

LOWER MEDWAY INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING of the BOARD
held via **Zoom Conference Call**
on **Monday 23 November 2020 at 1pm**

Members of the Board Present

Chairman: S Batt
S Attwood
H Browne
C Buckwell
D Carnell
D Dewar-Whalley
G Fulton
R Hall (most of the meeting)
J Lewis
J Mair
S Mair
R Palmer
K Rowles
B Stone
G Whelan

In attendance:

O Pantrey – Acting Clerk
J Davis – Works Supervisor
L Carey – Finance Officer
L Rowland – Office Manager

Carol Donaldson

1. APOLOGIES FOR ABSENCE

Apologies were received from D Davis and T Valentine.

Non attendees - no response received from G Etheridge and B Martin.

2. ITEMS OF INTEREST DECLARATION

The Chairman declared an interest in item 13 (Chairman Allowance Review).

S Mair declared an interest in item 25 (Private and Confidential Matters).

3. MEMBERS LIABILITIES

The Clerk reminded Members of their responsibilities whilst an elected Member of the Lower 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.”

4. BIODIVERSITY QUOTATION & PRESENTATION FROM CAROL DONALDSON

RECEIVED a copy of Carol Donaldson’s biodiversity quotation.

(As attached to these Minutes – Appendix 1)

Carol thanked Members for giving her the opportunity to present to them today. She talked through her biodiversity presentation and asked Members if they had any questions?

R Hall joined the meeting.

D Dewar-Whalley asked Carol why she was not working with the Stour Board now?

Carol said that after 8 years she felt she had taken the Stour Board as far as she could at that time and wanted to start new projects that she can get her teeth into.

D Dewar-Whalley also asked how her work was financed?

Carol confirmed that the Board finance the majority of the work like the survey work and the management sheets. She also said that some work had been funded by the EA and there is the potential of outside sources to supply funding as there are various pools of money out there.

Dewar-Whalley asked if we would be charged £300 per day for going on site?

Carol said this was something that what need to be discussed further and in the past when working with the Stour Board they agreed a price per year/hour. She said anything beyond the BAP work would need to be discussed.

The Chairman said that he wished these costs to be discussed further at the Joint Services Meeting and said to Carol that we may invite her in the future to answer some more questions.

S Attwood said that he had found Carol very good to work with.

The Chairman thanked G Fulton for putting himself forward to be our representative for the Biodiversity Action Plan.

The Clerk also thanked G Fulton for putting himself forward and said that it was important the Board is represented for biodiversity.

The Chairman thanked Carol again for her presentation and asked if Members had any further questions?

S Attwood said he would also be happy to sit in any meetings that were relevant.

Carol Donaldson left the meeting.

5. ESTIMATES & SPECIAL LEVIES

RECEIVED summary of figures and recommendation from the Estimates Committee for the 2021/2022 financial year.

(As attached to these Minutes – Appendix 2)

The Clerk displayed the Estimates documents on the screen for Members and said that the Board are in a very good financial position and it would be wise to maintain that. He explained that we are working very closely with the EA in order to ensure our precept money is being spent not only in the EA interests but ours as well and we have received some very generous contributions back from them as a result. He said we are still looking at depreciating machinery and replacing plant after 4 years as it's a prudent thing to do. He added that we are also discussing a need for a Technical Assistant.

The Clerk confirmed that the recommendation from the Finance Committee is for a 3.5% increase, which equates to a penny rate of 6.4118.

H Browne asked why the depot costs were less to run next year than they had been this year? She also asked why labour costs and the pumping station costs had gone up?

The Clerk explained that there were high repair costs this year due to the breakdown of the stations at Harty Ferry. This also incurred large overtime expenses as a result.

The Clerk confirmed the reduction in spend for the depot was due to the fact that there had been an unexpected increase this year in spend for gasoil and AdBlue. He explained that gasoil and AdBlue costs were higher this year due to the repair work required at Harty Pump Station.

H Browne thanked the Clerk for the explanation.

On a proposition S Mair, seconded by S Attwood it was **AGREED** to set the penny rate at 6.4118 and that the Clerk and the Chairman should sign the Drainage Rates & Special Levies Certificate.

All Members present were in agreement.

6. MINUTES

RECEIVED the Minutes of the Meeting of the Board held on 21 September 2020.

(As attached to these Minutes – Appendix 3)

On a proposition by D Dewar-Whalley, seconded by J Lewis it was **AGREED** to accept the Minutes of 21 September 2020 as read.

