

THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

Minutes of the Meeting of the Board
held on Thursday 12 February 2009
at 2.30pm in the Board's Offices at
34 Gordon Road, Canterbury

PRESENT

M J G Tapp Esq (Chairman), A D Linfoot, O.B.E. (Vice Chairman), Messrs Councillor T Austin, D M Botting, I R Cooling, P S Dunn, P E Dyas, G F Ellis, Councillor B T Naughton, D Rogers, Councillor C J (Kit) Smith, M P Wilkinson and Councillor J Woodford.

IN ATTENDANCE

Mr Tim Connell (Operations Delivery Manager - Kent & East Sussex Area, Environment Agency), Mr Paul Marshall (Operations Delivery Team Leader – Lower Stour Area, Environment Agency), Mr John Davis (IDB Contracts Manager, Rhino Plant Hire), Mr Peter Dowling (Engineer to the Board) and Mr Derek Lewis (Clerk of the Board).

APOLOGIES FOR ABSENCE

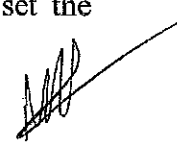
Apologies for absence were received from Councillor Mrs J Marriott, Councillor Mrs M Martin and Mr I G Steed.

WELCOMING

The Chairman welcomed Mr Tim Connell, Mr Paul Marshall and Mr John Davis to the meeting. The Chairman stated that Mr Connell and Mr Marshall had both accepted an invitation to attend the meeting in order to discuss any Environment Agency Operations Delivery related matters.

ENVIRONMENT AGENCY OPERATIONS DELIVERY RELATED MATTERS

Mr Tim Connell (Environment Agency Operations Delivery Manager – Kent & East Sussex Area) thanked the Chairman for being given the opportunity to address the Members. Mr Connell stated that he managed 9 Operations Delivery Teams in the Kent & East Sussex Area of the Environment Agency's Southern Region. The 9 Operations Delivery Teams were lead by Team Leaders and were responsible for maintenance of the Environment Agency Flood Defence Assets and Incident Response and Paul Marshall is the Team Leader of the Lower Stour Operations Delivery Team. The Chairman asked Mr Connell if he could explain to the Members how the maintenance strategy is set. Mr Connell stated that the Environment Agency Board set the National Strategy and the 8 Environment Agency Regional Areas were responsible for its delivery. In the Kent & East Sussex Area, the Asset Systems Management Teams set the priorities for the maintenance of the flood risk assets the Environment Agency manages.



The Chairman thanked Mr Connell for this explanation and suggested that it may be best to continue the discussion with related questions from the Members and asked if he and Paul Marshall would try and provide answers to points raised. This was agreeable.

The Chairman stated that he and the Members still had some concerns that the Environment Agency may return to only maintaining high and medium risk systems and not carrying out any maintenance to low risk systems. The Chairman stated that following the National Audit Office audit of the Environment Agency's Flood Risk Assets 3 years ago, the Environment Agency decided to direct their funding to the maintenance of high and medium risk systems with very little maintenance being carried out in low risk system areas which were predominantly rural farmland. Although, in actual fact, some reduced maintenance was completed, the Chairman considered the Environment Agency did not explain the reasons for this simplistic approach very well to its stakeholders. The Chairman considered that it was very important that the right information gets out so the situation can be understood by all stakeholders. Mr Connell agreed that better communication was needed to ensure all concerned were kept informed and up-to-date.

Mr Peter Dowling, the Board's Engineer, considered that proper planning and consultation was vital to ensure a close working relationship and asked when the Environment Agency's Kent & East Sussex Area Consultation Document for 2009 would be available to the Board as the 2008 Consultation Document was not received by the Board until 27 August 2008 which was mid-way through the programme and this made it extremely difficult to make constructive comment. Mr Connell acknowledged that there was a problem last year and advised that the 2009 Consultation Document was currently being circulated 'internally' and would be issued to external organisations by the end of March 2009.

Mr Mike Wilkinson stated that recent weather events resulted in the Sarre Penn overtopping and asked if there was any flexibility within the Environment Agency to make earlier responses to well predicted weather events. Mr Paul Marshall stated that levels in the Sarre Penn system was dictated by water levels on the Chislet Marshes and tidal conditions. Mr Marshall stated that he was sorry that the Sarre Penn overtopped in the recent extreme event but considered that the Environment Agency workforce were pretty proactive, worked long hours and normally managed to prevent overtopping of the Penn.

