



**Sow & Penk**  
Internal Drainage Board

**Tonge Suite  
County Showground  
Weston Road  
Stafford  
ST18 0BD**

## **Meeting Papers**

***Wednesday 6 February 2019  
Meeting at 11:00am***



**Shire**  
Group of IDBs

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# Meeting Papers

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## Purpose

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# 1. Governance

## 1.1 Apologies

## 1.2 Declaration of Interest

## 1.3 Complaints and FOI

## 1.4 Minutes of Meeting 21 November 2018

### Present

Ray Sutherland (RS)  
John Hilderley (JH)  
Neil Brown (NB)  
Ralph Cooke (RC)  
Andrew Harp (AH)  
Frances Beatty (FB)  
Alan Perkins (APk)  
Graham Bower (GB)

Also in attendance      Phil Bates      Staffordshire Borough Council

### In attendance on behalf of JBA Consulting, Clerk, Engineer and Environmental Adviser:

Ian Benn (Clerk to the Board)  
Paul Jones (Engineer to the Board)  
Craig Benson (Finance Officer to the Board)

### Apologies for Absence

Apologies were received from Anthony Parrot, Geoff Rowlands, Royston Wright, Jeff Sim and Lucy Hogarth.

### Declaration of Interest

**2018.56**      There was none given.

### Complaints and Freedom of Information Requests

**2018.57**      None had been received.

### Minutes of the Last Meeting

**2018.58**      Minutes of the last meeting held on 29 May 2018 copies of which had been previously circulated to members with the meeting papers were taken as read, proposed by RC, seconded by AH, approved by the Board and signed by the Chairman.

### Matters Arising

It was agreed that the CEO would contact RW. CEO advised members of a discussion he had with JS with regard to some future studies that Staffordshire Wildlife Trust were hoping to be undertaken, one of which was on Doxey & Tillington Marshes. Members will be kept apprised of the progress. The Chairman informed

members that the Derrington Millennium Green Trust were in discussions with the County Council with regard to purchasing more land to the North of the brook. There were hoping to create more wetlands, that was likely to have a positive impact on the Board's area.

### **Clerks Report**

- 2018.59** The Clerks Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

### **Matters Arising**

**2018.60** **Legislation- Policy on Water Level and Flood Risk Management**

Members considered the revised policy statement that had been circulated with the papers and FB proposed that the policy is adopted by the Board. This was seconded by RC and approved by those present.

**2018.61** **Legislation – Demaining and Asset Transfer**

CEO informed members on the recent outcome of the proposed transfer of an Environment Agency pumping station to an IDB. Following a detailed process the asset will be decommissioned. CEO confirmed that the Board need to be aware of the demaining process as there were a number of EA maintained watercourses within their district.

CEO also drew members attention to an Environment Agency document titled "Delivering Benefits through Evidence" that he has been involved with. He confirmed that once the document had been issued it would be made available on the Board's website.

- 2018.62** **Legislation - General Data Protection Regulation Policy** – The Clerk reminded members to return the "ADA Consent Form" that had been sent to them if they wished to receive emails etc from ADA. The forms can be sent to the CEO's office, who will forward them on to ADA.

- 2018.63** **Legislation- Policy Statement on Water Level and Flood Risk Management** – Members were informed that ADA had produced a new model Policy Statement for IDBs, a copy of which was circulated with the papers. The Clerk advised the Board that the document required amending before it should be approved by the Board. Members agreed to defer any decision to adopt the Policy Statement until the next meeting.

- 2018.64** **Stafford County Show** – the Clerk advised members that the Board's stand at this year's show was a great success especially with the JBA Mini Hydraulic Flume. This was echoed by GB who added "that the physical demonstration encouraged people to the stand". Members were asked if they would like to have a presence at next year's show. FB proposed that the Board should have a stand. This was seconded by APK and approved by all members. The officers were thanked for manning the stand on behalf of the Board.

- 2018.65** **KPI Indicators** – Members noted the KPI's.

### **Financial Report**

- 2018.66** The Financial Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

### Matters Arising

- 2018.67 Rating** – The FO informed members that the second special levy payment had been received and the outstanding balance now stands at £1,375.18. The Board agreed to write off £545.50 of drainage rates following the issues encountered by the debt collection agency. It was agreed that a plan of the land in question would be sent to all members.
- 2018.68 Schedule of Payments** – The Board approved payments totalling £9,666.88, of which £310.00 were approved by the Officers only. The Board also approved payments made direct from the bank account totalling £2,298.89 all of which were approved by the Officers.
- 2018.69 Audit – Internal Audit** – The internal audit review meeting would take place on Monday 26 November 2018. Minutes of this meeting will be included in the next Board meeting papers. The FO advised members that a new “Risk Register” had been produced and this would be presented to the Board at the next meeting for approval.
- 2018.70 External Audit** – The FO advised members that the audit was complete and no issues had been raised. The completed Annual Return can be viewed on the Board’s website.
- 2018.71 Budget Comparison for the Year Ending 31 March 2019.**
- Members noted the current levels of income and expenditure.
- 2018.72 Five Year Budget Estimate** – the Board noted the five-year forecast that included provision for the Catchment Modelling of the district.