7. ACTION LIST & MATTERS ARISING FROM PREVIOUS MINUTES

RECEIVED a copy of the Action List of the Board held on 21 September 2020.

(As attached to these Minutes – Appendix 4)

The Chairman asked if there were action questions on the Action List?

No questions asked.

8. CHAIRMAN REPORT

The Chairman said in the last eight weeks since the last Board Meeting he has attended a meeting at the Elmley Nature Reserve to look at our first PSCA contract and this proved quite challenging for The Clerk and Works Supervisor just keeping up with the EA paperwork. He confirmed this has now been successfully completed and said well done to both of them.

He said that he had also toured the UMIDB catchment with the Works Supervisor and also took a look round part of the North Kent Marshes catchment escorted by Priscilla Hazelhurst and the Clerk. He explained he just has left to meet Pete Dowling and look round the Stour catchment when COVID conditions allow and this is all part of creating good relations with our IDB neighbours.

He also said he had met all our outside staff individually on site, so there is a connection between the Board and the staff. He has also been involved with the new office and depot project and more of that follows in private and confidential matters.

He said he did attend the virtual ADA conference and the Clerk will comment on this later in the agenda.

Finally, he thanked all our office staff for working so flexibly during these very difficult times and said the Board need to appreciate that we now have a great team in place.

9. CLERK REPORT

The Acting Clerk thanked the Chairman updated Members as follows:

COVID Response - As we move into November, COVID-19 continues to cause not only us but the country problems regarding how best to operate. I have taken the decision that all office staff will be working from home primarily until the new year. We shall then take a decision based upon government advice and staff feedback as to whether we return to the office. It is worth noting that the effect of home working has been minimal in terms of productivity but there are concerns around the missing social aspect of office life.

While the impact of this may not seem important at first, loneliness and isolation are a real problem. I will continue to monitor staff through meetings and DSE assessments going forward.

Staffing - Lorna has completed her 3 month review and she continues to impress with her attitude towards improving financial process.

Appraisals have been conducted by D Dewar-Whalley and D Goff of the UMIDB for the office staff. Training is still planned for myself and the staff so that workforce appraisals may be completed in the new year.

Wage increase recommendations have been received from the Pay and Conditions Committee in Lincolnshire and these will be discussed with the Joint Services Committee in December.

Health and Safety - The new health and safety plan is live after its approval by D Dewar-Whalley and O Baldock of the UMIDB. Both these Members are the health and safety representatives from the Board and I thank them for their efforts and input to this project.

The key point was to add in risk assessments for all activities and to give a better direction of Board aims.

Office Admin - The digital system continues to expand, and issues fixed where found. I still maintain that it has been a success in aiding efficiency in both the office and field.

We are set to roll out the new DRS system in April 2021 after discussions with Phil Camamile. This will then allow stakeholders the opportunity to view registered land and pay demands electronically.

The website now has an interactive map of watercourses in the districts. There have also been changes to the layout to make it easier to find and view financial documents and the new planning frameworks and charges.

EA Partnership - As mentioned by the Chairman, we have now successfully completed a historic piece of work on the sea wall at Elmley Reserve. This work was carried out under the PSCA agreement that we will be seeking to renew in January 2021. I would like to thank The Works Supervisor for his effort on this project, along with some excellent contractor work from Gareth Fulton and his team Shaun and Martyn. Under strict CDM rules the work was completed smoothly and quickly much to the delight of the EA.

Discussions over precept and contributions towards certain projects throughout the district are ongoing.

Pumping Stations - We have received contributions from the EA regarding the breakdowns and running costs earlier this year at Harty Ferry and Leysdown Pumping Stations.

We have also received half the running costs for Bells as agreed previously with the EA.

Rushenden's replacement pumping station is still in the very early stages and Homes England will need to renew their consent for works as it has now elapsed. We have had incidents of the pumps tripping out and MKE have been to investigate.

The issue regarding Bells excessive data usage is nearly at an end. We are having a visit from Lee-Dickens to double check the measures in place now will prevent any further issues and to confirm viability of the mobile signal at the site which now seems to be intermittent.

Structures - We are attempting to secure funding from the EA towards replacement water control structures, starting with Luddenham marshes as an initial project. This is in the early stages, with any money received going towards a survey of the asset to see what works are needed to bring them back into service.

10. WORKS SUPERVISOR REPORT

RECEIVED the Works Supervisor Report Numbers 169.

