

UMIDB  
**UPPER MEDWAY INTERNAL DRAINAGE BOARD**



**MINUTES OF THE EXTRAORDINARY MEETING of the BOARD**  
held via **Zoom Conference Call**  
on **Tuesday 16 November 2021 at 1pm.**

**Members of the Board Present**

H Rogers - Chairman

Cllr M Davis  
Cllr P Dixon  
Cllr M Gillman  
D Goff  
Cllr Ald P Harper  
Cllr B Hills  
Cllr D King  
S Highwood  
Cllr S McGregor  
Cllr J Perry  
W Thompson  
C Wheeler

**In attendance**

O Pantrey – Clerk  
L Carey – Finance Officer

**1. APOLOGIES**

Apologies received from O Baldock.

**2. ITEMS OF INTEREST DECLARATION**

C Wheeler declared an interest in the item relating to Bullen Court Business Centre which is part of Any Other Business. The Chairman said this would be moved to the final item and requested C Wheeler left at that point in the meeting.

**3. REGISTER OF MEMBERS INTERESTS 2021/22**

Members were reminded that they should declare all interests in Board related activity and that those who had not filled out the form should do so.

#### **4. MINUTES**

The Chairman requested any alterations to the minutes. He then requested that these were approved as correct.

It was **AGREED** by all Members present that the minutes of the meetings held on 29 June and 24 August 2021 were correctly recorded and should be considered as approved.

#### **5. ACTION LIST AND MATTERS ARISING**

The Clerk said that an email had now been sent out to members detailing the login for the new Members Area site. He said that there was an issue where a member could not get past Re:Captcha and although it was deemed as a localised issue he would investigate further.

#### **6. CHAIRMAN'S REPORT**

The Chairman gave his report detailing his attendance of meetings regarding the joint service agreement, response to the letter from the Lower Board Chairman, and to the return of monies from the Lower Board. He said in terms of the latter point the money had now been returned by the LMIDB.

He continued that he had been involved in the procurement of new office space, including visits to Maidstone Borough Council, Tonbridge and Malling Borough Council, and offices in East Peckham.

He then said he had been involved in discussions with staff regarding their futures but was saddened to report that the Finance Officer and Works Supervisor had decided to leave the Upper Board and take employment elsewhere.

He said he was happy to report that the Clerk had declared he was dedicated to the Board and would be staying with the Upper Medway IDB.

He requested a minute thanking Giles Swift for his service to the Board and said he was very grateful for his time here.

It was reported that the Chairman had met with representatives of the WLMA and Pevensey and Cuckmere Water Level Management Board regarding remote replacement of vital services. He said the response from both was very positive and will be likely to prove useful.

The Chairman reported that the final joint service meeting was held and that the two Boards had come to agreement on the separation process. He confirmed the committee was now closed.

He said he attended various meetings relating to flooding at KCC and at Paddock Wood, while also attended informal meetings with the Vice-Chair.

He closed by saying that he wanted to thank Lorna, John, and Will for their efforts and professionalism during the recent transition and was grateful for their support. He said he also wanted to thank the Clerk for his enthusiasm during this period to maintain forward thinking of the Board. Finally, he thanked the Vice-Chairman for all his effort and involvement to help him ensure a smooth process of separation.

#### **7. CLERK'S REPORT**

The Clerk gave his report as follows:

### **Covid Response**

He said Covid is now fortunately in the back window and after the recent Works, Health, and Safety Group meeting and was hopeful we can consider the period finished. It was worth noting that he said there were no cases of Covid across either Board and the efforts of both the office staff and the work force should be praised for their diligence and rigour towards the set procedure documents.

### **Staffing**

The Clerk continued by saying as separation has now been ratified and the Joint Service committee dissolved, it was time for staff members to make choices on where their futures would lie. He did not think this was a decision that should have been put on the staff and thought it was fair to say they were unhappy at being asked to make this choice. That said, it was inevitable, and he was saddened to say that only he would be remaining from the existing office staff roster.