Mr Dave Rogers (Natural England's Reserves Manager for North & East Kent) stated that the levels in the Great Stour have recently come very close to overtopping into the Stodmarsh Reserve. Mr Rogers asked if the danger had now passed. Mr Marshall reported that the tide surge and weather event had now passed after reaching its peak on Tuesday 10 February 2009.

Councillor B T Naughton (Ashford Borough Council) asked Mr Connell what was the Environment Agency's policy on procurement. Mr Connell stated that the Environment Agency's procurement policy was driven by environmental impact, costs, value, Health & Safety and reliability. Councillor Naughton what types of pumps were used. Mr Marshall stated that all types of pumps were used throughout the Environment Agency's 8 regions but that he had a preference for Andrew Sykes Trailer-Mounted Pumps because they can be deployed fast to where they are needed.

Mr John Davis (IDB Contracts Manager, Rhino Plant Hire) stated that he had recently noticed that several lengths of 'Main River' watercourse, that were located under electricity power cables, had been left untouched by the EA Workforce/Contractors. Mr Davis asked Paul Marshall what is the Environment Agency's policy regarding working in areas where there are

overhead power cables. Mr Marshall stated that it was Environment Agency 'National' policy is that EA staff should not work with machinery under power cables. Mr Marshall stated that safety of the workforce was paramount. Mr Davis stated that he regularly met with Electricity Waveleave Officers on site to agree safe working heights/areas. Mr Davis asked if there was any chance that the EA could revise their policy and make similar arrangements. Mr Peter Dowling asked if any alternative cutting/desilting methods have been considered. Mr Marshall stated that alternative methods are always considered. Mr Dave Rogers suggested that a closer liaison with the electricity providers could provide 'windows of opportunity' where power supplies are turned off for cable or pylon maintenance. Mr Rogers stated that he could provide contact details of the electricity company Wayleave Officers.

Councillor T Austin (Canterbury City Council) stated that he has noted that the Environment Agency only carries out approximately 3Km of maintenance on the Great Stour each year. Councillor Austin asked if there was any chance that a longer length of river could be maintained on an annual basis. Mr Marshall stated that the Environment Agency liaises closely with several organisations and river users and undertakes pioneering (tree and shrub clearance) as and when required. Mr Marshall also advised that the Environment Agency is currently carrying out a full survey of the tidal length of the river, between Fordwich and Sandwich.

Mr Peter Dyas considered that Environment Agency flood defence and land drainage works were constantly being restricted by the environmental/biodiversity side of the Agency and the environment was constantly being put before human considerations. Mr Tim Connell stated that the Environment Agency has two roles, flood risk management and to enhance and promote biodiversity. Mr Connell stated that the Environment Agency has to strike the correct balance and regularly holds discussions with Natural England and other organisations on these issues. Mr Connell considered that a measure of success was now being achieved. Mr David Rogers (Natural England Reserves Officer for North and East Kent) considered that there was a misapprehension that biodiversity is preventing flood risk management and land drainage works. Mr Rogers stated that Mr Jon Bramley of Bramley Associates stated in his recent report on Water Voles in the Lower Stour Marshes, that Water Voles were present in nearly all IDB maintained watercourses in the Lower Stour Marshes but were absent in watercourses which received little or no maintenance. Mr Rogers considered that the Water Vole Survey Report gave conclusive proof that biodiversity can be enhanced by regular maintenance to ditches and watercourses. Mr Rogers considered that it more likely that the Environment Agency was under considerable financial restrictions and was using biodiversity as an excuse not to carry out watercourse maintenance.

There being no other questions from the Members, the Chairman thanked Mr Connell and Mr Marshall for making time to attend this meeting and for answering the questions raised by the Members on Environment Agency related matters.

MINUTES OF THE MEETING OF THE BOARD HELD ON THURSDAY 20 NOVEMBER 2008

The Minutes of the Meeting of the Board held on Thursday 20 November 2008 were received. It was proposed by Mr P E Dyas, seconded by Mr M P Wilkinson and resolved that minutes be confirmed and signed by the Chairman as a true record of the proceedings at that Meeting.



