

TRENT VALLEY INTERNAL DRAINAGE BOARD

Minutes of the Annual General Meeting of the Board held at 9.30 a.m. on Thursday, 27th November 2014, at The Showground, Newark.

Elected Members

* Messrs W.J. Staunton (Chairman)
* J. Miller (Vice-Chairman)
* R. Warburton (Vice-Chairman)
* A. Arden
* T.H. Farr
* A. Howick
* R.J. Jackson
* D. Loates
* R.R. Oates
* R.N.J.S. Price
* S.E. Richardson
* J. Strawson

Nominated Members

Bassetlaw District Council

* Cllrs K.H. Isard
* J.B. Rickells
* G.J. Wynne

Newark and Sherwood District Council

* Cllrs J. Bradbury
* D.R. Payne
* I. Walker
* Mrs S. Michael

Rushcliffe Borough Council

* Cllrs R. Hetherington
* N.C. Lawrence
* P. Smith
* J.A. Stockwood

Gedling/Melton Borough Councils

* Mr J. Evens

West Lindsey/North Kesteven District Councils

Cllr Mrs J. Frost

* *Present*

Staff

* Messrs A. McGill (Chief Executive)
* D.J. Sisson (Engineer)
* S. Thackray (Director of Finance)
* R.P. Mitchell (Director of Operations)
* M.S. Everett (Operations Manager)
* P. Baines (Rating/Admin Officer)
* Miss C. O'Brien (Admin Assistant)

Invited Representatives of Partner Organisations

Messrs A. Wallace (Nottinghamshire County Council)
R. Marshall (Nottinghamshire County Council)
* J. Bowler (Bassetlaw District Council)
I. Davies (Bassetlaw District Council)
* Mrs J. Bradley (Nottinghamshire Wildlife Trust)
* Ms K. Holdsworth (DEFRA)
* Ms K. Mpopo (DEFRA)
* Ms S. Sherry (DEFRA)
* Ms C. Tidmarsh (DEFRA)

* *In attendance*

On behalf of the Board Mr W.J. Staunton welcomed representatives from the Department for Environment, Food and Rural Affairs (DEFRA) to the meeting.

Members were sad to learn of the death of Cllr Cranswick who had recently resigned from the Board and observed a minute's silence.

1. APPOINTMENT OF CHAIRMAN PRO TEM

The Chief Executive was appointed Chairman pro tem to conduct the election of Chairman of the Board for the ensuing year.

2. ELECTION OF CHAIRMAN

It was proposed by Cllr R. Hetherington and seconded by Mr T.H. Farr that Mr W.J. Staunton be elected Chairman of the Board for the ensuing year.

RESOLVED unanimously

That Mr W.J. Staunton be elected Chairman of the Board for the ensuing year.

3. ELECTION OF VICE-CHAIRMEN

It was proposed by Mr S.E. Richardson and seconded by Cllr J.B. Rickells that Mr J. Miller be elected as one of the Vice-Chairmen. It was further proposed by Mr R.N.J.S. Price and seconded by Mr J. Strawson that Mr R. Warburton be elected as one of the Vice-Chairmen of the Board for the ensuing year.

RESOLVED unanimously

That Messrs J. Miller and R. Warburton be elected as Vice-Chairmen of the Board for the ensuing year.

4. APOLOGIES

Apologies for absence were received from Messrs A. Howick, R.J. Jackson and Cllr N.C. Lawrence.

5. DECLARATIONS OF INTEREST

Mr T.H. Farr declared an interest as Chairman of the Regional Flood and Coastal Committee.

6. NOTIFICATION OF ITEMS OF ANY OTHER BUSINESS

None.

7. BOARD MINUTES (Pages 165 to 177)

RESOLVED

That the minutes of the meeting of the Board held on 25th September 2014 be confirmed as a correct record.

8. MATTERS ARISING

8:1 Minute 9:7, Page 171 - Torksey Cottage and Pumping Station

The Chief Executive reported that Officers had recently met on site and agreed the area of land to be sold. Tenders were being sought for fencing the area off from the pumping station and once this was complete the cottage would be advertised for sale; before the end of the current financial year.

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8:2 Minute 15, Page 175 - New Members' Tour

The Chairman reported that a tour for four of the new members had been held on 9th October. A further tour would be arranged after the district council elections in 2015.

