

**NORTH KENT MARSHES INTERNAL DRAINAGE BOARD**



**MINUTES OF THE MEETING OF THE BOARD  
HELD AT 13 CONQUEROR COURT, SITTINGBOURNE  
ON MONDAY 16 JANUARY 2023 AT 1PM**

**Members of the Board Present**

Chairman: Cllr G Etheridge (remotely)  
Cllr H Browne  
Cllr C Buckwell  
Cllr H Craske (remotely)  
D Long (remotely)  
J Nash (remotely)  
J Nottage (remotely)  
Cllr J Wallace (remotely)  
B Wright

**In attendance**

P Haselhurst – Clerk  
C Longden – Finance Officer  
L Rowland – Office Manager  
W Smith – Works Manager  
A Soloman – Technical Officer  
P Britten, Environment Agency (remotely - part of the meeting)  
A Jones, JBA (remotely - part of the meeting)

**1. WELCOME AND INTRODUCTIONS**

The Clerk welcomed everyone to the meeting and asked everyone to introduce themselves.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from A Bates, no response from L Croxton.

**3. ITEMS OF INTEREST DECLARATION**

No items declared.

**4. MINUTES**

**RECEIVED (Appendix 1)** the Minutes of the Meeting of the Board held on 13 June 2022.

These minutes were circulated to Members via email on 12 September 2022 with a request for any amendments to be advised by 12 October 2022.

There were no further comments on the minutes, and they were considered officially approved.

## 5. ACTION LIST & MATTERS ARISING FROM PREVIOUS MINUTES

**RECEIVED (Appendix 2)** a copy of the Action Tracker as of the meeting held on 13 June 2022.

The Clerk talked through the following items:

**Byelaws** – confirmed this has been done and a further update will follow later in the agenda.

**Biodiversity Action Plan** – this has been achieved and a further update will also follow later in the agenda.

**Southern Water** – were unable to attend this meeting as planned, hopefully they can attend the June meeting.

**Tilting Weir, Shorne Marshes** – as agreed in the last meeting this has been put on hold.

The Clerk asked Members if they had any questions.

No questions asked.

J Nottage joined the meeting.

## 6. REGISTER OF MEMBERS' INTEREST FORMS 2022/23

Four forms currently outstanding – H Craske, L Croxton, J Nottage and J Wallace.

Members were reminded of their outstanding forms, and it was requested that the Office Manager email forms to those Members.

Renewals of forms for future years were discussed.

On a proposition by C Buckwell seconded by H Browne, it was **AGREED** that an annual check of amendments for Register of Members' Interest Forms would take place instead of new forms having to be completed each year.

All Members were in agreement.

**Action** – Office Manager to send email to Members at the start of each financial year to check if there have been any changes to their current completed Register of Members' Interest Forms.

## 7. ENVIRONMENT AGENCY UPDATE

The Clerk welcomed P Britten to the meeting who would be giving a verbal update on precept spend for 2022-23 and to discuss precept for 2023-24.

P Britten confirmed that a little over £37,000 of the precept money for 2022-23 has been spent, leaving a remaining £9,500. He confirmed the breakdown of this as follows:

- Just under £17,000 – Hams Hill Pumping Station replacement which included transportation and CDM costs.
- £13,000 to date – commencement of track repairs in Higham, adjacent to the sea wall. This was done internally and the ops didn't get chance to finish before conditions took a turn for the worse and conditions were too wet to continue. This is part done with the hope this will recommence around March/April time. Breakdown of costs were £2,500 materials, £2,000 plant hire and the remainder labour.
- £4,200 – St Marys Outfall, tidal ingress due to issues with the sluice. Project on the go to get it refurbished but it's not a quick fix, so in the interim the stoplogs have been replaced and sealed which is preventing saline intrusion into the freshwater marsh which has been reasonably successful.
- Just under £3,000 – ditch maintenance, downstream of Snakey Lane Bridge. There has been some past evidence of asbestos and recent testing for this has taken place and results are pending.

P Britten confirmed that going forward for the rest of this financial year and next year there are no concrete plans. He explained the reason for this is the current work they are looking at working on with The Clerk and Technical Officer which is the potential PSCA for the aforementioned ditch clearance and also the collaboration in working on the Snakey Lane crossing and the potential of contributing precept money towards that, to make it a safer crossing.