MATTERS ARISING FROM MINUTESEnvironment Agency – Replacement and Refurbishment of the Mile and Goshall Pumping Stations.

The Engineer reported that he has recently been advised by the Environment Agency's Project Officer that the replacement/refurbishment of the Mile and Goshall Pumping Stations has been put back until September 2009. The Engineer further reported that the Environment Agency Project Officer also advised him that temporary measures had been put in place so that normal summer feeding and abstraction requirements can continue whilst staying within the limits of the new licence.

Ref: A.1-1

Proposed Dates for 2009 Meetings

The Chairman stated that at the last meeting of the Board, the Board approved the dates of the 2009 meetings of the Finance Committee and the Board. Unfortunately, because the Board has now received notice of a very important ADA meeting which he, the Clerk and Engineer are required to attend, there was now a requirement to amend the date of the Finance Committee Meeting that was scheduled to take place on Monday 11 May 2009 to Tuesday 12 May 2009. The Chairman hoped that this change of date would not be an inconvenience to the Members of the Finance, General Purposes and Works Committee.

Finance Meetings

Monday 19 January 2009
Tuesday 12 May 2009
 Monday 3 August 2009
 Monday 26 October 2009

Board Meetings

Thursday 12 February 2009
 Thursday 4 June 2009
 Thursday 20 August 2009
 Thursday 12 November 2009

MINUTES OF THE MEETING OF THE FINANCE, GENERAL PURPOSES AND WORKS COMMITTEE HELD ON MONDAY 19 JANUARY 2009

The Minutes of the Meeting of the Finance, General Purposes and Works Committee held on Monday 19 January 2009 were received. It was proposed by Councillor B T Naughton, seconded by Mr A D Linfoot and resolved that the minutes be received.

MATTERS ARISING FROM MINUTESENGINEER'S MAINTENANCE WORKS ESTIMATES FOR THE YEAR ENDING 31 MARCH 2010

The Chairman reported that the Engineer had prepared his Engineering Estimates for 2009/2010 from the contract rates and built-up estimates from previous cost analysis for items not specifically included in the main contracts. A breakdown of the estimated costs of each type of activity is detailed below:

Summary of Estimates

Activity	2008/2009	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
	Estimate	Revised	Estimate	Estimate	Estimate	Estimate
	£	Estimate	£	£	£	£
Water Level Control	69,725	69,725	69,725	69,725	69,725	76,698
Weedcutting/Grasscutting	110,070	112,500	112,500	112,500	112,500	123,750
De-silting	21,240	22,460	23,600	24,000	24,000	26,400
Spoil Spreading	6,540	5,040	6,530	6,500	6,500	7,150
Pioneering	5,775	5,775	6,060	6,360	6,680	7,015
Obstruction Clearance	2,700	2,700	2,700	2,700	2,700	2,970
Structure Maintenance	20,000	27,000	27,000	20,000	21,000	22,000
Biodiversity	0	0	10,000	10,000	10,000	10,000
Grand Total	£236,050	£245,200	£258,115	£251,785	£253,105	£275,983

Councillor C J (Kit) Smith (Dover District Council) stated that he was under the impression that the preliminary work required to produce a Biodiversity Action Plan (BAP) was mainly a desk-top study in order to gather all the necessary information. Councillor Smith considered that the price quoted by the Kentish Stour Countryside Project was probably good value for money but asked why there was a need to project costs of £10,000 for the succeeding years. The Engineer stated that when the BAP is produced it is likely that it will identify a number of actions that the Board will need to address. The Engineer also stated that Defra requires all IDBs to have in place the services of a Conservation/Biodiversity Officer as soon as possible. The Engineer stated that he considered that the Kentish Stour Countryside Project would be best placed to supply the Board with this advice and that he had projected a nominal sum of £10,000 for this service for the succeeding years. The Vice Chairman stated that the budgeted costs for future years were indicative only and subject to revision. Mr G F Ellis asked what type of activities was the BAP likely to identify. The Engineer stated that the actual activities the BAP was likely to identify were not yet known but it was considered likely that the Board will need to carry out more detailed ecological surveys prior to carrying out certain works. Mr Ellis asked if the production of a BAP was a legal requirement. The Clerk stated that the production of a BAP by 1 April 2010 is a Defra High Level Target.

