

UMIDB  
**UPPER MEDWAY INTERNAL DRAINAGE BOARD**



**MINUTES OF THE MEETING of the BOARD**  
held via **Zoom Conference Call**  
on **Tuesday 9 June 2020.**

**Members of the Board Present**

H Rogers - Chairman

O Baldock  
M Boughton  
M Davis  
D Goff  
P Harper  
C Mackonochie  
S McGregor  
S McLeod  
W Thompson  
C Wheeler

**In attendance**

O Pantrey – Technical Assistant  
J Murphy – Finance Officer  
L Rowland – Office Manager

The Chairman welcomed everyone to the meeting and asked Members to mute their microphones during the meeting unless they wanted to speak. He asked if anyone wished to speak that they use the wave command in reactions.

The Chairman explained that some items on the agenda would need to be juggled around a little bit today. He made a short statement explaining that the Chief Executive was not present at the meeting due to him taking a period of leave and explained that during this time both Board's had made a decision to continue with a management team of the Chairman and Vice Chairman of each Board.

The Chairman thanked all staff that had helped prepare for the Board meeting and for their continued support.

**1. APOLOGIES**

Apologies received from S Highwood and G Swift.

## 2. **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.

## 3. **ELECTION OF VICE CHAIRMAN**

The Chairman asked C Wheeler to say a few words.

C Wheeler confirmed to Members that he was retiring as Vice Chairman as he felt he was unsuitable as Chairman of the Finance Committee. He explained that he proposed that D Goff chair the last Finance Committee meeting and he had done a very good job of it and he had been very impressed with D Goff's commitment to the Board and he was the ideal replacement for the Vice Chairman/Chairman of Finance position.

The Chairman said that he wished to echo C Wheeler's words and that he was very impressed with both the time and effort D Goff has shown especially over the last 6 months and he also wished to thank him.

D Goff was happy to accept his nomination as Vice Chairman.

The Chairman asked if any other Members wished to make any further nominations. No further nominations were received.

On a proposition by C Wheeler seconded by S McCleod it was **AGREED** for D Goff to be elected as Vice Chairman/Chairman of the Finance Committee.

All Members present **AGREED** with this proposal with the exception of one vote (W Thompson) which could not be recognised on the Zoom conference call.

## 4. **EA PRECEPT REPORT 2019 & EA SECTION 141 STATEMENT 2020**

**RECEIVED** a copy of the EA Precept Report 2019 and EA Section 141 Statement 2020.

**(As attached to these Minutes – Appendix 1)**

The Chairman said that it was quite refreshing to receive documents from the EA that were in more detail and showed itemised costings.

The Chairman asked Members if they had any questions on the report and asked the Technical Assistant if he could help answer any questions that Members may have.

C Wheeler asked if the £10k allowed for repairs for the Bockingfold Sluice had been finished or whether part of the job was still to be done.

The Technical Assistant said he was unsure, but he would find out.

The Chairman requested that the Technical Assistant send out a note to all Members once he knew the answer to this query.

No further questions were raised.

## 5. MINUTES

**RECEIVED** a copy of the Minutes of the Meetings of the Board held on 12 November and 16 December 2019.

**(As attached to these Minutes – Appendix 2)**

**AGREED** by all Members present that both sets of Minutes are correctly recorded and that they be signed by the Chairman when this was possible.

## 6. MATTERS ARISING FROM PREVIOUS MINUTES

The Chairman asked the Office Manager to talk through the outstanding items from the action list.

The Office Manager confirmed there were 8 outstanding items and updated Members on the following items:

### **Minutes of meeting – 1 August 2017**

#### **Item 20 – New Office & Lower Depot combined facility**

Will be discussed under item 17 of today's agenda.

### **Minutes of meeting – 28 January 2019**

#### **Item 2 - EA Presentation**

The EA are still to provide:

- Dimensions of the 2 Duddies sluices so ACE can provide a quotation to replace them.
- Technical details for Beult Bridge works.

The Office Manager said it was difficult to say if this was still outstanding as the Chief Executive had been dealing with this and this would be looked into to see if we were still waiting for this information.

### **Minutes of meeting – 11 June 2019**

#### **Item 11 – Internal Auditors End of Year Report**

Additional Finance Committee Members required. Paul Harper previously agreed to join the Finance Committee.

Passport and signature required from P Harper to set him up as a signatory with our bank.

