

NORTH KENT MARSHES INTERNAL DRAINAGE BOARD



MINUTES OF THE MEETING OF THE BOARD HELD AT 13 CONQUEROR COURT, SITTINGBOURNE ON MONDAY 5 JUNE 2023 AT 1PM

Members of the Board Present

Chairman: Cllr G Etheridge (remotely)

A Bates

Cllr H Browne (remotely)

Cllr S Curry

D Long (remotely)

J Nash (remotely)

J Nottage (remotely)

Cllr J Wallace (remotely)

B Wright (remotely)

In attendance

P Haselhurst – Clerk

C Longden – Finance Officer

L Rowland – Office Manager

A Soloman – Technical Officer

P Britten, Environment Agency (remotely - part of the meeting)

1. WELCOME AND INTRODUCTIONS

The Clerk welcomed everyone including new Member S Curry to the meeting and asked everyone to introduce themselves.

The Clerk explained that C Buckwell is no longer a Member since the local elections, and she would arrange a thank you card thanking him for this valid contribution to the Board.

2. APOLOGIES FOR ABSENCE

No apologies received. No response from L Croxton.

It was confirmed that H Craske has retired, however we are waiting official notification from Gravesham BC to confirm this along with any new members details.

3. ITEMS OF INTEREST DECLARATION

No items declared.

4. **HEALTH & SAFETY UPDATES**

The Clerk confirmed she was pleased that there were no incident/accident or near misses to report.

D Long raised the serious problem at St Marys Sluice, confirming this is currently a disaster area with water flowing out and saltwater coming in. He said that the EA have confirmed the budget, but when was the work likely to be done?

P Britten confirmed that the funding is there, but the EA have a national procurement issue as there are no frameworks in place. He explained that it was unlikely to be done this year, and due to the ground conditions being better in the summer months, it was likely to be done next summer.

H Browne said she was very concerned about this as we have two IDBs working closely with the EA. She asked if the LMIDB could be contracted to do the work and bill the EA for it?

The Clerk confirmed that she is working closely with the EA on the Public Sector Corporation Agreements (PSCA) that we already have in place for both Boards. She confirmed we are always looking at opportunities, and the issue we have is we are focusing on maintenance and once we start looking at assets, it can get tricky in terms of the other things we need to consider.

The Board discussed the issue in more detail, including what difficulties there may be to overcome due to this being a main river asset.

On a proposition by H Browne seconded by the Chairman it was **AGREED** to look further into the St Marys Sluice issue to see if we can find a resolution.

All Members were in agreement.

Action – The Clerk to investigate possible resolution for the St Marys Sluice issue and to report back to the Board at the January meeting.

5. **MINUTES**

RECEIVED (Appendix 1) the Minutes of the Meeting of the Board held on 16 January 2023.

The Clerk asked Members if they had any comments/changes they wished to make to the minutes.

No comments/changes made.

On a proposition by J Nash seconded by the Chairman it was **AGREED** approve the Minutes from 16 January 2023.

All Members in favour.

6. ACTION LIST & MATTERS ARISING FROM PREVIOUS MINUTES

RECEIVED (Appendix 2) a copy of the Action List as of the meeting held on 16 January 2023.

The Clerk talked through the following items:

EA Precept Costing – confirmed this is a rolling action.

Register of Members' Interest Forms – confirmed completed as emails already been sent out to Members.

Southern Water – meeting shown as cancelled. Southern Water were going to attend a (Board) meeting and give a talk on their Drainage and Wastewater Acton Plan but were unable to attend on the date of the Board meeting. The Clerk explained that they have just put out a consultation on the final plan, which will be shared with Members after the meeting asking for comments/feedback which will be sent back to them collectively.

The Chairman confirmed he would still like them to attend a meeting to understand why we still have issues at Cliffe and Cliffe Woods.

The Clerk requested that the Chairman send further details of that specific issue offline and she will get the details of this directly to a local officer to try and find out further information.

H Browne also confirmed that she also wants them to attend and is more interested in their attendance than the consultation paper.