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9. FINANCE AND PLANT COMMITTEE MINUTES

The Chairman referred to minute 8:1 and reported that meetings had been held with the Chairman of Finance and officers at Bassetlaw and Newark and Sherwood district councils and with Rushcliffe Borough Council which had included a presentation to the full Council;

these meetings had been very positive. The Board's officers had explained that the Board was already running a deficit budget and that rate increases would be likely in the future. An invitation had been extended to the district councils for representatives to join Board members and officers on the tour after the council elections so they may explain further the works of the Board.

The meeting with Ruschcliffe Borough Council had highlighted concerns over development at East Leake (Kingston Brook area). The Chairman stated that there may be a strong argument to bring forward the catchment study and this would be discussed at the January Board meeting when the estimates for 2015/16 were considered. The Chief Executive reported that the councillors were very concerned about the amount of development proposed in this area and the impact of additional runoff. Officers would ensure that the Board's representatives for this area were provided with a copy of the Board's comments for planning applications with regard to provision for surface water runoff.

In response to Mr J. Strawson, the Chief Executive reported that it was not possible for the Board to make a profit on private works and these were therefore recharged at cost. The majority of private works were undertaken for the Environment Agency (EA) and the district council on watercourses that may have an impact on the Board's systems. He stated that any work undertaken for individuals should only be undertaken when the Board's machinery was in the area and must not be at the expense of completing the Board's own works programme. In response to Mr T.H. Farr the Director of Operations reported that there had been no increase in works undertaken for the EA now that the Public Sector Co-operation Agreement was in place, however, he was not certain whether this would change in the future. He further reported that the Board's working regime was being reviewed with a view to increasing the amount of Board maintained watercourses cut each year. The Director of Operations reported that it was important to undertake the EA work as this ensured that the main rivers were cleaned out to a standard to allow the Board's systems to adequately discharge. The Chairman emphasised that additional works would not be able to be undertaken unless further efficiencies could be made or more staff employed.

RESOLVED

That the attached minutes of the Finance and Plant Committee held on 6th November 2014 be confirmed as a correct record and the recommendations made be adopted by the Board.

10. MEETING DATES

10:1 Board Meetings

RESOLVED

That Board meetings be held at 10.00 a.m. on 29th January, 26th March, 18th June, 24th September and 26th November 2015.

10:2 Committee Meetings

RESOLVED

- (a) That Finance and Plant Committee meetings be held on 8th January and 5th November 2015 (additional meetings being called as required).
- (b) That a meeting of the Standards Committee be held in June 2015.

10:3 Other Dates

The Chief Executive reported the following dates for information:

Association of Drainage Authorities Trent Branch - 24th February 2015.

Association of Drainage Authorities Local Authority Seminar - 19th March 2015.

Association of Drainage Authorities Trent Branch AGM - 10th June 2015 (tbc).

Lincolnshire Show - 24th and 25th June 2015.

Association of Drainage Authorities Annual Conference - 11th November 2015 (tbc).

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11. APPOINTMENTS TO COMMITTEES

11:1 Standards Committee

RESOLVED

That Messrs A. Howick, R.J. Jackson, J. Strawson, R.R. Oates, Cllrs J.B. Rickells, R. Hetherington and J. Bradbury be appointed to the Standards Committee.

11:2 Finance and Plant Committee

RESOLVED

That the Chairman and Vice-Chairman of the Board, Messrs R.N.J.S. Price, S.E. Richardson, Cllrs K.H. Isard, D.R. Payne and Mrs S. Michael be appointed to the Finance and Plant Committee.

11:3 Consortium Committee

RESOLVED

- (a) That the Chairman and Mr J. Miller represent the Board on the Consortium Committee with Mr R. Warburton as substitute.
- (b) That the dates for the Consortium Committee be set and circulated to members for information.

12. DRAINAGE RATES AND SPECIAL LEVIES

The Rating/Admin Officer reported that drainage rates and special levies outstanding at 13th November 2014 totalled £394,762.87 although further collections had been made since this date; as of 26th November 98.03% of rates/special levies for 2014/15 had been collected.

It was noted that 20 drainage rates were outstanding and a date had been set at the Magistrates' Court for 11th December 2014.

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13. FINANCE

The Director of Finance presented the attached report which showed a net surplus to date of £115,411; £148,538 favourable to budget, however, Officers expected pumping station costs to rise as the land was now at saturation point.