(As attached to these Minutes - Appendix 5)

The Chairman asked Members if they had any questions?

The Works Supervisor said that he wished to echo the Clerk's words regarding the PSCA works at Charfleet and said that they worked to a very tight timescale and the works were very professional and wanted to give his thanks to G Fulton and his team.

The Works Supervisor also said that he had some feedback from the workforce and said that they appreciated the Chairman taking such an interest in the staff in the way that he does.

D Dewar-Whalley asked the Works Supervisor if he could make himself available to join the Joint Services meeting on 14 December so he would be available to discuss biodiversity.

The Works Supervisor confirmed he would attend.

11. REGISTER OF MEMBERS' INTEREST

REPORTED that B Martin has not yet completed their Register of Members' Interest form for the year 2020/2021.

The Office Manager confirmed she sends out monthly reminders to any Members that have not completed their forms and said she would post out a copy of the form to B Martin.

12. FINANCIAL REGULATIONS

RECEIVED the updated Financial Regulations.

(As attached to these Minutes - Appendix 6)

The Clerk explained that the changes to the Financial Regulation were changing Chief Executive to Clerk and also pointed out the changes in 19.3 and 20.2 with regards to salaries payments.

D Dewar-Whalley requested that when the Clerk is mentioned in the first instance in any policies that he is referred to as his full title of Clerk to the Boards, and then he can be referred to as the Clerk thereafter.

On a proposition by J Lewis seconded by D Dewar-Whalley it was **AGREED** to approve the changes to the Financial Regulations.

13. CHAIRMAN ALLOWANCE REVIEW

The Clerk confirmed that it was time to do the annual review of the Chairman's Allowance which was currently set at £3,500 per annum.

On a proposition by S Attwood seconded by S Mair it was **AGREED** to keep the Chairman's Allowance at £3,500 per annum.

14. POLICIES REPORT

RECEIVED a copy of the updated Governance Documents List, Scheme of Delegation, The Division of Responsibility and Statement of Controls.

(As attached to these Minutes - Appendix 7)

On a proposition by D Dewar-Whalley seconded by J Mair it was **AGREED** to approve the changes to the Scheme of Delegation, The Division of Responsibility and Statement of Controls.

15. FINANCE COMMITTEE MINUTES

RECEIVED the Minutes of the Finance Committee Meeting held 6 October 2020.

(As attached to these Minutes - Appendix 8)

Minutes were noted and no comments made.

16. JOINT SERVICES MINUTES

RECEIVED the Minutes of the Joint Services Committee Meeting held on 25 September 2020.

(As attached to these Minutes – Appendix 9)

Minutes were noted and no comments made.

17. EXTERNAL AUDITORS END OF YEAR REPORT YE 2020 (Notice of Conclusion of Audit/(AGAR)).

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

(As attached to these Minutes - Appendix 10)

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

G Fulton asked if the concerns J Lewis had previously that were raised at the Finance meetings were still a concern?

J Lewis confirmed he had raised concerns as he was under the illusion that our finances had previously been handled correctly and this had not been the case and he was also concerned about the alterations to the AGAR.

The Clerk confirmed that there were amendments as the AGAR was not correctly submitted originally by the previous Chief Executive and Finance Officer as PKF Littlejohn would like and himself and the new Finance Officer had spent weeks

correcting it, sending figures back and fourth and confirmed that we have now had the approval back from PKF Littlejohn.

D Dewar-Whalley added that we now have new internal auditors that will also ensure things are carried out going forward.

The Clerk confirmed that Mid Kent Audit were currently undertaking a shadow audit and suspect they may highlight some further issues while we are straightening everything out and we are now the right track.

18. IDB1 FORM 2020

RECEIVED a copy of the IDB1 form for 2020.

(As attached to these Minutes - Appendix 11)

The Chairman asked the Clerk to explain the IDB1 Form to Members.

The Clerk explained the IDB1 form is the annual report that is sent to DEFRA and is an important document to allow them to see what our expenses and expenditures are and also see what our attitude is towards things like biodiversity, Board Member training and health and safety etc. DEFRA then determine from this how we are categorised regarding our performance and in the past Board participation and biodiversity had been of a concern. Participation and the positive attitude of this Board is now resulting in excellent attendance rates and he said that we are now looking seriously at biodiversity, so we are moving forward on both of these highlighted points.

He added that the figures on the IDB1 form are slightly different to the AGAR as they ask for slightly different things.