S Curry said that if this is the second meeting they have missed, why and if there is a Wastewater Management Action Plan can we see a draft of it.

Action – The Clerk to email Southern Water Drainage and Wastewater Management Action Plan to Members.

D Long raised the issue at Ducks Court.

The Clerk reiterated that it will be good to share Southern Water's Wastewater Action Plan with Members and for the Board to do a collective response letter, so it is more formalised.

7. CLERKS UPDATE

The Clerk confirmed she is updating Members on most items throughout the agenda. She gave an update on the LMIDB, confirming we now have a full complement of staff and are working closely with the NKMIDB including contracting works which will be covered later under the Works Managers Report. She confirmed we are progressing and have some consistency between the two Boards. She confirmed the Byelaws are now in place and they are starting to generate income, confirming a cheque for few thousand pounds is expected shortly for discharge of water into our watercourses. She said this is a good funding stream to look at our biodiversity action plan work and any other improvement works we might wish to do across the marsh.

Lastly, she confirmed she is away for 10 days in total in June.

8. **BOARD UPDATE**

The Clerk confirmed she has already given an update with regards to the local elections.

She confirmed this year we have the landowner elections, and she will be in contact shortly to confirm with current landowner Members that they are happy to continue on the Board and also get the required things advertised on the website etc.

She also confirmed to progress the election process we must gain approval from the Board for us to advertise our Register of Electors and an email will be sent to Members via email confidentially as a matter of process.

H Browne asked about the process/timeline of the election process.

The Clerk confirmed the timeline will also be circulated to Members for their information.

Action – Email to be sent to Members requesting approval of the Register of Electors along with the Election Timeline.

H Browne raised the appointment of Chairman and Vice Chairman.

The Clerk confirmed that H Craske is currently the Vice Chairman, however, she understood that he may no longer be on the Board, subject to the formal notification from Gravesham BC.

J Wallace confirmed that H Craske has retired, and she will chase up on the notification to be sent out by Gravesham BC.

The Clerk confirmed that she will send her thanks to H Craske and would like to thank him for his contribution to the Board.

The Clerk confirmed once we have gone through the election process and we meet again at the January meeting, roles of Chairman and Vice Chairman can be considered again.

9. **BIODIVERSITY UPDATE**

The Technical Officer gave some background on our Biodiversity Action Plan (BAP) specifically for new Member S Curry.

The Technical Officer confirmed we have now received the first draft of the BAP for consultation. This has been forwarded to Members and the priority species and habitat have been identified. The next step will be to send it out to external consultees for comment and this should be completed by the end of July, ready for rollout on Members Day in September.

Members held a long discussion about the BAP.

D Long raised that there may be an opportunity to utilise funding from the government Countryside Stewardship Scheme to help with our biodiversity. He said this would be in addition to the ELMS and SFI schemes.

A Bates confirmed that Mitchell Rae from Natural England will be dealing with the Countryside Stewardship HT Scheme.

J Nash said that biodiversity net gain could also be potentially lucrative.

The Clerk confirmed she is currently doing a Corporate Strategy for the LMIDB, and biodiversity net gain will be a huge part of that. She said she will also be looking at this for NKMIDB as well.

10. GOVERNANCE UPDATE

RECEIVED (Appendix 3) Financial Risk Assessment.

On a proposition by B Wright seconded by the Chairman it was **AGREED** to approve the Financial Risk Assessment.

All Members were in agreement.

RECEIVED (Appendix 4a & 4b) Risk Management Strategy including Corporate Risk Register.

The Clerk added a caveat saying that having gone through the internal audit process Keyman Insurance has been highlighted, however, as we have a service level agreement with the LMIDB, and they already have Keyman Insurance in place this also covers the NKMIDB. She confirmed that she just wants to contact the insurance company to double check this.

On a proposition by H Browne seconded by A Bates was **AGREED** to approve the Risk Management Strategy including Corporate Risk Register.

All Members were in agreement.