### Engineers Report

- 2018.73** The Engineer’s Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.

### Matters Arising

- 2018.74 Asset Management – Hydraulic Modelling** – The Engineer reviewed the process described in the meeting papers and the application that has been made for Local Levy funding on behalf of the Board. He added that the project may be more suited to receive “FCERM Grant in Aid” funding and that this would require an application to the EA’s Project Appraisal Funding Service (PAFS).
- Engineer discussed the outputs from another IDB’s model to show members the benefits that will be derived from the model.
- 2018.75 Watercourse Maintenance** – The Engineer updated members on the challenges that the contractor has encountered during this season’s maintenance activity. He was pleased to announce that the issues had been resolved. The issue of parked cars on the un-adopted road that prevent maintenance of Forebridge Drain East was discussed. It was agreed that it would be beneficial for a County Council representative to be appointed to the Board and this was something that the Chairman would pursue. Members noted that the Eccleshall Flood Action Group had been able to undertake some desilting work on the River Sow under the supervision of the EA.
- 2018.76 Main River** – As part of the PSCA, the Environment Agency had identified a number of screens that they have approached the Board for a cost to maintain them on their behalf should they require assistance. The Board’s contractor has provided a quotation that has been submitted to the EA for their consideration.
- 2018.77 Planning** – Members noted that there were five planning applications received that required comment between 1 May 2018 and 23 October 2018.

- 2018.78**      **Consents** – Four consents had been issued on behalf of the Board during the same period.

#### **Health and Safety Report**

- 2018.79**      The Health and Safety Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted with no accidents or incidents to report since the last meeting.

#### **Environmental Adviser's Report**

- 2018.80**      The Environmental Advisor's Report, copies of which had been circulated to members with the last meeting papers, was considered and adopted.
- 2018.81**      **Policy** – The Clerk requested that members approve and adopt the Biosecurity Policy that had been circulated with the meeting papers. RW proposed, FB seconded and all approved that the Board would adopt the Biosecurity Policy as presented.
- 2018.82**      BAP Monitoring Results – Members reviewed the BAP Report that was circulated with the meeting papers and commented that it was a good report.

#### **Any Other Business**

- 2018.83**      ADA Conference – CEO gave a brief update on this year's conference that focused on climate change. The EA confirmed their desire to continue to work with IDBs. There was also a presentation from a Dutch Colleague who emphasised the challenges that are being faced in Holland.

#### **Date of Next Meeting**

- 2018.84**      The next meeting will be held on 6 February 2019, Tonge Suite, County Showground, Weston Road, Stafford, ST18 0BD. The meeting will start at 11:00am.
- The May meeting will take place on Tuesday 28 May 2019 at Stafford Borough Council Offices and the November meeting on Wednesday 20 November 2019 at County Showground. Both meetings will start at 11:00am.

## **1.5 Matters arising there from not elsewhere on the Agenda**

## 2. Clerk's Report

### Recommendation:

- Members note information contained in the Report

### 2.1 Legislation

#### 2.1.1 Nothing to report

### 2.2 Staffordshire County Show

Update to be given at the meeting

### 2.3 ADA

#### Conference

New format/timings to apparently give more time for attendees to spend time with the various sponsors.

Ian Russell and Cliff Carson were awarded plaques for services rendered to the industry re PSCA and the Environment respectively.

Speakers were:

- Sue Hayman MP, Shadow Secretary of State for Environment, Food & Rural Affairs
- John Curtin, Executive Director of Flood & Coastal Risk Management, Environment Agency
- Robert Hössen, an expert in crisis management for Veiligheidsregio Noord-Holland Noord (VRNHN), which carries out fire, rescue, ambulance and crisis management in North Holland.
- **David Cooper**, Deputy Director – Flood & Coastal Erosion Risk Management at Defra,

The presentations raised several talking points with Chairman and Board Members I attended with who struggled with the correlation of climate change and an IDBs ability to deal with this whilst working with other RMs such as the EA.

Sue Hayman was questioned by Anne McIntosh on Labours direction of travel. Lots of opportunities in NFM in my opinion.

I got the opportunity to thank John Curtin for his presentation for which he was most appreciative.

Robert Hossen's presentation highlighted the Dutch have a big problem and are currently modelling and have completed lots of disaster scenarios. There were some interesting graphics which I have asked to be disseminated.

David Cooper congratulated ADA for the production of its Good governance guide.