J Lewis raised an issue that he had already spoken to the Clerk about regarding SSSI management plans, he said that the land near Sheerness was not actually SSSI.

The Clerk said that this was probably a mistake on DEFRA's part as they assume that SSSI and water level management plans are one and the same. He added that we have not separated the two in previous IDB1 forms and that this year we included the water level management plans that are not SSSI.

The Clerk added that it is vital for the Board to see this document and this will be reported to the Board yearly going forward.

19. HEALTH & SAFETY UPDATES

D Dewar-Whalley wanted to ensure Members that COVID updates had been given to both the workforce and office staff. He confirmed that the next health and safety meeting will take place in January and a report will be available for the Board at the next meeting.

20. PLANNING APPLICATIONS & CONSENTS

RECEIVED particulars of applications requiring the written consent of the Board and WLMA's new Planning Report.

(As attached to these Minutes - Appendix 12)

The Clerk explained that we were not sending all planning and consent applications to WLMA, only the ones we were unable to deal with ourselves.

The Clerk also said that we have just recently received 2 new consents which will be reported at the next meeting.

21. APPROVAL OF CALENDAR OF MEETINGS 2021

RECEIVED proposed Calendar of Meetings for 2021.

(As attached to these Minutes – Appendix 13)

AGREED dates:

Lower Board

| | | |
|--------------------|-------------------------------|------|
| Monday 26 April | Board Meeting | 1pm |
| Monday 24 May | Finance Committee | 10am |
| Monday 25 October | Estimates & Finance Committee | 10am |
| Monday 29 November | Board Meeting | 1pm |

Joint Services

| | | |
|-------------------|--------------------------|------|
| Tuesday 2 March | Joint Services Committee | 10am |
| Tuesday 5 October | Joint Services Committee | 10am |

Internal Audit

| | | |
|---------------|------------------------------|-----|
| May (TBC) | Internal Audit Sub Committee | 2pm |
| October (TBC) | Internal Audit Sub Committee | 2pm |

D Dewar-Whalley confirmed that the Joint Services meetings that were being held had been increased and were being called on an as and when required basis.

The Office Manager confirmed that the meeting dates would be circulated to Members when the Minutes of the meeting are circulated and the dates are also published on our website.

22. ADA CONFERENCE

The Clerk confirmed that himself and the Chairman had attended the virtual ADA conference on 11 November 2020.

He said as always, the topics are interesting, but quite broad and said that one point that both himself and the Chairman found particularly interesting was from DEFRA

themselves. This was the outline of a new environment bill currently going through parliament which is looking at ways IDBs can potentially change from districts to catchments in the future, and how there are potential for creation of new IDBs. Information on this is fairly limited at the moment and we are unsure whether they will enforce the change or whether it will be for the IDBs itself to determine themselves whether they want to move to a catchment. He said this is potentially a big change in workload and he would update the Board when further information is available.

23. ANY OTHER BUSINESS

a) Biodiversity

S Attwood asked if we would be discussing biodiversity further today?

The Chairman asked Members if they were happy to approve the biodiversity plan and accept the proposal from Carol Donaldson.

D Dewar-Whalley said that we should also ask the Board if they are happy for this be delegated to the Joint Services and G Fulton?

H Browne asked for confirmation that they were being asked to agree the BAP today and asked whether the actions from the plan would be discussed at the delegated committees along with any additional costs?

The Clerk confirmed that the actions would be reported back to the Board by G Fulton.

On a proposition by S Attwood, seconded by H Browne it was **AGREED** to update the Biodiversity Action Plan and to delegate the negotiation of the action plan costs to the Joint Services Committee and G Fulton.

b) Board Members Payments

The Finance Officer confirmed that payments for Board Members mileage expenses and hours would no longer be paid via payroll and confirmed we had been misadvised on this matter. She explained that going forward Members should send in an invoice which details the mileage and any hours they are claiming separately.

The Office Manager confirmed that she would keep a record of these expenses/hours for Members and contact them every six months so they can check her records are correct and go ahead with processing the claims.

24. DATE OF NEXT MEETING

The date of the next Board meeting was confirmed as Monday 26 April 2021 at 1pm, unless another meeting is required beforehand.

25. PRIVATE & CONFIDENTIAL MATTERS

The Chairman asked the Works Supervisor and Finance Officer to leave the meeting at this point so he could update Members on private and confidential matters.

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.

For details of the private and confidential matters discussed and the resolution made please refer to private and confidential document 2020 – P&C November LM Board Minutes P&C.

26. CLOSURE

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