Action – The Clerk to contact Waterhouse Group to make them aware that the Keyman Insurance should cover the NKMIDB.

RECEIVED (Appendix 5) Election of Members Policy.

On a proposition by A Bates seconded by D Long it was **AGREED** to approve the Election of Members Policy.

All Members were in agreement.

RECEIVED (Appendix 6) Statement of Internal Control.

The Clerk explained that we have to approve the Statement of Internal Control annually.

On a proposition by J Wallace seconded by J Nash it was **AGREED** to approve the Statement of Internal Control.

All Members were in agreement.

11. REGISTER OF MEMBERS' INTEREST FORMS 2023/24

The Clerk explained an email has been sent out to Members from the Office Manager, asking them to confirm their current form is correct and any Members who have not yet completed a form have also been reminded.

12. ENVIRONMENT AGENCY UPDATE

The Clerk welcomed P Britten to the meeting and displayed the Annual Precept Report 2022/23 on screen. She confirmed this will be circulated to Members after the meeting.

P Britten gave a brief summary of the report as follows:

Spend for 2022/23

- £16,900, Hamshill Pumping Station refurbishment - complete refurbishment reinstalled in September 2022 and has been running without fault since.
- £3,000, Snakey Lane silt testing - in preparation for works the NKMIDB are planning to carry out in the near future. Past evidence of asbestos, recent testing confirmed no sign of asbestos found so dredging works can now proceed.
- £4,200, St Mary's Outfall stoplog replacement/improvement - inspection and repair is planned for the structure as part of the Capital Recondition Programme but the works are not expected to be completed until 2023/24. To limit tidal ingress, the wooden stopboard structures were refurbished and increased in height to act as a temporary tidal barrier. This has prevented the majority of tidal ingress. Levels in the freshwater marsh can be controlled in the wetter, winter months by the removal of some stopboards. During these times, salinity levels in the marsh would be expected to be diluted by the increased freshwater flow.
- £13,200, Shorne/Higham track repairs - a programme of works was commenced to repair damaged areas. Repairs were completed at the track through the RSPB access gate and started on the main track. Works had to be abandoned due to increasingly wet conditions. The aim is to complete these works this financial year.

Proposed spend for 2023/24

P Britten confirmed that some of the following are suggestions and not definite at the moment and depends on what happens with the PSCA work with the IDB.

He confirmed the following as priorities:

- Higham ditches desilting works contribution - The EA have consequently agreed to contribute IDB precept to the NKMIDB under a PSCA to undertake the desilting works to the Main River sections on their behalf as part of their wider works programme.
- Completion of Shorne and Higham track repairs - hoping to recommence in the next few weeks to take advantage of the dry weather conditions.
- Snakey Lane access crossing works - owing to the mutual benefits, the EA have agreed to contribute further precept funding to the NKMIDB under a PSCA towards future works of replacing the crossing structure.

P Britten requested an update on progress on Snakey Lane.

The Clerk agreed to update P Britten outside of the meeting.

P Britten confirmed the following are also on the list, but not priority:

- Millmarsh Pumping Station refurbishment.
- Canal Basic desilting.

P Britten asked Members if they had any questions.

The Chairman asked about a timeline for the completion of the priority works.

P Britten confirmed that the IDB's work is priority and the EA are happy to contribute precept to these works, and it depends how quickly those works move along.

The Chairman asked the Clerk what the main priorities were and how quickly it would take to put a plan in place to achieve this?

The Clerk confirmed she was 100% behind it being IDB led and confirmed Snakey Lane (an update will be provided later in the agenda), and main river maintenance around Snakey Lane in combination with our usual maintenance was priority.

D Long asked if the EA do not have any frameworks in place, how does the work get done?

P Britten confirmed priority is Snakey Lane Bridge and this work will not go through the EA frameworks, this would be with who the IDB contract out to and the EA will be contributing towards that, and likewise with the ditch clearance work. He said for the Millmarsh pumping station work he believes there is still a mechanical and electrical framework in place. He confirmed the Shorne and Higham track repairs, which prioritises above Millmarsh would be done by the internal field team and contracting out not necessary. Lastly, he confirmed Canal Base desilting would be delivered by Embankment Marina in Gravesend and the EA would contribute towards them.