### **Minutes of meeting – 12 November 2019**

#### **7 – Works Supervisor Report**

Excavator hiring quotes required.

It was agreed previously to go ahead with the hiring option rather than purchasing a new excavator and the Works Supervisor agreed to provide some quotations. However, this has been put on hold due to COVID-19.

**Minutes of meeting – 12 November 2019**  
**12 – Policies Report (Governance Documents List)**

Some policies have not been reviewed since 2014. These policies will be reviewed with D Dewar-Whalley, LMIDB and D Goff, UMIDB in time for the November Board meetings.

**Minutes of meeting – 12 November 2019**  
**14 – Joint Services Minutes**

Request for the terms of reference for the Joint Services Committee to be provided. The Scheme of Delegation has been updated and will be discussed under Item 12 of this agenda.

The following 2 items were not discussed but are recorded for information in these minutes.

**Minutes of meeting – 12 November 2019**  
**18 – Estimates & Special Levies**

Recommendation that the company that sold faulty mowers be held liable for precept money lost and consideration to be taken to look at court proceedings.

**Minutes of meeting – 12 November 2019**  
**21 – Planning Applications**

Request to keep an eye out for Capel & Tudeley Brook area planning application for 4,000 houses.

**7. CHAIRMAN REPORT**

The Chairman started by saying that we have all found ourselves in a very strange position since the COVID-19 crisis and business was obviously not as usual.

He explained that since the last Board Meeting he had conducted 3 Bills Committees, 2 of which were via online video calls since the COVID-19 crisis. He said he has also attended Finance Committee meetings, including 2 Joint Services meetings and has attended the office to speak to the Chief Executive on a number of occasions.

He confirmed that since the COVID-19 crisis office staff have been working from home and have been attending the office on a rota basis.

He explained that he had recently been joining the weekly updates, along with other Board Members that the office staff were holding via Zoom on a Friday.

He said that he was pleased to report that since the lockdown the office staff had been working successfully from home and he thanked the staff for their time and effort to continue the service that they were providing.

He also said that communication between the Lower and Upper Boards has greatly increased in the last few months and he was pleased to report this positive change.

## **8. CHIEF EXECUTIVE REPORT**

This item did not go ahead due to the absence of the Chief Executive.

## **9. WORKS SUPERVISOR REPORT**

**RECEIVED** the Works Supervisor Report Number 158 & 159.

**(As attached to these Minutes - Appendix 3)**

The Chairman asked the Technical Assistant to give an update on the workforce since the lockdown.

The Technical Assistant explained the timeline of events for the workforce to Members. He confirmed that the workmen had been put on standby rather than being furloughed so that they were on call for as and when they were required. He reported that this included some help with Harty Pump Station which was a joint effort between the Lower and Upper Board workmen. He added that they had also dealt with some fallen trees on the Hammer Stream in Headcorn which were an immediate flood threat. He explained that talks started in mid-May regarding returning them to work, with a Zoom meeting taking place a week later to discuss the return in more detail. They officially returned to work on 26 May with strict social distancing measures in place and they have commenced duties, ie strimming. He confirmed that tractors are due to be back in use from mid July.

The Chairman explained that the new mowers had now been delivered and were being attached to the tractors.

The Technical Assistant confirmed that Shelbourne Reynolds would be giving an induction and Prolec would be fitting height limiting systems in due course.

The Chairman explained that the height limiters had been taken from the previous tractors and they were being re-fitted to the new tractors.

The Chairman also explained that depot staff had been called in to do general maintenance in the office prior to lockdown as this is generally a quiet time due to the nesting period.

## **10. REGISTER OF MEMBERS' INTEREST 2020/21**

**REPORTED** that 10 out of 15 Register of Members' Interest forms had been completed for the year 2020/2021.

The Office Manager advised that she would be sending a reminder email out to Members that had not yet completed a form shortly.

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 as soon as possible and returned to the office.

## **11. MEMBERS LIABILITIES**

The Chairman confirmed that the insurance that had been taken out previously to protect Members was still in place and asked if any Members had any questions.

No questions were raised.