While Lorna and John will be working with us until the end of financial year, he wanted to whole-heartedly thank both them, and William, for their work, friendship, advice, and guidance. The Clerk said the Boards are both much better places for having all three members involved and he wished them the very best on the next stage of their work lives.

He continued by saying that with this change comes a new opportunity for the UMIDB to forge a slightly different path, and to that end he would be promoting a member of the work force to a new Team Leader role in the coming months. This role will be designed as an inspirational position that allows the Clerk to relax supervision on the day-to-day maintenance, while still able to understand and monitor the overall maintenance program.

He added that will also be assessing the need for a new member of staff at the office which would be a part-time administration assistant role to aid him in Board meetings, post, and general tasking.

### **Office Admin**

He continued by saying while we are now in a position without the majority of the staffing roles filled, it has led us to look at alternative options for the provision of admin service. To that end, he and the Chairmen had a meeting with the WLMA Chief Executive Phil Camamile to discuss remote financial administration. They were told that a whole range of options would be available and that in order to receive a quote it would be best to identify what service we required from them.

The Clerk said it was decided that we needed further unbiased confirmation of the service provided so they met with Bill Gower, Chairman of the Pevensy and Cuckmere Water Management Board, who confirmed that the level of service was excellent and that he had no concerns or regrets in taking the remote provision option up. As a result of this the Clerk said we have requested a quote on the following:

- Financial Administration – including setting up of payments, organisation of bills committee and reports, and end of year accounts resolution.
- Handling of rates demands - Production, maintenance, and response to general queries regarding rating book.
- Mapping associated with DRS and planning - provision of service to get mapping up to expected standard and then ongoing provision of mapping in relation to DRS and planning.

The Clerk said this represents a potential efficiency over staff while also removing HR liability from the Board. He added it also gave us further access to the wealth of experience that the WLMA has at its disposal.

The Clerk said he thought it was right to point out that Phil was surprised that we were not dealing with this as a region and has said he didn't think this was likely the best long-term solution.

As mentioned, within the budget there is an allowance for a part time admin assistant to help take the pressure off of him for the day to day admin tasks. This will need to be discussed to establish a job description and working hours.

### **EA Partnership**

The Clerk reported that he had negotiated the precept for 2022/23 and it will remain at the existing rate, so the EA has a chance to properly monitor if the reduction he arranged for this year is sustainable.

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He has also requested that we put in place a pathway for the UMIDB to recover previously adopted watercourses that became COWS, with the Alder Stream being the first likely target.

There are still expectations that the auto-sluice systems will be analysed in the next few years and a large proportion of the precept will likely be needed there.

### **Local Issues**

The Clerk said that increasingly aggressive downpours continue to create localised flooding but overall, we have seen fewer issues since the summer rains.

He continued that partnership working with KCC, TWBC, and Network Rail was underway to improve the culverts that pass under the railway around Paddock Wood, which acts as a man-made dam when blockages occur. This was likely to utilise some of the money we have acquired from the SWDC and as such should have no noticeable effect on general funds.

The push for increased involvement in local NFM projects continues and he would work with South East Rivers Trust to identify prime areas where the Board might expand into catchment once the Environment Bill was better understood.

The Chairman noted that the Environment Bill was now approved by Parliament, but secondary legislation would be required for some mechanisms to be enacted. He said that it was likely to prove very positive.

## **8. WORKS SUPERVISOR REPORT 163**

The Clerk gave an overview of the provided report in the absence of the Works Supervisor.

He noted that John wished to thank the Board for his time while in the employment of the UMIDB. The Clerk said he would be sorely missed.

He said that water level control would be brought tentatively back under the remit of the IDB at Hartlake Road, and Tudeley Brook.

He finished by saying that the new procedures and efforts of the staff have resulted in an expected completion rate of work of 75% which he said was an increase on previous years. He said the Works Supervisor and his staff should be praised for their efforts to which all members **AGREED**.