B Wright asked how the Canal Basin desilting would benefit the IDB, considering it is not connected up to any of the IDB ditches.

P Britten said that was a good question and was potentially a misjudgement on his part. He said he was aware that the EA had previously used IDB precept for similar works. He also confirmed this was the lowest priority and will reconsider before using precept funding for that.

The Clerk asked Members if they were in agreement in how we proceed with the precept and how it has been proposed at the moment.

Members were in agreement.

The Clerk and Chairman thanked P Britten for his attendance and the update, and he left the meeting.

13. SNAKEY LANE CULVERT CROSSING

RECEIVED (Appendix 7) Snakey Lane Report.

The Technical Officer gave a verbal update, confirming that the existing culvert crossing which facilitates access to the marsh for maintenance is in very poor condition and can currently only take 8.7 tonnes, whereas an excavator weighs about 17 tonnes. She confirmed we went out to tender to 11 companies, had 3 returns with one of those returns being favourable at £33,748 + VAT from FGS Pilcher. She confirmed that we have funding available to use via the EA precept, but we would have to also put a contingency to that. She proposed that we look at the Service Water Development Contributions to help with this and confirmed the NKMIDB are due to receive £46,000 from these contributions and therefore this project would be affordable.

The Technical Officer said that if we do nothing the maintenance of all watercourses in the area will decrease, we will get an increase in siltation, and probably the condition of the SSSI will decrease. She said the structure itself will continue to deteriorate and the cost of doing work in the future will also increase. She said we could opt for a design only option, so it is ready to go, and we can use this for a tender document later on, or we can go ahead with the design and build option with FGS Pilcher which is her recommendation to the Board.

The Clerk confirmed that this is an existing crossing that is not owned by the Board, and it is on unregistered land. She said this is not an IDB structure, but it takes water from main river to an IDB watercourse. She said that the IDB and the EA have been unable to undertake any maintenance work in this area due to the broken structure.

The Clerk thanked the Technical Officer for the work she has done putting together the report for Snakey Lane.

The Clerk asked Members if they had questions or comments to make.

Members had a detailed conversation about Snakey Lane and who else uses the crossing.

Main points to note as follows:

B Wright raised the issue of it being unregistered land/registered common land and that we need to look into what we need to do to safeguard ourselves. He confirmed there are at least 3 adjacent landowners (RSPB, himself, and Beckley Hill) that require access, along with the EA, and companies that need access to the pylons, electricity poles etc.

The Clerk confirmed that this may be tricky, and we will be liaising with adjacent landowners, and it would need to be consented by Kent County Council.

The Chairman raised getting access permission and a timetable from other uses of the crossing.

H Browne felt that the only permission we needed would be from Kent County Council and we should make this as easy for ourselves as we can.

A Bates raised the potential of using Adverse Possession to register our interest of owning the land as it is common land.

J Nash said that he highly recommends FGS Agri as they are a very good contractor.

D Long said that it was worth building in an additional weight capacity as plant likely to increase in weight in the future.

On a proposition by J Nash seconded by the Chairman it was **AGREED** to proceed with the FGS Pilcher design and build option at a cost of £33,748 + VAT.

All Members were in agreement.

D Long left the meeting.

As the Chairman had to leave to attend another meeting, he proposed S Curry to take on the role of Vice Chairman, this was seconded by A Bates.

All Members were in agreement.

The Chairman left the meeting.

14. PLANNING AND CONSENTS

RECEIVED (Appendix 6) the Technical Officer's Planning and Consenting Report.

The Technical Officer gave a brief summary of her report, confirming the adoption of the Byelaws that has given us the facility to control works within 8 metres of an IDB watercourse, and to collect Service Water Development Contributions for water entering the district directly/indirectly. She confirmed that the number of consents remains consistent and the LMIDB gets far more planning applications than the NKMIDB.