## **12. POLICIES REPORT**

**RECEIVED** a copy of the updated Governance Documents List, Scheme of Delegation and Standing Orders.

**(As attached to these Minutes – Appendix 4)**

The Chairman explained that since the lockdown the Scheme of Delegation and Standing Orders had been altered. He explained that the Standing Orders had been changed as an emergency to allow for the likes of this Board meeting to take place via video conference call and the secretary of state had already signed off this amendment. He pointed out the changes for the Scheme of Delegation were highlighted as tracked changes.

The Chairman asked Members if they had any questions.

No questions were raised.

All Members present **AGREED** the changes to the Scheme of Delegation and Standing Orders.

The Chairman explained that a list of the current Governance Documents had also been included for information and that a number of policies would be amended and available to review at the Board meeting in November.

## **13. FINANCE COMMITTEE MINUTES**

**RECEIVED** the Minutes of the Finance Committee Meeting held on 12 November and 27 November 2019.

**(As attached to these Minutes – Appendix 5)**

D Goff thanked C Wheeler and the Chairman for their earlier kind words. He also said that there was an outstanding issue with regards to the signatories currently on the Finance Committee as of the 5 current named people, 2 had left the Board. He requested that other Board Members have a think about stepping up and putting themselves forward, he added that in an ideal world it would be landowners as Councillors quite often come and go and this has implications for the Board.

D Goff asked the Chairman if he could discuss the concerns that he has with the Board.

The Chairman requested that D Goff go ahead.

D Goff said that the Upper Board had reached a critical time. He said that since he joined the Board in November 2018 a number of issues had been raised including tribunals and a new office. He said that the Board had done a lot of talking but were not moving forward. He said he felt the Board was dysfunctional and disjointed and lacked focus while the Lower Board were steaming ahead.

D Goff said that changing the culture of the Board was not going to be easy, but it had to be done and it was time for Members to step up to the plate. He explained that the Board needs committed Members, attendance was poor, and all Members should be aware of their responsibilities that are outlined in the Blue Book on Good Governance for Internal Drainage Board Members.

He continued by saying that the Chief Executive had sent out an email to all Members regarding borrowing money towards the end of last year and no response had been received whatsoever and this was not acceptable. He said that he felt that there could be implications with the internal and external audits and the Board could even be subject to an investigation if things did not change.

D Goff asked Members to please pull together and said if they do not agree with this to please say so. He asked Councillors in particular to think about their role and their commitment.

The Chairman thanked D Goff for his words and said that it was very useful, and he regretted that a number of Members were not present to hear what he had to say.

C Wheeler said that the Board had his full support and said well done to D Goff for what he had said.

S McLeod said that he fully supported what D Goff had to say and he could concur with every word.

M Boughton said he felt with the current situation with the Chief Executive it gave the Board an opportunity to work closer with the Lower Board and with staff. He said it was important to look at the relationship with the Lower Board.

P Harper said he supported what M Boughton had said and felt it would be useful to have a forum/sub committee to discuss staffing issues.

S McGregor said he had to endorse what had been said and it was important for both Boards to work together logically to be more efficient.

D Goff explained that we already have a staffing committee as the Joint Services Committee deal with staffing and he suggested that it would be helpful if the structure of the Board was circulated to Members which includes details of the Committees.

The Technical Assistant agreed to send this out to Members.

The Chairman explained that the Board were looking into the potential of introducing a 'Development Control Charge' and Members discussed the possibility of this in some detail.

The Technical Assistant explained that he had spoken to Phil Camamile from Water Management Alliance and he had agreed to do a Zoom meeting on 6 July to discuss the new technology on the DRS system and also answer questions relating to the development control charge. He said he would like as many of the Joint Services Committee to join this meeting as possible. He encouraged the Board to put off any further discussion until after that meeting had taken place.

The Chairman added that this would involve recruiting an individual and this would also have an administration implication.

M Davis asked what sort of level of experience this individual would need. He also said that this was a big issue that needs a lot of thought.

The Chairman said that there was a lot of support from both the Lower Chairman and Vice Chairman and a proper business plan would need to be put forward.

The Technical Assistant explained that Phil Camamile is the CEO of the Water Management Alliance/Kings Lynn Internal Drainage Board which included 6 Boards altogether. He said that his knowledge in this area is vast and there would be an opportunity to work on a recharge basis initially if the Board so wished. It was noted that Phil is very flexible and was willing to be helpful in getting this going and that other Boards have adopted a similar system of charging.

W Thompson said it would be a very good idea to put our toe in the water and to link in with a group that was already doing it. He said that trialling it to see if it would work for us would be the way forward.