It was proposed by Mr I R Cooling, seconded by Mr P E Dyas and resolved that the Engineer's Engineering Estimates of £258,115 for 2009/2010 be approved.

CLERK'S COMBINED FINANCE ESTIMATES FOR THE YEAR ENDING 31 MARCH 2010

The Chairman reported that the Clerk had incorporated into his Combined Finance Estimates the Engineer's Engineering Estimates and had calculated that the Board would need to raise a total of £537,958 for the financial year ending 31 March 2010. The Chairman further reported that the Clerk had prepared 5 options for consideration by the Finance, General Purposes and Works Committee and the Board and that the Finance Committee, after taking all matters into consideration, had recommended Option 2 to the Board. Mr I R Cooling (Ashford Borough Council) asked the Board to note that all the local authorities in the Board's District are under severe financial pressure this year and that any increase in their Precepts would be unwelcome. The Vice Chairman stated that the Finance Committee are very aware of the financial pressures on all the local authorities are under at this present time and it was therefore very necessary for the Board to advise each of the authorities of the reasons for the increases in their Precepts. Councillor B T Naughton (Ashford Borough Council) suggested that in view of prediction that it was likely that the economy would worsen beyond 2009 it may be sensible for the Board to select Option 3 at this time.

Councillor J Woodford (Ashford Borough Council) stated that he would be happy to second Option 3. Councillor T Austin (Canterbury City Council) stated that in view of the considerable financial pressures Canterbury City Council was currently under he would have to oppose any further proposed increases to the City Council's precept. Councillor Austin however stated that he would be prepared to make a proposal for Option 2. This was seconded by Councillor C J (Kit) Smith and resolved that:

- a) A total sum of £542,958 be raised, raising an additional £5,000 for contingencies (Option 2).
- b) A rate of 13.292p in the £ be made for the year ending 31 March 2010 raising the sum of £62,114 from Agricultural Drainage Ratepayers.



- c) Special Levies be made on the local Billing Authorities for the year ending 31 March 2010 as follows:

Ashford Borough Council	£235,950
Canterbury City Council	£119,442
Dover District Council	£59,673
Shepway District Council	£529
Thanet District Council	£65,250
	£480,844

- d) The Chairman and the Clerk be authorised to sign and seal the Rates and Special Levies on behalf of the Board.
- e) The Clerk is instructed to advertise the Rates and Special Levies in the local press.

Councillor C J (Kit) Smith (Dover District Council) requested that all the above Councils be advised of the amount of their Special Levy as soon as possible so that the Levies can be taken into consideration at the Council Budget Meetings. Councillor Smith also requested that all councils be additionally advised of the reasons why the precepts have needed to be increased this year. The Vice Chairman considered it was very important for the Board to advise each council of the reasons for the increase in the precept and suggested that when doing this, the Clerk should also draw to each council's attention the Board's long standing good record on flood risk management. The Clerk stated that he would add an additional explanatory paragraph to the precept covering letters which is sent to the council finance managers. The Clerk advised the Members that the levy documents would be issued by first class post to all councils as soon as the levy documents are signed and sealed by the Chairman and himself.

REPORT OF ENGINEER FOR THE PERIOD 18 OCTOBER 2008 TO 31 DECEMBER 2008

Groundwater Levels

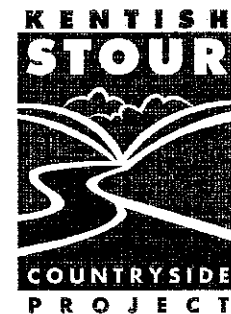
The Engineer reported that he has recently been advised by the Environment Agency that groundwater levels in the Nailbourne Valley are now at their highest level since the 2000/2001 flood event. The Environment Agency however stressed that current levels are much lower than the levels that were recorded in 2000/2001 and that there is no cause for concern. The Environment Agency therefore considered that there was a good chance that the Nailbourne could flow this winter but that this will be dependent upon the amounts of rainfall received during the coming weeks. The Chairman considered that this updated information should be passed to Councillor Tony Austin as soon as possible as Councillor Austin had raised this matter at an earlier meeting. The Engineer stated that he would ensure that Councillor Austin is aware of this updated information. The Chairman advised the Board that the Engineer/Clerk provides him with a regular monthly water situation report that is supplied by the Environment Agency. Mr M P Wilkinson asked if the monthly water situation data was available from the Environment Agency's website. The Engineer stated that he would send an email to Mr Wilkinson with the necessary weblink to access the water situation data.