The Clerk thanked the Technical Officer and The Technical Officer left the meeting to travel to a conference.

15. WORKS MANAGER REPORT

RECEIVED (Appendix 6) the Works Manager Report Number 1.

The Clerk gave a brief summary of the Works Manager's Report in his absence. She confirmed we have undertaken some flail mowing and desilting at Hamwall, Cliffe Marsh and Cooling. She confirmed the LMIDB have starting to do some small-scale contracting works which includes some private desilting work at Cooling for a landowner. She confirmed that the maintenance work undertaken by LMIDB is done at a competitive price.

The Clerk asked Members if they had any questions.

A Bates asked what works the workforce do during bird nesting season.

The Clerk confirmed maintenance of our pump stations, asset surveys, stream walking, identifying hazards, health and safety, biodiversity work etc.

B Wright asked if there was any update on the Allhallows Sluice situation.

The Clerk confirmed there wasn't an update, other than but there was a new landowner, and they are looking to get some consents in place to put some structures in within the ditches to hold water levels up. She added that she would like there to be an answer to this, however, said that it might come down to the landowner doing something and funding it themselves.

16. END OF YEAR ACCOUNTS 2022-2023

RECEIVED (Appendix 10) End of Year Accounts for 2022-2023.

The Clerk confirmed that she was pleased to report that we had come in well under budget and talked through the overspend items and highlighted the underspend items. She confirmed approved budget was £161,873.00 and the total spent was £152,469.11, giving an underspend of £11,329.94.

J Wallace asked what insurances do we have?

The Clerk confirmed professional indemnity, product liability and directors' insurance.

B Wright noted that the biggest saving was on works on channels and structures. He asked does that mean the work was not done or was it less expensive than planned?

The Clerk confirmed that the work had progressed, and a conservative estimation had been given.

RECEIVED (emailed separately) End of Year Report for 2022-2023 which included trial balance, bank reconciliation, balance sheet and profit and loss documents.

The Clerk displayed on screen the bank reconciliation document and asked for the Board's approval for the Handelsbanken bank reconciliations for each quarter and if they had any questions.

No questions asked.

On a proposition by H Browne seconded by J Wallace it was **AGREED** to approve the bank reconciliation for each quarter of 2022-2023.

All Members were in agreement.

The Clerk displayed on screen the balance sheet and requested the Board acknowledge that they have seen this document.

The Clerk mentioned that the figure of £3,926.16 for debtors is not correct and herself and the Finance Officer are working on this. She confirmed that the maximum the debtors sit at is £1,500.

A Bates asked about the debtors and if that includes monies owed from land that we are unable to locate the landowners.

The Clerk confirmed that is correct and although we have done some work on this, there is still some land that is unregistered, and this land currently sits under our suspense account.

The Board acknowledged the balance sheet for 2022-2023.

Action – The Clerk to report to the Board in January on any land that we are unable to assign to a landowner.

The Clerk displayed on screen the profit and loss documents and requested the Board acknowledge that they have seen this document.

The Clerk asked if there were any questions.

No questions asked.

The Clerk displayed on screen the trial balance documents and requested the Board acknowledge that they have seen this document.

The Clerk asked if there were any questions.

No questions asked.

The Board acknowledged the profit and loss and trial balance documents for 2022-2023.

On a proposition by J Nash seconded by J Wallace it was **AGREED** that the Board have seen and agreed with the End of Year Accounts for 2022-2023.

17. BUDGET MONITORING TO DATE

RECEIVED (Appendix 11) Budget monitoring figures to date.

The Clerk asked Members if they had any questions on the money spent to date.

B Wright asked if the Water Level Management Plan was complete?

The Clerk confirmed it was and that no more money would be required from us. She said that she had not had the opportunity to review it ahead of the Board meeting and will share this with Members shortly.

Action - Water Level Management Plan to be emailed to Members.

H Browne asked what the ADA Subscription included.