He confirmed other things in the pipeline are completing the track repairs at Higham which they have already commenced. They are also considering a potential like for like refurbishment of Mill Marsh Pump, similar to what they have already done at Hams Hill. He confirmed something else that is of lower priority is the Canal Basin and flood gate and they are considering in collaboration with Embankment Marina to do some desilting/dredging of that area to enhance the effectiveness of the flushing procedures.

He also confirmed there is also, even though it is early days a project to go ahead for the refurbishment of the sea wall at St Marys which has been subject to quite significant erosion over the years. Any works done here would look to increase the residual life to about 2040, which is when the next program of defence raising is due.

P Britten asked Members if they had any questions.

The Chairman asked if there was any consequences whilst the Hams Hill Pump was out of action?

P Britten confirmed that the pump was out of action for some time before it was taken away for refurbishment. He explained that they had been two six inch temporary pumps set up on site and both needed to be running in the beginning to keep levels down to a manageable amount, following that they relied on one pump being run which was operated manually by

local field operatives. He said whilst this was awkward and was extremely expensive with diesel costs, there was something in place to keep the levels down.

The Chairman asked with regards to the sea wall at St Marys, would we be receiving any funding from the EA towards those repairs?

P Britten confirmed that he has not had a lot involvement with this project and has only been asked to review the scope, and this is being managed by the Team 2100 Programme. He said he would be unable to really comment on funding, although things like this are often funded by EA budgets along with seeking of a contribution from landowners. He also said this was in the very early stages.

B Wright asked what was happening with the Allhallows Marshes? He said this seemed to be quite prominent at one time, but it appears to have dropped off the list.

P Britten apologised he was unable to give an update on this as he only had an awareness, but has had no involvement of it. He said that someone else in the team was taking over that side of the role, who has since resigned and he would find out who's now leading on this.

J Wallace asked where Canal Basin is?

P Britten confirmed it was in Gravesend, the Embankment Marina.

B Wright asked do any of our ditches drain into the Canal Basin?

P Britten said no, he was pretty sure none of the ditches go into the canal anymore.

B Wright asked if there was any prospect of using the water that goes out there for water level management on the marshes when levels fall lower than we want?

P Britten confirmed that water level management isn't really the EA business, their priority is flood risk management.

The Clerk confirmed that this could be looked in to.

P Britten confirmed they would be happy to work alongside us.

C Buckwell also raised the issue of Allhallows which was a significant/urgent issue a few years ago and now seems to have faded away.

The Clerk confirmed that we have got to the point where this is down to the discussions internally with the EA in terms of how Thames 2100 is going to pan out, and how we reconcile it being a management realignment site and whether any condition surveys can go ahead. She said if we can resurrect those conversations with the EA that would helpful.

The Clerk asked P Britten if the £9,500 of the precept remaining had been earmarked for anything? She said if it wasn't there was something she had in mind.

P Britten said there is the recommencement of the track repairs at Higham, but this is probably going to start again in March/April and could easily be moved to next year's

precept. He said it was also dependent on what else The Clerk and Technical Officer had been working on and was happy to take suggestions and work with the Board.

The Clerk asked whether this could be used to put towards the replacement of the culvert at Snakey Lane. She explained that at this stage, we have gone out to tender and have got initial quotes to replace the culvert, which over time the concrete has sunk, and it can no longer support plant which causes an access issue and is one of the reasons that maintenance couldn't go ahead. She confirmed that it has also been reported by B Wright that that area is a bit of a pinch point, and there has been higher water levels upstream as a result of it having a bottle neck situation.

The Clerk said she would like a commitment from the EA that we can potentially put the £9,500 towards the design element of this and NKMIDB would match fund that depending on the quotes received back and then the construction element could be looked at separately.

P Britten said he would 100% support that. He said that Snakey Lane being functional would be helpful but is not essential for the EA and that is why internal funding wouldn't be used for this. He felt this would therefore be ideal precept spend.

The Clerk said she would appreciate advice from the Board with regards how to progress on this with terms of process, as she has not yet submitted a formal business case. She said the options were as follows:

- 1) Delegate some Members to form a Finance Committee to review the tenders and formal business case.
- 2) Provide an in principle agreement to go ahead on the design element and to report back to the Board in the June Board meeting regarding the construction element.

She confirmed this would be on the basis of a £9,500 contribution from the EA, plus potentially spending some money out of reserves (maximum £10,000) to fund the design.

Members discussed the options.

On a proposition by C Buckwell seconded by B Wright Craske it was **AGREED** go ahead with the design element of the replacement of the Snakey Lane culvert and to discuss the construction element at the next Board meeting and this could be funded from the current financial year's reserves up to £10,000.