Biodiversity Action Plan

The Engineer reported that in order for the Board to meet one of the requirements of the Defra IDB Review, he and the Clerk had entered into discussions with the Kentish Stour Countryside Project (KSCP) over the possibility of the Project producing a Biodiversity Action Plan (BAP) for the Board. The Engineer stated that the Project has for the last 15 years been working with local communities to promote, conserve and enhance the environment. Many of the KSCP's projects have included river enhancement and habitat protection works throughout the Stour Catchment which have helped the KSCP to establish good links with numerous landowners and community groups in the Board's Drainage District. The Engineer stated that the Board has a requirement to have in place, by 1 April 2010, a Biodiversity Action Plan and with this in mind he had included KSCP's quotation for the production of a BAP in his 2009/2010 Estimates. A copy of KSCP's quotation for the production of a Biodiversity Action Plan is detailed below:

Jon Shelton
Project Manager
Kentish Stour Countryside Project
Little Olantigh Road
Sidelands Farm
Wye
Ashford
TN25 5DQ



Tel: 01233 813307
Mob: 07740 185224
Email: jon.shelton@kent.gov.uk
www.kentishstour.org.uk

Stour IDB Biodiversity Action Plan Proposal 28th November 2008

- Plan to follow National IDB BAP Guidelines
- KSCP will do 'some' site familiarization

Contents & cost

Introduction & Biodiversity Audit

Skeleton Map of IDB with towns, roads etc
Research other local BAPS covering the area
Map showing IDB in detail
Priority Habitats - research/ produce map showing
Priority Species - research/produce map showing

= £2875

Nature Conservation Sites

Geology - research/produce map
Landscape Designations/Character Areas - research and produce tables & maps

Sites and Monuments - research and produce details/map
 TPOs - research and produce details/map
 International Sites - research and produce table and map
 National Sites - research and produce table and map
 LNRs Map - research and produce table and map
 LWSs Map – research and produce table and map

= £2750

Habitat & Species Audit

Habitat audit summary
 Species audit summary

= £1000

Action Plans/Implementation

Habitat Action Plan
 Species Action Plan
 Procedural Action Plan
 How to Implement
 Monitoring/Reviewing

= £3250

Total = £9,875+VAT

Timescale

First draft to be available by mid July 2009
 IDB input required as appropriate

Feedback on progress to IDB when required

Mapping to carry KCC logo

It was proposed by Mr M P Wilkinson, seconded by Mr A D Linfoot and resolved that the Kentish Stour Countryside Project be engaged to produce a Biodiversity Action Plan for the Board in accordance with the Stour IDB Biodiversity Action Plan Proposal dated 28 November 2008 at a total cost of £9,875 plus VAT.

Environment Agency Works

The Engineer reported that he had now received from Paul Marshall a copy of the Environment Agency's Stour Catchment Main River Desilting Programme for 2008/2009. The Engineer provided each Member with a copy of the Environment Agency's 2008/2009 programme which indicates that the Environment Agency has plans to undertake desilting works in the Reculver, Minster Marshes, Worth and Hacklinge Marshes areas during 2008/2009.

The Engineer reported that the Environment Agency's Biodiversity Team is currently investigating the possibility of removing the Seaton Weir on the Little Stour, which is reported to be in a poor condition. The removal of this structure would improve connectivity of the upstream and downstream stretches of the river and may be a better financial option than its replacement. However, the weir currently provides a head of water which enables water to be fed into the Seaton Lead Dyke (IDB106) which in turn flows into the Blackhole Dyke (IDB110) and in to the network of watercourses on the Preston Marshes. The potential effects of removing the Seaton Weir in this important area, which includes the Preston Marshes SSSI, must therefore be fully explored by the Environment Agency. The Environment Agency therefore intends to commission a survey of the area in order to see if the project is feasible and will consult further with all interested parties, including the Board. The Engineer asked Mr David Rogers (Kent Reserves Manager for Natural England) if Natural England had been consulted on this matter. Mr David Rogers stated that Natural England had not yet been formally consulted on this matter.