Mr J. Strawson queried whether the consortium recharge cost remained competitive and whether the Board should be reviewing this. The Chairman replied that the next Consortium Committee meeting in December 2014 would appraise the service provided and the charges. He reported that the Board had agreed to the consortium arrangement for a period of three years which was due to end in March 2016 and the arrangement would, therefore, need to be reviewed by the Board next year. It was noted that the internal auditor also reviewed the support costs for all Lincolnshire IDBs and that the Board's Finance Committee had already asked officers to undertake a review of support services. The Chief Executive assured members that officers were constantly looking at ways of increasing efficiency and making savings; savings on fuel costs and telephone charges had already been achieved. Mr S.E. Richardson stated that this was essential as the Board could no longer continue to work at a deficit and there may be some difficult decisions to make in the future.

The Chief Executive was also concerned about the forecast level of borrowing compared to the Board's income. He highlighted that a 2% rate increase would only raise in the region of an additional £39,000 income. He stated that the issue of funding needed to be addressed at national level should IDBs be required to undertake additional main river maintenance. The Chairman stated that there was also a concern about the EA abandoning some pumping stations as well as cutting back on maintenance. Mr T.H. Farr believed that in the long term IDBs would be asked what additional work they would be able to undertake and the Board may have to prioritise work on main rivers together with its own systems. He suggested a longer term approach to funding would assist the district councils and the Board.

RESOLVED

- (a) That the Board's financial position as detailed in the attached report be noted.
- (b) That the attached schedule of payments greater than £500 be approved.

14. OPERATIONS REPORT

14:1 Drain Maintenance

The Director of Operations reported that the cost to date on maintenance works totalled £421,843 (73% of the programme was complete at 68% of the cost estimate) and the programme should be completed within the budget provision of £618,834.

Mr R. Warburton reported a problem with a flap valve on the river Trent which was causing water to back up into the Board's system. The Engineer agreed to investigate and report back to the next Board meeting.

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14:2 Works for Other Authorities

Annual maintenance works undertaken for the Environment Agency under the Public Sector Co-operation Agreement continued. The value of works invoiced up to the end of July totalled £22,400.

Watercourse clearance at Old Tannery Drive, Lowdham had been undertaken and recharged to Newark and Sherwood District Council.

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14:3 Private Works

Three private jobs had been undertaken and recharged.

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14:4 Plant and Equipment

A new Etesia Attila slope mower had been purchased at a cost of £8,540 against the approved budget of £13,000 and the new low loader trailer had been delivered. The new pick-up truck had yet to be purchased.

Quotations for suitable small pumps were being sought and an order would be placed for delivery by the end of November 2014.

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14:5 Rainfall

Rainfall recorded at Torksey and Laneham averaged 9.95mm in September and 65.90mm in October. In response to Mr T.H. Farr, the Engineer welcomed any rainfall data collected throughout the area as this was particularly useful when analysing the Board's systems and could show areas of localised rainfall.

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15. ASSET RENEWAL AND REFURBISHMENT PROJECTS

15:1 Flood Relief Schemes

The Engineer reported that preparation works and planning continued on the proposed projects for Thurgarton Village Flood Relief Scheme Phase 2, Thurgarton Village District Drain Improvements, Lowdham, Caythorpe and Gunthorpe Flood Relief Works and Egmanton Village Flood Relief Scheme. All projects remained on schedule.

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15:2 Hams Dyke Pumping Station

The Engineer reported that refurbishment of the small duty pump was nearing completion. The large pump had also been serviced in-situ and it was discovered that an oil chamber seal had failed. The affected oil had been changed and the pump was re-fitted pending the return of the small pump, however, this will need to be removed to have the seal replaced and to be inspected for further damage resulting from the failure. The estimated cost of this work was approximately £6,000 and would take seven to ten days to complete.

It was noted that the installation of the automatic weedscreen cleaner approved in June 2014 had been put on hold until the implications of the local minerals plan for a large quarry to the west of Shelford had been assessed (see minute 16 below).

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15:3 Beckingham Pumping Station - Re-development

Officers confirmed that progress was well underway with the land purchase, the formal transfer from the Environment Agency and the associated easements.