All Members were in agreement.

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

## **8. BIODIVERSITY UPDATE**

### **Biodiversity Action Plan (BAP)**

The Technical Officer gave an update on the BAP. She confirmed that we have gone out to tender to 5 companies and had 2 returns, plus the original historic quote that has been withdrawn. She confirmed that after discussions and approval from the Chairman we have since appointed Andrews Wildlife Consulting (AWC) and our contact there is Richard

Andrews. She confirmed this is going to cost approximately £11,000 and the Clerk, Richard and herself have had a meeting and laid out in more detail what we are looking for. She explained we will be getting some mapping from that, so we will be able to see where our priorities are and how we can introduce that into the maintenance program, capital works and land drainage consents etc. She said we are going out on site with Richard to look at the priority sites. She confirmed that by the end of June it should be rolled out and properly published and a Members Day was likely to go ahead in September which will cover the BAP in more detail for Members.

B Wright asked if Natural England have an input into this?

The Technical Officer confirmed that Richard Andrews will be consulting with them along with many other bodies.

The Clerk confirmed that they have put J Nash's name forward to be a stakeholder in that process. She also confirmed a further update will follow in the June Board meeting.

### **Water Level Management Plan (WLMP)**

The Clerk confirmed that the long awaited WLMP has been completed in draft and will be shared with Members very shortly.

A Jones, JBA joined the meeting and gave a presentation on the Hoo Water Level Management Plan whilst displaying his presentation on screen.

J Nash asked in the plan are you identifying areas and what water levels could be held at?

A Jones said no, they had been asked to put together a checklist of sites which we think are easier, there will be a lot of working in partnership with whatever comes after Countryside Stewardship because lots of these things are already being done under Countryside Stewardship field by field and farm by farm basis and those plans for water level can be developed in partnership with those schemes.

J Nash asked if there was any way they could put in some kind of assessment for roughly what water levels would roughly be appropriate?

A Jones said that the only requirement was there was enough/a little bit of water remaining on these fields at the end of June. He said he would look at whether he could put in the prescriptions.

The Chairman thanked A Jones for his excellent report and requested a copy of the slides.

B Wright asked if we have an idea of how we can keep ditch levels up in the summer? Should we be reducing outfalls?

A Jones said he didn't have a good answer, the voles are happy to keep the water levels as they are, but there is room to tinker as long as it doesn't affect the voles too much.

J Nash said the answer lied with the outfalls.

The Clerk asked if there would be any value in reinstating the old outfalls at Higham Marshes?

J Nash confirmed there wouldn't be as it is salt water, which would be detrimental.  
A Jones left the meeting.

## **9. HEALTH & SAFETY**

The Clerk confirmed she had a near miss report to make Members aware of. She explained that this came under the slips, trips and falls category and happened at Higham Marshes.

Members noted the near miss report.

## **10. GOVERNANCE UPDATE**

**RECEIVED (Appendix 3)** Board Members Role and Responsibilities.

**RECEIVED (Appendix 4)** Members Code of Conduct.

The Clerk explained that there were no changes to the Board Members Role and Responsibilities, and the Members Code of Conduct and she was just asking permission from Members to readopt these 2 documents. She confirmed both documents need to be reviewed on an annual basis.

B Wright spotted a date that need to be amended on section 9, Environmental Legislation, page 7 of the Board Members Role and Responsibilities document as it currently said September 2021.

The Clerk confirmed this had been refreshed in September 2021 and was extended to September 2026 and she would amend the document accordingly.

On a proposition by H Browne seconded by H Craske it was **AGREED** to readopt the Board Members Role and Responsibilities (subject to amendment section 9, page 7), and the Members Code of Conduct policies.

All Members were in agreement.

**RECEIVED (Appendix 5)** Health and Safety Policy.

The Clerk explained that the NKMIDB had a Health and Safety Policy priorly, but it was very light. She confirmed that she had already created a Health and Safety Policy for the LMIDB and wanted to put that forward to NKMIDB for adoption.

On a proposition by H Craske seconded by J Nash it was **AGREED** to adopt and share the new Health and Safety Policy originally created for the LMIDB.

All Members were in agreement.

J Wallace left the meeting due to having to attend another meeting.

## 11. CLERKS REPORT

The Clerk gave the following report:

Firstly, I would like to again thank Members for their support over the last year as we have moved the administration of the Board across to sit with the LMIDB.