## **9. ESTIMATES AND SPECIAL LEVIES**

The Clerk took the members through the estimate papers received.

He said they had to be careful with the budget this year as they needed to make sure they provisioned accordingly to account for the separation.

The Chairman said it was important for members to understand that while there were likely some capital receipts coming back later in 2023, as it was not in the bank it could not be provisioned. He said there were likely a lot of unknowns coming and the Board should prepare to deal with these during the year.

The Clerk explained that the expenditure marked 'Finance' was an attempt to hedge bets regarding the way it might achieve financial administration. He said this covered either remote provision or the employment of a new Finance Officer.

It was asked whether it was a 3-year deal or whether it was a test period. The Clerk said that they had been asked for 3 years commitment and he felt that was a suitable period for the Board to assess the service and its suitability for the Board.

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A further comment said that this reflected a suitable period to gain stability and that 3 years was a fair commitment from the Board.

The Vice-Chairman said that he had thought this through and spoken a lot about remote provision. He said the expertise shown by the WLMA and the work done to look at how other Boards had utilised this provision showed a positive option for the Board.

It was commented further that this option avoided the need to recruit and take on longer term liability while the Board assessed its future.

The Chairman said that the recommendation therefore from the Finance Committee was for an increase of 1.5% to last years rate and this would reflect a change from 3.8791p in the pound to 3.9373p in the pound.

On Proposal from the Chair, it was unanimously **AGREED** that the penny rate for 2022/23 would be set at 3.9373p in the pound, and that the Clerk and Chairman should sign the Drainage Rates and Special Levies Certificate.

The Clerk then asked that the Board approved in principle, the use of the WLMA for financial, rating, and planning provision subject to the terms discussed.

On proposal from D Goff, and Seconded by Cllr S McGregor, it was unanimously **AGREED** that the Board should continue to seek a contract with the WLMA for the provision of financial, rating, and mapping service.

The Chairman requested that delegation for the contract was put to the Chairman, Vice-Chairman, and Clerk, to which all **AGREED**.

The Clerk said finally there was some capital expenditure that he wanted approved.

He requested that the principal study into conservation at a cost of roughly £20,000 a year was provisionally approved, and that it was likely to take 3 years spread over 6 years. He said that the LMIDB were going to ask for two more quotes and that he could do that also.

It was commented on that perhaps this could be moved to next year and that we should get the office and professional service in place first. All **AGREED** this should be deferred for the time being.

He also said that the diesel tank in the depot needed replacing. He said it required a scaffold to dip the tank, and that it was leaking from around certain parts of the inlet. He said that while the bund captured this spill and it wasn't a problem at the moment, it was something that needed addressing.

There was a question about whether the money received back from the LMIDB was a windfall.

The Clerk said he felt it was money put aside by the Board for projects that benefit the district (which was in this case an office building). He said it was not earmarked for a specific project now it was back in our account and that the levy was adjusted now to reflect the halting of this as a levied provision. He said that as such it could be considered as savings that could be spent on projects within the district.

On proposal from the Chair, it was unanimously **AGREED** to allocate £6,000 of funds to the new diesel tank, and to earmark £60,000 of funds towards a biodiversity study, subject to further quotation. This money was to come from the returned funding received from the LMIDB.

**Action:** Clerk and Chairman to sign the Rates and Special Levy Certificate.

**Action:** Clerk to put notification on website regarding setting of rate and special levy.

**Action:** Clerk to send councils official notification of the rate set.

**Action:** Clerk to return contract on professional service provision to the Board for ratification.

**Action:** Clerk to receive alternative quotes for the biodiversity study as part of due diligence.

## 10. MINIMUM RESERVE POLICY

On proposal by members of the Finance Committee, it was unanimously **AGREED** to retain the existing £350,000 minimum reserve policy.

## 11. FUTURE STRATEGY AND DIRECTION

The Clerk introduced the paper provided on Board strategy and objective. He said he was concerned that the Board had no long-term objectives or strategy and wanted to get something in place that allowed the board to measure its successes or failures. He said the key was that the objectives tied into each other and therefore work on one element directly complimented another.