The Chairman said that we should proceed to look into it and the final decision would come back to the Board and a change of legislation would be required.

The Technical Assistant confirmed that the Standing Orders were already in place for this to happen and a policy change on top of the Standing Orders would be all that would be required.

#### **14. INTERNAL AUDITORS END OF YEAR REPORT 2019/2020**

**RECEIVED** a copy of the Internal Auditors End of Year Report 2019/2020 produced by David Griffiths on 13 May 2020.

**(As attached to these Minutes - Appendix 6)**

The Chairman asked if any Members had any questions on the Auditors End of Year Report.

No questions were raised.

#### **15. END OF YEAR ACCOUNTS – YEAR ENDING MARCH 2020**

**RECEIVED** a copy of the End of Year Accounts year ending March 2020.

**(As attached to these Minutes - Appendix 7)**

The Chairman asked if any Members had any questions on the End of Year Accounts.

No questions were raised.

## **16. ANNUAL RETURN – YEAR ENDING MARCH 2020**

**RECEIVED** a copy of the AGAR for year ending March 2020.

**(As attached to these Minutes - Appendix 8)**

The Chairman asked if any Members had any questions on the AGAR.

No questions were raised.

## **17. OFFICE UPDATE**

**RECEIVED** a copy of a letter from the Lower Board Chairman.

**(As attached to these Minutes - Appendix 9)**

The Chairman explained that he had not been able to formally reply to the Chairman of the Lower Board's letter regarding the 2 x further £80k payments. He explained that he had only spoken to him to explain the situation at this stage.

**RECEIVED** an options paper from the Chief Executive regarding financing the new offices.

**(As attached to these Minutes - Appendix 10)**

The Chairman said that after the last meeting when it was agreed not to pay the 2 x further £80k payments, he had asked the Chief Executive to produce a report to give the Board their options with regards to the office move. He asked Members what their thoughts were on these options. He asked the Board to dismiss option 4 (pulling out) entirely as the Lower Board are fully committed on the office move and wanted the Board to consider how we would deal with staffing issues should they go ahead without the Upper Board.

P Harper said that he was not necessarily saying not to move but suggested there may be other opportunities. He said for example KCC and the Police were looking to move out of their current locations, and this could potentially be a site for the office staff. He said staying where they were was probably not an option.

S McGregor said that we cannot stay where we are and as we have just agreed to work closer with the Lower Board this should not be an option. He said he liked the idea of going in with the KCC/Police. He added that not paying upfront was a good plan.

C Wheeler said that the office repair costs were nothing compared to the price of the new office, but said the office should be located where the depot is.

S McGregor said that we need to be clear about whether to pay rent or own a building and he felt that this seemed a bit messy and needed clarification. He said that £50k repair costs were a lot less than a new building.

The Chairman confirmed that the offices would be shared by both Boards unless we were completely split up which goes against everything that had been discussed.

S McGregor said that we need to speak to the Lower Board to work together to get the best cost-effective office and that we can't split the office up.

P Harper raised the issue of the geography of the office and felt Maidstone was a central option and we needed to consider the logistics especially for Members attending meetings.

The Chairman said that the combined office/depot option was sold to us and the current plans were for the same site, but separate buildings. He added that he didn't feel where the finance/admin were based was that critical as recent events had proved that staff were working adequately from home for example.

C Wheeler added that an office for the Board's convenience is not relevant and that he felt the office should be based at a depot.

S McGregor agreed that the location of the office needs to work for staff and not Members and added that future meetings could well be held via Zoom.

D Goff said that the office building was valued at £240k a couple of years ago. He added that the danger here was that we were going round and round in circles and not getting to a decision and the Board had wasted a lot of time having the same discussion since 2016.

C Wheeler said we will still need 2 depots whatever happens, but office staff and depot should be all under one roof wherever that may be.

W Thompson asked if there was any reason what we can't amalgamate and have one Board.

The Chairman said that combining Boards was quite a serious one, but he would look into the possibility of that happening.

C Wheeler added that combining Boards had been spoken about on numerous occasions, but it had always been stopped and would likely take a long time to put into place.

D Goff said that around the country different Boards had amalgamated before and it was a good time to look at it all.

S McGregor said he agreed, and we should look at amalgamation, but it was not priority and the priority was to work together to make the new office situation work.