REPORT OF CLERK

Ref. W.1-4

IDB Review Implementation/Action Plan

The Chairman reported that the implementations/actions that were identified during the Board's 'In-House' IDB Review have now been incorporated into a single document. The Chairman stated that the Finance Committee had approved the Implementation/Action Plan and has recommended that it be initially reviewed every six months. It was therefore proposed by Mr P E Dyas, seconded by Mr A D Linfoot and resolved that the IDB Review Implementation/Action Plan be approved and subject to a review every six months.

ANY OTHER BUSINESS

Mr P E Dyas reported that the Kentish Stour Countryside Project, as part of their Lower Stour Water Vole Project, is holding a Water Vole Workshop on Friday 6 March 2009 in Westmarsh Village Hall, near Ash. Mr Dyas stated that the workshop is very much aimed at landowners and will focus on the practicalities of land management from a farmer's point of view, and on promoting the grant schemes that are available.

The Chairman reported that the Environment Agency is holding a River Basin Plan Management Stour Catchment Workshop at the Ashford International Hotel on Monday 9 March 2009. The Chairman stated that this workshop formed part of the Environment Agency's consultation exercise in respect of the River Basin Management Plan for the South East River Basin District and it was extremely important that the Board, landowners and other individuals have their say in connection with this very important document. Mr P E Dyas stated that he will be attending the workshop as a representative of the NFU. Councillor B T Naughton (Ashford Borough Council) stated that he had received an invitation direct and that he was planning to attend. Mr M P Wilkinson, Mr P S Dunn, Councillor J Woodford and Councillor C J (Kit) Smith all expressed an interest in attending the workshop. The Chairman therefore asked the Engineer to advise the Environment Agency of names of the attendees.

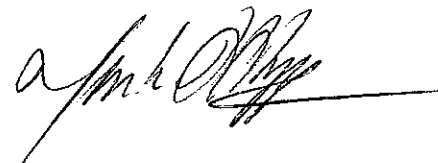
Mr G F Ellis asked if there was any news on who would be replacing Mr R Maylam as the Ashford area's other Member. The Clerk reported that Councillor Mrs Jane Marriott had been appointed by Ashford Borough Council as a replacement for Mr John Boulden but a replacement

for Mr Maylam had not yet been found. The Clerk stated that 2009 is an election year and that he would shortly be looking for a candidate to replace Mr Maylam. The Clerk stated that if any of the Members new of any person who would be interested in serving as a Member of the Board in the future to please let him know.

MEETING CLOSED

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

4th June 2009

A handwritten signature in black ink, appearing to be 'A. M. O. M.', written over a horizontal line.

Chairman

THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

References:

- A. The Local Government (Finance) Act 1988
- B. The Land Drainage Act 1991
- C. The Internal Drainage Boards (Finance) Regulations 1991

In accordance with the Internal Drainage Boards (Finance) Regulations 1991, the River Stour (Kent) Internal Drainage Board resolved that the amounts to be raised by way of Drainage Rates on Agricultural Hereditaments and by Special Levies on Local Billing Authorities for the Financial Year commencing 1 April 2009 are as follows:



By Drainage Rates on Agricultural Hereditaments	£ 62,114	(11.44%)
By Special Levies on Local Billing Authorities	<u>£480,844</u>	(88.56%)
	<u>£542,958</u>	

The Board further resolved to make a Drainage Rate of 13.292 New Pence in the £ for the Financial Year commencing 1 April 2009 and that the Special Levies, payable by the Local Billing Authorities, should be as follows:

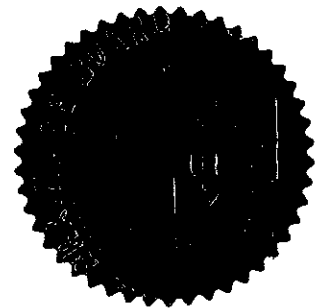
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Canterbury City Council	119,442
Dover District Council	59,673
Shepway District Council	529
Thanet District Council	<u>65,250</u>
	<u>£480,844</u>

Given under the seal of the River Stour (Kent) Internal Drainage Board this 12th day of February 2009.

THE SEAL OF THE RIVER STOUR (KENT)
INTERNAL DRAINAGE BOARD was hereunto
affixed in the presence of:

.....

 Chairman


 Clerk of the Board



34 Gordon Road
Canterbury
Kent CT1 3PW
(01227 462377)