He said it was important that the Board owned this objective plan and that he wanted members thoughts on this paper.

The Chairman said that he wanted to make sure maintenance was something that was given additional emphasis.

The Clerk said he had already begun working on a far more in-depth maintenance schedule that would be available to the public and would better track the work completed. He added that the objectives should look at broad stroke matters and that the plans could then go into the detail and could be reported on.

He said the aim was to make this public so we could be measured against them.

It was asked whether the maintenance plan was shared by the LMIDB, to which the Clerk confirmed it was.

There was a comment that this paper represented an excellent start to the Board setting out it's objectives and strategy. This was echoed by members who agreed that the Board needed some sort of direction, and it was proposed this paper was adopted as the first official iteration.

On proposal by Cllr M Davis and Seconded by W Thompson it was unanimously **AGREED** to accept the Future Strategy and Direction document as a working paper for this Board.

**Action:** Clerk to format the document ready for public display.

**Action:** Clerk to submit the formatted document to the Board in March for final approval ahead of publication.

## 12. FINANCIAL REGULATIONS

The Clerk explained that the changes reflected the changes were part of increases to the single transaction limit.

The Finance Officer brought a point of order up that Handelsbanken had informed her that there was a loophole in the way transactions were set up and authorised that allowed the Clerk and Finance Committee members to create and authorise the same payments. She said this was discussed with the Clerk who understood it wasn't possible. She said that after testing it was clear the loophole existed and that we were now going to shut this down.

The Clerk said that the bills committee offered a check against the misuse of this loophole, but he was keen that it should be closed immediately, to which all members **AGREED**.

**Action:** Finance Officer to inform Handelsbanken that transactions should have unique set up and authorisation persons.

On proposal from the Chair and Seconded by D Goff it was **AGREED** to accept the changes to the Financial Regulations.

The Clerk then explained that the Financial Risk Assessment had received a change to reflect the mitigations put in place by the Board regarding separation. He also requested that the anniversary of this approval was moved to November to ensure it was before the internal audit.

On proposal by D Goff and Seconded by Cllr M Davis it was unanimously **AGREED** to accept the amended Financial Risk Assessment for 2022/23

### **13. POLICIES REPORTING**

On proposal by the Chair and Seconded by Cllr M Gillman it was unanimously **AGREED** to accept the amended policies.

### **14. FINANCE COMMITTEE MINUTES**

These minutes were for information and there were no questions or alterations from members.

### **15. JOINT SERVICES MINUTES**

These minutes were for information and there were no questions or alterations from members.

### **16. UPDATE ON DISOLUTION OF JOINT SERVICES**

The Clerk gave the following report on the Joint Services.

He said that on 4 October 2021 a meeting was held at Albion Place to determine the separation of the Boards from the Joint Service 'Agreement'. This was conducted by the members of the Finance Committee from each Board who make up the Joint Service Committee. The following items were discussed:

- Clerk and Works Supervisor vehicles.
- Computer machines.
- Data, IT, and Software Licenses
- Furniture and air con units
- Maps and historical elements.
- Safes.
- Server
- Drone
- Stock items.

He continued by saying the resolution on the disposal of Albion Place was also discussed and will be presented to the Board as a vote to sell in February 2022. It is expected that a guide of £300,000 with a reserve of £280,000 will be the best option.

The money returned from the 'New Office' plan was originally proposed as being £138,840.70 although he and the Finance Officer questioned this afterwards as they were not convinced it was correct. Their suspicions were confirmed and once demonstrated to the LMIDB it was agreed that the fee returned would be £148,420.35. He confirmed this was now in the bank account of the UMIDB.

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The utilisation of staff was considered, and he said he was delighted that John and Lorna would remain with the Board in a Joint Service capacity until April 1, 2022. He did say that his involvement with the LMIDB was likely to be terminated from the first week of 2022.