C Mackonochie asked whether the valuation costs of the new build were for just the build or a total fit out as it seemed a bit pricey. She added that prices may well have increased as she was aware of other projects that had increased recently.

The Chairman agreed that it did look expensive and when discussions had last taken place a suggestion of separate buildings had been made.

D Goff said as far as he was aware it was for a combined depot and office and he offered to compile a report to present to the Board giving them more information and including full details of their options.

M Davis said that he felt it was in a bit of a mess and it was beyond doubt that we need a new office/same office for staff. He said we need to decide whether to own or rent and felt it was a big ask to own a building. He felt renting/leasing was the way forward as this could be managed with annual rent. He said it was sensible to look further into that option.

M Davis added that a feasibility study with the Lower Board would be the way forward and that it has got to be a joint decision and if we have to veto the idea of the new office build completely we need to do that as soon as possible.

C Wheeler said he had been saying the same things but had not been supported.

The Chairman said he felt the offer of D Goff of coming up with a full report with up to date options would be very helpful and said even though the Board were not due to meet again until November, a meeting could be arranged before this to discuss things further.

M Davis said that quite a lot of work must be done before the interim meeting and information should be shared before then.

On a proposition by S McLeod seconded by M Boughton it was **AGREED** that D Goff should prepare a report for new office accommodation and this should to be circulated to the Board before the next meeting is arranged to discuss the options further.

D Goff wanted to be very clear and said that he would prepare a report with options on a new office on a joint basis and this would be fully costed with design. He said he would also include costs for repairing the Albion Place building and costs for a rental option.

D Goff said that we should write back to the Lower Board Chairman informing him what we are going to do.

The Chairman agreed to do this.

P Harper said that when options are appraised, we need to look at the potential of all costs and said if the office is not onsite with the depot, ie what costs would be involved for example if a rental went ahead in Maidstone.

D Goff asked P Harper to help with that and said he would need to rely on his support with regards to the KCC and Police building options.

P Harper agreed to help D Goff as required.

All Members present were in favour.

On a proposition by The Chairman seconded by all Members it was **AGREED** that the Chairman would also respond to the Lower Board confirming they would not be making any further contributions to the new office at this stage.

## **18. HEALTH & SAFETY UPDATES**

O Baldock said thank you to the Technical Assistant for his extreme hard work in putting together the new risk assessments for the COVID-19 situation and that he was impressed with how extensive the documents were.

The Chairman said that he completely agreed, and the documents were not only very extensive but well thought out and prepared.

## **19. WORKS HEALTH & SAFETY GROUP MEETING**

**RECEIVED** a copy of the Works Health & Safety Group Minutes from 13 January 2020.

**(As attached to these Minutes - Appendix 11)**

The Technical Assistant confirmed that the meeting arranged for April did not go ahead because of the COVID-19 situation but an agenda was put forward to the group instead.

The Chairman asked if any Members had any questions on the Minutes from 13 January.

No questions were raised.

## **20. CONSENTS**

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

**(As attached to these Minutes - Appendix 12)**

### **a) Jarmons Lane Bridge Gas Crossing – Watercourse U19**

Proposal: To route under the IDB watercourse a 90mm PE medium pressure natural gas main adjacent to Jarmon's Bridge, off Forge Lane/Jarmons Lane.

Following member consultation consent was **GRANTED** on 20 January 2019.

### **b) Paddock Wood Cemetery Grounds**

Proposal: To allow a new outfall into IDB watercourse 26 linking up to a new French drain to help discharge surface water from Paddock Wood Cemetery.

Following member consultation consent was **GRANTED** on 10 March 2019.

## **21. ANY OTHER BUSINESS**

No AOB raised.

The Chairman thanked the office staff for allowing the meeting to go ahead as smoothly as it had and for all their hard work especially in the last week.

**22. DATE OF NEXT MEETING**

The Chairman confirmed the next Board meeting had been arranged for 10 November, however, an emergency meeting would be called before then to discuss the new office as previously discussed.

**23. PRIVATE & CONFIDENTIAL MATTERS**

The Chairman requested to move private and confidential matters to the end of the meeting so he would be able to ask the office staff to leave the meeting.

The Technical Assistant, Finance Officer and Office Manager left the meeting and the recording was stopped at this point.

Members were reminded that all matters discussed relating to employees of the Board should always 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

**24. CLOSURE**

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