

**LOWER MEDWAY INTERNAL DRAINAGE BOARD &
NORTH KENT MARSHES INTERNAL DRAINAGE BOARD**



**MINUTES OF A MEETING OF THE CHANGE COMMITTEE
HELD AT 13 CONQUEROR COURT, SITTINGBOURNE
ON MONDAY 22 APRIL 2024 AT 12PM**

Members of the Committee Present

Chairman: S Mair
A Bates (remotely)
S Curry
G Etheridge (remotely)
J Hinge
J Nash (remotely)
D Wooster
B Wright (remotely)

In attendance

P Haselhurst - Clerk
L Rowland - Office Manager

Members agreed for S Mair to chair the meeting.

1. APOLOGIES FOR ABSENCE

Apologies received from J Wallace. The Clerk confirmed that she had spoken to Jenny before today's meeting and will also be catching up with her again afterward, as we are keen to have Gravesham Borough Council's involvement in the amalgamation discussions.

2. ITEMS OF INTEREST DECLARATION

S Mair declared that the catering for today's meetings had been supplied by his wife's company, Sarah Serves.

3. AMALGAMATION OF BOARDS

RECEIVED the Clerk's Amalgamation of Lower Medway and North Kent Marshes Internal Drainage Boards report. The Clerk confirmed that a summary of today's recommendations will be taken to the respective Board meetings in June 2024.

The Clerk confirmed that following both Boards agreeing in principle to the amalgamation in their last Board meetings, Peter Bilborough from the Environment Agency will be working on the legal aspects next week, and the aim of amalgamation is 1 April 2025.

The Clerk said that she trusted everyone has had time to read the paper and highlighted the areas below that required further discussion.

Name of the new Board

The Clerk asked the Committee to consider a recommendation to the respective Boards of a name change to North Kent Marshes Water Level Management Board. She confirmed that this would be in keeping with the geographical area and reflected the core role of the Board.

The recommended new name was discussed, and the general feeling was it was an appropriate name.

D Wooster raised the point that it was important to demonstrate the geographical areas the Board covers.

The Clerk agreed this was important and would be obvious on our website for example.

S Mair said he was in general agreement with this, and we would need to work out the appropriate way to do this.

All Members **AGREED** on the new name of the Board to be North Kent Marshes Water Level Management Board.

Number of Elected Members

The Clerk confirmed that DEFRA recommends that larger IDBs should have membership not exceeding 21. However, this is a guide, and her proposal was for 23. Current vs proposed board membership is demonstrated below (NB the first table was corrected after the meeting to include Canterbury CC vacant Membership):

	Elected Members (Land Owners)	Appointed Members (Council)	Total
Lower Medway IDB	9	11	20
North Kent Marshes IDB	5	6	11
Current Total	14	17	31
Amalgamated Board	11 (-3)	12 (-5)	23 (-8)

Special Levy Paying Authorities Membership is demonstrated below:

	Proportion	Proposed	Current across both Boards
Swale	5.55	6	6
Canterbury	0.07	1	0
Medway	2.78	3	6
TMBC	1.32	1	1
Gravesham	0.27	1	3
Total	10.00	12	16

The Clerk explained that the reduction in appointed Members would mostly impact Gravesham Brough Council, bringing their current membership down from 3 to 1. She said the remaining reduction in 3 relates to Medway Council appointments, however, due to the sharing of 3 appointed members across both Boards, this would not result in a real reduction of representation.

The Clerk explained that the reduction in elected Members would be 3 and she was aware of potentially 2 Members (1 from each Board who may be considering stepping down). This would leave 1 and this extra 1 could be co-opted onto the Board if necessary.

The Clerk asked the Committee for their agreement for the number of Board Members on the new Board to be 23.

Members held a detailed discussion regarding the number of new Board Members.

The Clerk confirmed that we do need 23 for it to work in terms of the special levy authority and appointed (council) representatives should not outnumber the elected (landowner) representatives by more than 1 on that basis.

D Wooster raised the possibility of Swale having more representation and felt there was a strong argument that elected members should be proportional to the payments received and appointed members should be proportional to special levies being paid.

The Clerk confirmed that the number of appointed members Swale can have is dictated by the Land Drainage Act and this is currently 6 and this will not change. She said that the appointed Member number is also dictated by the Land Drainage Act and appointed (council) Members should not outnumber elected (land owner) Members by more than 1, and this is to ensure there is a fair representation across the board.

G Etheridge said that the amalgamation would create new responsibilities and many potential opportunities and felt that we shouldn't be looking to lose any experienced Members for those reasons.

S Mair said that as we go through the amalgamation process, we should have some clarity on how the elected Members are apportioned across the combined boards. He also agreed that we have a lot of good, experienced Members, and it was key to keep them. He said this discussion should be parked for now and we will have to look at this later.