The Clerk finished by saying there was now an action list to ensure that all these items are separated as per the minutes and further discussions over certain contracts that the LMIDB are now arguing they are not liable for. He noted it was worth saying that the meeting was considered the last of the Joint Service committee and any further meetings would be based around more specific elements.

### **17. ANNUAL RETURN UPDATE (AGAR)**

The Clerk said that the work of the Finance Officer and SallyAnne Jefferies of the WLMA had ensured we went through the end of year return with only a few minor points from the external auditor. It was noted that we had to restate figures going back to 2016 before realising it was unlikely to improve.

He added that the main issue was that although the Finance Committee had approved it, the Board had not officially approved the AGAR even though they had discussed it as part of the previous meeting. This was a technical point that would need to be rectified for next year.

### **18. IDB1 FORM 2021**

The Vice-Chairman said that this form was very important as it was reviewed by DEFRA and from there they would then look into missing items. He said that we as a Board needed to improve our training of members and ensure we were carrying out the required items of this form going forward.

### **19. HEALTH AND SAFETY UPDATES**

The Clerk gave the following report on Health and Safety matters in the absence of the Board's representative O Baldock.

The Clerk said he was tentatively going to say that Covid is complete and once again would like to congratulate the staff and ground teams for their efforts to keep the company covid free.

He added he was delighted to say that Jordan has made a full recovery since his injury and is back working full time.

He said he had also restarted the WHS committee and held its first meeting a few weeks ago, which was a wonderful opportunity to kick start LM and UM IDB partnership working.

He said there was an incident where a contractor acted outside of instructions and caught a pylon stay on Gravelly Ways. This caused a powerline to come down and UKPN were called to respond and fix which led to a road closure. The operator was subsequently off hired and he requested a new one from Keaveney who he understood is much improved.

### **20. WORKS HEALTH AND SAFETY GROUP MINUTES**

The Clerk said that while these minutes were for information, he was delighted to welcome the group back and was hopeful this would improve the already high standards of the Board in relation to health, safety, and welfare issues.

### **21. PLANNING APPLICATIONS & CONSENTS REPORT**

The Clerk said that it had been reasonably quiet regarding consent applications but the last week had seen 2 put through to the Board. He added that he was now asking for the opinion of multiple members of the Board

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now and not just the Chair and Vice-Chair as per the Scheme of Delegation. He finished by saying he thought it should be amended in the Scheme of Delegation to represent this change.

The Chairman thanked the Clerk and suggested this was made an action to which all members **AGREED**.

**Action:** Clerk to offer altered Scheme of Delegation to members in March, changing the wording relating to consent approval.

### **22. ELECTION OF MEMBERS 2021**

The Clerk said that the election is now complete and there were no contests for any of the seats. He added that as such we will be continuing with the existing member base for the next 3 years.

The Clerk said that the following members had therefore been re-elected.

<b>Area</b>	<b>Member Name</b>	<b>Location</b>
1	William Thompson	Goudhurst
2	Stuart Highwood	Collier Street
2	David Goff	Collier Street
3	Christopher Wheeler	East Peckham

The Vice-Chairman said he had been working to ensure better representation of elected members and confirmed that two landowners from Lingfield would be seeking seats on the Board, with a further member in Headcorn likely to also join.

**Action:** Vice-Chairman to offer report on new members in the new year.

### **23. ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

The Chairman made a statement saying that he had not received any notification of nominations against him, but if elected he would only be able to stand for a year as he was standing down as a councillor of Tonbridge and Malling in 2023. He said he was keen to stand again for the coming year.

The Chairman and Vice-Chairman stood down from their posts.

The agreement by all members, Cllr M Davis stood in as interim Chairman.

Cllr M Davis asked both the Chair and Vice-Chair if they were standing again, to which both said yes, before offering it to the Board. There were no other nominations for Chair or Vice-Chair.

Cllr M Davis asked if this was an annual event?