The LMIDB is now at full complement with 10 staff in total to deliver the services of both Boards. We are fortunate to now have a dedicated Technical Officer, Anita, who joined us in September who is picking up the role really quickly, and who will be leading on all issues regarding planning and consenting, as well as some of our key projects including our Biodiversity Action Plan which we will return to later in the agenda.

In terms of works on the ground, we have worked with the LMIDB workforce to undertake maintenance within the NKM District at Ham Wall and are currently set to commence some desilting at Cooling Marsh. By undertaking works in this way, we were able to make savings by undertaking the works 'in house' as well as introduce the workforce to remainder of the NKM.

Following our last meeting, and the Boards decision to adopt the DEFRA model byelaws, we advertised the byelaws to stakeholders and affected parties throughout November 2022. This engagement included all Local Authorities, NE, EA, RSPB, The Thames and Medway Canal Trust, Southern Water, Medway Estuary Swale Partnership, drainage ratepayers and LMIDB Members. The intention to adopt the byelaws was also advertised in the local press. I am pleased to report that no objections were received, and we are now in a position to submit a formal proposal to DEFRA. It is understood that formal approval from DEFRA will be prompt.

As our Chair and Vice Chair are in attendance virtually, I would therefore like to request formal permission from the Board to authorise me to sign and seal the byelaws.

On a proposition by C Buckwell seconded by The Chairman it was **AGREED** to authorise The Clerk to sign and seal the byelaws.

All Members were in agreement.

In other news, I would like to provide update on some key projects. The first one being Snakey Lane, the replacement culvert has already been discussed earlier in the agenda. Another issue at this location is anecdotal suggestions of asbestos within main river. We therefore agreed with the EA to allocate small amount of precept to undertake testing so that we could be sure of any issues prior to undertaking works using a PSCA.

H Craske gave an update on the planning application on the Uralite site and confirmed it changes week to week. He also confirmed that the Richard Hart is the Planning Officer.

J Nash said it was worth considering that if the asbestos is in water, it would be less of a hazard, but obviously to take professional advice on that.

The Chairman said that we must ensure every health and safety aspect must be taken into account to protect members of the public and staff.

The Clerk said that we will see what we can find out that's within our remit and interests and to keep it on our radar with regards to any funding that may be available to assist us.

The Clerk continued with her report as follows:

I will provide update on other projects throughout the agenda but wanted to mention another which be of interest now which is a project being undertaken by the Southeast Rivers Trust to investigate Chalk Streams across north Kent, a link will be forwarded by email in case of interest.

Forward Look - over the next year, there is still a lot more work to do strategically including our joint Corporate Strategy. Once completed, the Corporate Strategy will provide the Board some key objectives and actions to work towards and a draft strategy will be brought to the Board at our Members Day in September. The strategy will build upon our substantive role as an IDB, but also seek to approach the water cycle holistically, consider how we can be prepared for climate change adaptation, and have a stronger partnership focus.

In terms of the Members Day, I am aware that we have not yet planned a site visit since prior to COVID and that this has remained unactioned. What I would like to propose to the Board given our closer working is to combine the Members Day planned for 2023 and to hold this day in September with a focus on our by then completed Biodiversity Action Plan. Specifically for the NKM another important project on the horizon is a hydrological study which looks specifically at the Hoo Peninsula. The purpose of this project is to consider how we can best manage water to enable climate change adaption, and to squeeze as much value as possible in the context of landowner and environmental needs. The project is to be funded via Heritage Lottery Funding I have offered time resource to act as client for the project with support from RSPB given the clear links to our work with Water Level Management in general.

D Long left the meeting.

The Clerk continued:

Climate Change adaptation and partnership working is key to our water environment and so with that in mind I would also like to explore what opportunities there are for further work with the Environment Agency under PSCA agreements, and also to use the outputs of the WLMP to better understand how we can steer precept spend to achieve mutual goals.

The Clerk asked if there were any questions.

No questions asked.

## **12. PLANNING AND CONSENTS**

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

The Clerk confirmed there were no consents but there have been a few planning consultations. She thanked the Technical Officer for her report. She said the report might start to look different once we have the byelaws in place, when we are going to be managing runoff from developments sites more stringently and potentially developing a small income from that as well.

The Clerk asked Members if they had any questions?

B Wright if there was an update on Bretts, and if there was anything we can do to chase this up?

The Clerk confirmed there had been nothing and B Wright had been copied into the various emails she had sent. She said she was unsure how to take this forward as she can only push it so much and sea defences are not within our remit although we have a vested interest, and appreciates the concerns.