The Engineer reported that tenders for the Structural and Earthworks, Mechanical and Electrical Equipment Supply and for the provision of an Automatic Weedscreen Cleaner Contracts had been returned on 25th November. The Engineer presented details of the tenders received but stated that a full adjudication was not yet complete. He presented the following update on estimated costs so far:

	<i>Pre-tender</i>	<i>Post-tender</i>	<i>Comments</i>
Structural and Earthworks (Civils)	£741,608	£659,604	(inc. £20,000 contingency)
Mechanical and Electrical Works	£374,600	£370,104	
Automatic weedscreen cleaner	£78,500	£63,518	
Land Purchase and Fees	£14,919	£14,919	Estimate
Project Design and Management Costs	£154,924	£154,924	Estimate
Kiosk and Telemetry	£21,000	£21,000	Estimate
Utilities and Power (inc. standby generator)	<u>£22,396</u>	<u>£107,896</u>	Estimate
Sub-Total	£1,407,947	£1,391,965	
Contingency	0	£15,982	(£35,982 inc. civils contingency £20,000)
Project Total	£1,407,947	£1,407,947	

The Engineer reported that an additional £114,000 had been added to the Flood Defence Grant in Aid application for contingencies. It was noted that the scheme would be funded 58% by the Board and 42% by Flood Defence Grant in Aid.

Officers reported that the specialist requirement for “fish-friendly pumps” had identified only three potential suppliers, all of whom had been invited to tender. One supplier had formally declined to tender being unable to provide pumps of the required capacity and members were, therefore, asked to approve a relaxation of the normal procurement rules which required three formal tenders under the Board's Financial Regulations 2:3 point 2.

The Engineer reported that there was a wide disparity between the two tenders submitted for the mechanical and electrical equipment contract and this was because one tenderer had priced for pumps which were imported. Regarding the tenders submitted for the weedscreen, the lowest tender did not meet the Board's requirements and the next lowest was therefore being reviewed which included two options.

The Engineer stated that a decision on the tenders would be required at the latest at the Plant and Finance Committee on 8th January as there was a very long lead in time for some of the materials and if the order was not placed the timescale would not be met.

The Chairman queried the significant increase in WS utilities and power costs. The Engineer stated that the original budget had allowed for a basic supply, however, major problems had been encountered which would necessitate the diversion of supply and power carriers.

In response to Mr R.R. Oates Officers confirmed that there would be no loss of service other than on the day when the electricity supply was changed over and sufficient measures were to be put in place to enable pumping at all times.

Mr R.N.J.S. Price stated that the scheme would require close monitoring to ensure it was completed within budget. The Engineer confirmed that the Project Management Board would be monitoring the progress and the budget and would provide regular updates to the Chairman and Vice-Chairmen who could call a meeting of the Plant and Finance Committee should they have any concerns.

Mr J. Bowler suggested that the Chief Executive should contact the Bassetlaw District Council press officer who would be happy to assist with publicising the work being undertaken by the Board.

It was proposed by Mr R. Warburton and seconded by Cllr I. Walker that the Board proceed with the scheme and that the tenders be awarded to M. Gould (Scunthorpe) Ltd, Bedford Pumps Ltd and Ovivio subject to adjudication by the Engineer. Mr T.H. Farr abstained from voting.

RESOLVED

- (a) That the following tenders be approved subject to a full adjudication by officers:
 - (i) Structural and earthworks - M. Gould (Scunthorpe) Ltd - £659,904.93.
 - (ii) Mechanical and electrical - Bedford Pumps Ltd - £370,104.
 - (iii) Weedscreen cleaner - Ovivio - £79,058.
- (b) That any variation to the above costs following adjudication by Officers be reported to the Plant and Finance Committee meeting on 8th January 2015.

16. NOTTINGHAMSHIRE MINERALS LOCAL PLAN CONSULTATION

The Board had recently been consulted on proposals to include a site at Shelford within the Nottinghamshire Minerals Local Plan. The Engineer stated that the proposals, if approved, would have major impacts upon the Board maintained watercourses and the Hams Dyke catchment as a whole.

The site was expected to be operational for 14 years from 2016. Approximately two thirds of the extracted material would be transported via an underground conveyor to the processing

plant sited adjacent to the A6097 carriageway, the remainder of the extracted material would be transported by barge on the River Trent.