The Clerk said the term was for three years.

On proposal from Cllr M Davis and Seconded by C Wheeler, it was unanimously **AGREED** that both the Chairman and Vice-Chairman be re-elected for the next term of 3 years.

### **24. ELECTION OF COMMITTEE MEMBERS**

The Clerk asked if any members of the finance committee were standing down. No-one indicated they were resigning from the post.

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On proposal by Cllr M Gillman and Seconded by W Thompson it was unanimously **AGREED** that D Goff, H Rogers, Cllr P Harper, C Wheeler, and S Highwood would be re-elected to the finance committee for the coming term.

The Clerk reiterated that while there was a set Finance Committee, all members were welcome to participate as it allowed fresh eyes onto matters that were being dealt with.

The next committee member was that of the Health and Safety representative which was currently O Baldock. The Clerk said that he was an excellent candidate and although not present, was happy to recommend him.

On proposal by the Chair and Seconded by C Wheeler it was unanimously **AGREED** that O Baldock would remain the Board's health and safety representative.

The next committee member was that of the Biodiversity and Conservation representative which was currently S Highwood.

On proposal by the C Wheeler and Seconded by the Chair it was unanimously **AGREED** that S Highwood would remain the Board's Biodiversity and Conservation representative.

### **25. CALENDAR OF MEETINGS 2022**

The Clerk suggested that all meetings were moved to a 10am start time to avoid late evening meetings during extended agendas.

On proposal from the Chair, the proposed calendar for 2022 was unanimously **AGREED** with the amendment to start meetings at 10am.

### **26. APPROVAL TO AUCTION ALBION PLACE IN FEBRUARY/MARCH**

It was noted that this decision was a recommendation from the finance committee now that they Lower Board had insisted this was the only method they would accept.

There was a discussion relating to the sale to which it was agreed that Cllr M Davis had not explicitly said the auction was the best option but instead was an option. All members accepted this ahead of the vote.

On proposal by the Chair and Seconded by Cllr M Gillman, it was unanimously **AGREED** to sell the Albion Place office via auction in the early months of 2022.

### **27. PRIVATE AND CONFIDENTIAL MATTERS**

There were no private and confidential matters to discuss.

### **28. ANY OTHER BUSINESS**

It was agreed that the addition of new members was covered earlier in the meeting and was not required at this time.

### **Approve tenancy agreement for new office location at Bullen Court Business Centre**

C Wheeler left the meeting

The Clerk informed members that this property had not been brought to his attention by C Wheeler, and subsequently the member had felt it was a potential conflict of interest. The Clerk said that while he appreciated the comment of C Wheeler, he felt it was an ideal location within the district and close to the depot, at a good price, and offered the Board short term security. He added that he had discovered this property independently while searching for rented accommodation and as such did not consider it a conflict.

The Chair said he felt this offered a good option for the Board and was in favour of it as an initial, short-term solution.

It was also commented that this reflected an ideal opportunity to rent as was generally seen as agreeable in previous discussions relating to this matter. It was also seen as a considerable saving over renting space at the Lower Board offices in Sittingbourne.

On proposal from D Goff and Seconded by S Highwood, it was unanimously **AGREED** to sign the tenancy agreement and move the office location to North Hall, Bullen Court Business Centre, East Peckham.

**Action:** Chairman and Clerk to arrange suitable time to sign the tenancy ahead of a proposed 1<sup>st</sup> December start date.

#### **Review of the Chairman's Allowance**

The Chairman reiterated that he did not seek remuneration for his role and that he would not be claiming this regardless of the upcoming discussion.

It was **AGREED** by all not to alter the limit of the Chairman's Allowance as this was seen as a suitable remuneration and in keeping with the level set by DEFRA.

#### **29. DATE OF NEXT MEETING**

The date of the next meeting was set as Tuesday 22<sup>nd</sup> March at 10am.

#### **30. CLOSE**

There being no further business the Chairman declared the meeting closed and wished members a very Merry Christmas.