Executive informed Members the next ADA Conference will be held on 14 November 2018 and asked if any Members would like to attend.

R Thomas confirmed he would like to attend as he found the conference worthwhile last year.

P Harper confirmed he would also like to attend.

23. ANY OTHER BUSINESS

a) Recognition of Board Members

The Chief Executive advised members that M Dobson had served 27 years on the Board prior to his recent stepping down as Chairman/Board Member and R Young had served 38 years as a Board Member prior to his recent passing. The Chief Executive further explained that he would like to recognise this service and asked Members for any ideas.

A lengthy discussion took place and it was agreed that a letter of thanks/recognition should be sent to M Dobson and also R Young's wife.

A gift should also be sent to M Dobson and a charitable donation on behalf of R Young.

H Rogers proposed a £100 gift to charity on behalf of R Young.

b) NFU Insurance

The Chief Executive explained that the Financial Committee had agreed to look into a potential policy to protect Directors and Officers.

c) Lisa Rowland

The Chief Executive explained that Lisa Rowland is approaching the end of her 12 month employment contract and asked Members whether they would be willing to now make her appointment a permanent one.

On a proposition by O Baldock seconded by R Thomas it was **AGREED** to approve Lisa Rowland's permanent contract.

24. CLOSURE

There being no further business the Chairman declared the meeting closed and thanked the Board for their attendance.