Officers had informed Nottinghamshire County Council that the proposals would have a major impact on the Board's operations and advised that the extraction area and lands to the west of the proposed flood defence improvement areas should be drained directly to the River Trent both during and post extraction. In order to provide drainage to Shelford, the Board's officers had also advised that a new watercourse should be created between the western extent of the village and the proposed flood defence improvement areas. Comments had also been made in respect of the impact upon the Hams Dyke catchment and the underground conveyor that was proposed to cross a number of Board maintained watercourses. Officers had requested that the Board's comments be passed onto the developer and that Nottinghamshire County Council and the developer keep the Board fully informed of developments as they progressed.

Cllr P. Smith reported that as this was a Nottinghamshire County Council application, the district council would not be asked to determine this, just to comment. The Engineer agreed to forward a copy of the Board's comments to Mr R.N.J.S. Price.

Officers would continue to keep the Board informed of progress relating to this application.

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17. ENVIRONMENTAL MATTERS

The attached report was presented for information.

Regarding minute 8 of the Conservation Advisory Group minutes, the Engineer confirmed that the DRAFT Bird Nesting Policy would be brought back to the Board for consideration and adoption. Mr R.R. Oates emphasised that, although the Board had a duty to conserve and enhance the environment, this must not interfere with protecting people from flooding. He stated that a common sense approach should be taken as watercourses could be maintained in a balanced manner sympathetic with the environment.

Mr J. Miller reported that landowners in the Fairham Brook area were still concerned about the lack of maintenance on the Environment Agency (EA) section of the Brook. The Operations Manager reported that access had now been cleared and he hoped that one of the Board's machines would be on site soon to clear this section for the EA under the Public Sector Co-operation Agreement. It was noted that the creation of scrapes on the nature reserve would serve as an area to take additional water.

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18. DELEGATED MATTERS - PLANNING, BYELAWS AND SUPERVISORY ROLE

18:1 Byelaw Applications

The following consents had been granted under delegated authority since the last Board meeting:

B022-2014 - Repairs to existing concrete lined channel on the Board maintained Rolleston Outfall Drain at national grid reference SK 76093 - 53583 in the parish of Staythorpe.

B023-2014 - Replacement building sited 3.5 metres from the right bank of the Board maintained Edingley Beck in OS Field No. 9910 at National Grid Reference SK 69939 - 56158 in the parish of Edingley.

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18:2 Section 23 Applications

No consents had been issued under Section 23 of the Land Drainage Act 1991 since the last Board meeting.

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18:3 Planning Applications

The Engineer reported on 12 planning applications that had been reviewed by Officers since the last Board meeting.

Concern was expressed about a proposed development south of Clifton for up to 3,000 dwellings. The Engineer stated that Officers had commented on the proposal, stating that the Board could not accept any increased rate of run-off from the proposed development into its existing systems.

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Catesby Estates - Proposed Development South of Newark

Cllrs J. Bradbury and D.R. Payne declared an interest as members of the Newark and Sherwood District Council Planning Committee. Mr J. Strawson also declared an interest.

The Engineer reported that it appeared that the responsibility for sustainable urban drainage systems in the future would change from the Lead Local Flood Authority to the district councils.

A request had been made for the Board to adopt a new system installed to cater for a development south of Newark. The Engineer reported that a lagoon would be installed for the commercial development and the residential development would drain to a dry dyke (or swale) and connect under the road to the main river; there would be no increased rate of run-off from the development as provision had been made for the storage of water. Officers stated that should the Board consider taking over the new system a commuted sum would be required towards future maintenance costs. Two-thirds of the development was in the Board's area.

Concern was expressed about how these new systems would be maintained in the future and Cllr Bradbury stated that consideration should be given as to how this might be achieved.

RESOLVED

That the application for the Board to take over the new attenuation areas for the drainage systems for the proposed development south of Newark be refused.

19. HEALTH AND SAFETY

No matters to report.

20. ASSOCIATION OF DRAINAGE AUTHORITIES ANNUAL CONFERENCE

The Chairman, Messrs T.H. Farr and J. Miller attended together with the Chief Executive and Engineer.

It was noted that Mr I. Thompson had been appointed Chief Executive and would take over from Dr J. Venables on 1st April 2015. Mr I. Moodie had been appointed Technical Advisor.

Matters discussed included funding for main river maintenance and there had been considerable debate on the balance between maintenance and environmental works.

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21. FRACKING

In response to Mr J. Strawson, the Engineer agreed to report back on the impact of fracking on the Board's systems should it be proposed within the area.

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CHAIRMAN