The Clerk confirmed we have access to their free and paid conferences, for example this year we had an environment day to explore how IDBs can contribute and enhance biodiversity. She confirmed they also provide constant support in terms of our business operations and governance. They provide bespoke and standard templates for governance. Annual ADA Conference in London which is a paid for event, which the Chairman and herself have attended. Also representation at government and lobbying government on certain aspects of national drainage interest.

18. INTERNAL AUDIT UPDATE

RECEIVED (emailed separately) Mid Kent Audit Internal Report for 2022-2023.

The Clerk said that the internal auditors had confirmed we have sound governance in place, however they have highlighted some areas of improvement. She confirmed there were 3 medium priority, 1 low priority and 1 advisory item as detailed in the report.

The Clerk asked if there were any questions.

A Bates asked if our bank was to go bankrupt are we only covered for £85,000?

Members discussed this and agreed we need to split our money across banks/accounts.

The Clerk confirmed she is currently doing an investment strategy for the LMIDB and will also translate this for the NKMIDB.

S Curry said that if we have over £100,000 we also need to be investing our excess.

On a proposition by A Bates seconded by J Wallace it was **AGREED** to look into opening a second bank account.

All Members were in agreement.

Action – The Clerk to look into opening an additional bank account.

On a proposition by J Nash seconded by B Wright it was **AGREED** the internal audit report had been read and the Board will take the necessary recommendations.

All Members were in agreement.

19. ANNUAL RETURN (AGAR)

RECEIVED (emailed separately) the Annual Return (AGAR) for the year ending March 2023.

The Clerk displayed the AGAR on screen and read through the internal control objectives, highlighting that on items M and N we had to tick no because we missed adding the announcement on the website by one day previously.

The Clerk explained and talked through Section 1 of the AGAR that needs to be completed and signed today and this is linked to our Statement of Internal Control.

The Clerk explained that Section 2 of the AGAR relates to all of our figures.

The Clerk asked the Board for their approval of the AGAR and for S Curry to sign the AGAR in absence of the Chairman.

All Members were in approval with no objections.

20. ADA UPDATE

The Clerk confirmed there is soon to be a Southeast Clerk meeting to look at the new Twyford Pump Station and the ADA Annual Conference in London will take place in November. Details of which will be forwarded to Members in case they are interested in attending. There is also the Flood and Water Live Exhibition in Lincolnshire at the beginning of July.

A Bates requested further details of the Flood and Water Live Exhibition to be emailed to him.

21. ANY OTHER BUSINESS & CLOSE OF MEETING

Members Day

The Clerk confirmed a Doodle Poll will be sent out shortly to Members for a joint Members Day in September for NKMIDB and LMIDB.

Water Levels

B Wright raised the Water Level Management Plan and how he was hoping we would get some idea of how we could control the water level in the ditches, but it's ended up how to control water level on the fields. He wanted to find out if there was any other way we could look at keeping water levels up in the summer.

The Clerk said that the Water Level Management Plan doesn't do what she wanted it to do, as we didn't really get what we wanted even though the scope was clear. She confirmed she is working with Alan Johnson and J Nash and looking at water budgets across the marsh and we are waiting to get some funding for that.

The Clerk said that using the tilting weir on Shorne Marshes as an example, we are missing a strategic evidence base to say we should spend money there, but she is not against taking forward an individual business case for a given area, to look at that or anywhere across the marsh in more detail.

The Clerk confirmed she had a meeting a couple of months ago where we are trying to build up a project scope to look at the water budget across the area, however, this isn't going to come out with some tangible outcomes anytime soon.

J Nash said that one of the initiatives RSPB are working on with the Clerk is the Who's Hoo Project, which is a lottery bid. He said the funding is not confirmed yet as the bid is still in development and a new project manager has been employed by Medway to take these things forward.

Church of England Water Management Plan

A Bates confirmed he had received (via Carol Donaldson) details of a meeting the Church of England were holding because they want to do a water management plan for the Swale cluster. He said he was unable to make the meeting as it was moved, however he will find out some more information.

There being no further business The Clerk thanked Members and staff for their attendance and declared the meeting closed.