C Buckwell suggested contacting the Kelly Tolhurst MP

J Nash suggested contacting P Britten.

**Action** – The Clerk to follow up with P Britten with regards to Bretts.

The Chairman asked about RSPB Cliffe Pools, Nature Reserve, Salt Lane, Cliffe and wanted to ascertain if this was the same as Cliffe Marsh. He said he had received a number of emails and concerns from people saying it is a bit of an eyesore and if there could be a notice put up explaining what the enhancement works are doing and how long they are going to take.

J Nash confirmed that this is something that can be sorted out. He said there is a lot of work going on over there and the piles of rubbish are temporary and will be tidied up.

### **13. EXTERNAL AUDIT (COMPLETED AGAR)**

**RECEIVED (Appendix 7)** end of year accounts for 2021-22 and External Auditor's report/annual return (AGAR) for 2021-22 including conclusion (part 1 to 3).

The Clerk confirmed this item was for information and asked if Members had any questions.

No questions raised.

### **14. IDB1 FORM**

**RECEIVED (Appendix 8)** completed IDB1 Form for 2021-22.

The Chairman confirmed this item was for information and asked if Members had any questions.

B Wright asked what the £8,014, Other Income amount was for?

The Clerk confirmed that we undertook some works on Cooling Marsh and we did some works for DP World via an external contractor, and they paid us back for it.

## 15. FINANCE REPORT

**RECEIVED (Appendix 9)** the Clerk's Estimates Report for 2023-24.

The Clerk talked through the 2023/24 budget and presented a 5, 5.5% and 6% increase option.

The Chairman said he did not think an increase of 5% was acceptable as we have no idea what will happen in the next year, he felt 5.5% was potentially reasonable but felt 6% would ensure all our operating costs are covered and we have a sufficient reserve. He said we could always readjust the following year if necessary. He said he wants to make sure the Board is financially viable.

C Buckwell confirmed he was happy with a 6% increase.

H Browne felt the Board should accept a 5.5% increase as she felt we have sufficient reserves and we need to be conscious of financial pressures.

C Buckwell confirmed he would accept a 5.5% increase.

The Chairman said he would be happy to go with a 5.5% increase on the principle that the new Board, whoever they are need to be financially competent with what they are doing with The Clerk's guidance.

On a proposition by The Chairman seconded by C Buckwell, it was **AGREED** to increase the penny rate by 5.5% and set the penny rate at seven point seven eight six (7.786) and that the Clerk and the Chairman should sign the Drainage Rates & Special Levies Certificate.

On a proposition by The Chairman seconded by H Browne it was **AGREED** to accept the 2023/24 budget.

All Members were in agreement with both propositions.

C Buckwell left the meeting to attend another meeting.

## 16. ADA UPDATES & SERVICE LEVEL AGREEMENT

### **ADA Updates**

The Clerk confirmed there was nothing to update with regards to ADA. She said the annual conference date and details had not been set yet and she would communicate this once confirmed.

The Clerk confirmed she will be attending the South East Branches Clerks meeting in the next couple of weeks.

### **Service Level Agreement (SLA)**

The Clerk explained that the SLA with LMIDB needs to be reviewed annually. She confirmed there had been a subtle change on page 8, under the Engineer section, point 4 which has been amended and now includes “*using either LMIDB workforce, or external contractors*”.

On a proposition by J Nash seconded by B Wright it was **AGREED** to approve the Service Level Agreement with the LMIDB.

All Members were in agreement.

## **17. FORWARD LOOK & APPROVAL OF MEETINGS**

### **Future Meetings**

Next Board meeting was confirmed for 5 June 2023, and it was noted that we may have new Councillors appointed to the Board by this time.

**Action** – The Clerk to seek advice from our external auditors regarding this transition and in particular the signing of the AGAR.

The Clerk said that she hoped that the current Councillors remain on the Board, and she has really valued their support and enjoyed working with them over the past four years.

The Chairman said it had been a pleasure working with all of the Board and Priscilla. He said all of us have worked together professionally and that we have ensured we have got the best possible results. He thanked Priscilla personally for all of the work and commitment she has made over the years. He also thanked all the landowners, especially J Nash for the recent meeting at the RSPB site and he wished the Board all the best for the forthcoming year and Priscilla for her ongoing career.

J Nash said he wished to echo Priscilla’s words that he hopes the Councillors remain on the Board and it has been a pleasure working with everyone.

## **18. ANY OTHER BUSINESS & CLOSE OF MEETING**

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