S Curry said that it was important to focus on the outcomes we want and it's fine to go down to a reduced number of 23 for now, and we may want to increase membership later as we take on more work, including having sub-committees as necessary.

B Wright asked why Canterbury City Council has no representative on the Board currently.

The Clerk explained that they have not taken up the offer of a representative in the past, however, we must allocate a space to them even if they don't accept it.

D Wooster asked if there was a potential for Swale to have a shared authority place because the vacant place was not being taken up by Canterbury City Council.

S Mair said this was getting into a lot of detail and this was not a discussion appropriate for today's meeting and the details will come out as we work through the amalgamation.

On a proposition by S Mair seconded by J Hinge, it was **AGREED** for the new board to consist of 23 Members in total, 12 appointed Members, and 11 elected Members with the option of co-electing a 24th Member if necessary. This would be subject to agreement with Gravesham Borough Council following separate meetings with the Clerk.

All Members were in agreement with the exception of D Wooster who abstained.

Changes to Electoral Districts and District Boundaries

The Clerk explained that through the Environmental Act, we will be able to change/review our districts and boundaries, and this statutory instrument will likely not be in place until early 2025. She wanted to raise this, although this would need to be dealt with separately to amalgamation due to the date of this coming into effect.

Financial Statement

The Clerk confirmed that we have to submit a financial statement and she has asked DEFRA's advice on this. She confirmed DEFRA would want to see a set of accounts from both Boards which is the annual AGAR form that we already submit for our audits.

The Clerk said amalgamating the Board's would be a relatively easy process. Confirming that a lot of the works and assets are undertaken within the Swale district and NKMIDB does not have any assets. She confirmed both Boards have reserves for one year's operations, the LMIDB has separate reserves for machinery/plant and longer-term maintenance/whole life cost for its assets.

The Clerk raised the penny rate, which was the most contentious element. She said ideally, we would want to have the same penny rate for both Boards. She confirmed that NKMIDB's penny rate is currently 10% higher than the LMIDB's rate (LMIDB penny rate 7.316 and NKIDB penny rate 8.059). She said we could go ahead with differential penny rates with a plan/forecast of how we would level them out, however, this could only be a temporary measure and she was keen to avoid doing this if we can.

A detailed discussion was held regarding the penny rate. The general feeling was that keeping the rate the same was a sensible approach to take and bringing NKMIDB's rate down to the LMIDB rate would have a lot less cost implications than increasing LMIDB's penny rate.

The Clerk confirmed that we were not looking at a decision to confirm what the penny rate would be today, just to decide whether to keep the rate the same or not. She added that she appreciated losing 10% of income for NKMIDB sounded a lot, however taking into consideration that they would no longer have to pay the £25,000 Service Level Agreement fee to the LMIDB this nearly levelled things out.

S Mair confirmed that the Finance Committee will be looking at budgets for LMIDB for the next financial year in September. He also felt the best way forward would be for

LMIDB

NKMIDB to reduce their penny rate to meet LMIDB's and any changes to the penny rate will be decided by the main Board at their Board Meetings.

All Members **AGREED** the new penny rate should be the same and the decision on the new penny rate will be made by the Board as per normal practice.

Other Cost Considerations

The Clerk raised that she would like to put a budget aside for the associated administrative costs which need to be considered by both Boards. She confirmed these costs would include for example:

Website - £15,000
Logo - £1,000
Signwriting - £1,000
IT costs - £1,000

On a proposition by S Mair seconded by J Hinge, it was **AGREED** to recommend the Lower Medway IDB put aside £10,000 for amalgamation administrative costs.

On a proposition by S Curry seconded by J Nash, it was **AGREED** to recommend the North Kent Marshes IDB put aside £10,000 for amalgamation administrative costs.

The Clerk confirmed the approval for this will be put forward to both Boards in June.

All Members were in favour.

Reserves

The Clerk said it was estimated that there would be £120,000 in the NKMIDB reserves at the end of this financial year and after amalgamation that will be absorbed as part of the reserve required for the amalgamated Board.

S Mair raised that Handelsbanken Chatham branch is closing, and our accounts were being transferred to their Maidstone branch. He suggested moving to the Canterbury and Ashford branch because of the good contacts he is aware of there.

The Clerk wanted to make Members aware that the LMIDB is currently in the process of opening further bank accounts to spread risk as well as investing money with the CCLA, which would apply to the amalgamated Board.

Timescales

The Clerk confirmed that the completion of amalgamation should be 1 April 2025 and she will circulate the minutes of today's meetings to Members shortly and report to both Board's in June.

4. DATE OF NEXT MEETING

It was agreed to hold the next meeting ideally in early to mid-July and a Doodle Poll will follow to confirm Members availability shortly.