### 2.4 Asset Management Conference

**27 & 28 November 2018 - Park Plaza Riverbank, London**

The IAM Asset Management Conference is the Institute's unique Call for Papers event, designed to cover the breadth and depth of asset management. The sessions comprised presentations from the Call for Papers & Presentations, keynote speakers, workshops, and an IAM Awards stream.

The key themes covered in this year's programme were; **Organisation, Continual Improvement, Fundamentals & Lifecycle, Data, Tools & Techniques and Performance Management Value.**

The event is relevant to asset management professionals seeking to gain insight into and hear first-hand experiences of the latest innovations being used in a range of sectors around the



world that are driving the discipline forward. The event is also relevant to organisations interested in the benefits of asset management, presented and explored through real life case studies, projects, research areas, tools and techniques.

The IAM see representation from a wide range of asset intensive industries, public, and academic sectors around the world. We met with colleagues from Denmark, Sweden and Finland.

#### ***Want to know more?***

Please contact [paul.jones@shiregroup-idbs.gov.uk](mailto:paul.jones@shiregroup-idbs.gov.uk) or [ian.benn@shiregroup-idbs.gov.uk](mailto:ian.benn@shiregroup-idbs.gov.uk) for more information on Asset Management. Also, you can also find out more here: <https://theiam.org/>

We are pleased to report that Paul Jones and Ian Benn both sat and were successful in passing the Asset Management Certificate examination whilst attending the conference. We understand this qualification is unique in the IDB industry.

## **2.5 Board Key Performance Indicators**

		<b>Key Performance Indicators</b>				
		Inadequate	Work to be done	Adequate	Good	Very Good
<b>SOW &amp; PENK INTERNAL DRAINAGE BOARD</b>	<b>Management of the Board</b>	Compliance with Audit Requirements				
		Health & Safety				
		Partnership Working				
		Overall				
	<b>Reduction of waterlogging &amp; Flood risk to assets</b>	Asset Management				
		Flood Risk management strategy				
		Flooding- Learning Outcomes				
		Overall				
	<b>Environment</b>	Water Framework Directive				
		Invasive Species/Designated Sites				
		Conservation & Biodiversity				
		Biodiversity Action Plan				
		Overall				
	<b>Supporting</b>	Financial Statements				
		Receipt of Drainage Rates				
		Governance Documentation				
		Overall				
	<b>Overall Performance</b>					

## 3. Financial Report

### Recommendation:

- To note the information contained in this report
- To approve the schedules of payments
- To approve the removal of uncollectable drainage rates
- To approve the Risk Register
- To approve the 2019/20 budget and Penny Rate.

### 3.1 Rating Report

Details of the Rates and Special Levies issued, and payments received up to and including 11<sup>th</sup> January 2019: -

	£	£
Balance Brought forward at 1 April 2018		1,047.41
<b>2018/2019 Drainage Rates and Special Levies</b>		
Drainage Rates		10,915.37
Special Levies		
Stafford Borough Council	101,472.00	
South Staffordshire District Council	3,704.00	105,176.00
<b>Total Drainage Rates Due</b>		<b><u>117,138.78</u></b>
<b>Less Paid: -</b>		
Drainage Rates		10,629.61
Special Levies		
Stafford Borough Council	101,472.00	
South Staffordshire District Council	3,704.00	105,176.00
<b>Total Drainage Rates Paid</b>		<b><u>115,805.61</u></b>
<b>Admin Adjustment</b>		<b>368.91</b>
<b>Balance Outstanding as at 11<sup>th</sup> January 2019</b>		<b><u>964.26</u></b>
<b>Court Costs &amp; Interest Due</b>		<b><u>276.40</u></b>
<b>Court Costs &amp; Interest Paid</b>		<b><u>99.81</u></b>
<b>Court Costs &amp; Interest Adjustment</b>		<b><u>176.59</u></b>

#### *Uncollectable Drainage Rates – For Approval*

	AREA IN HECTARES	ANNUAL VALUE	UNCOLLECTABLE RATES	REASON
	NIL	NIL	15.98	Arrears only – Owner deceased

## 3.2 Schedule of Payments

### 3.2.1 List of Cheques

DATE		CHEQUE NO.	REF	PAYEE	DESCRIPTION	TOTAL	
						CHEQUE	
2018						£	
Oct	30th	000851	12	JBA Consulting	Management Services	5,086.04	
		000852	14-15	Littlehales Plant Hire Ltd	Maintenance	49,298.94	
Dec	3rd	000853	18	Environment Agency	Flood Defence Levy	2,158.75	
		000854	19	Littlehales Plant Hire Ltd	Maintenance	16,443.94	
		000855	20	Staffordshire Wildlife Trust	BAP - Ditches Survey & Report	3,000.00	
				Total Amount of all Cheques		75,987.67	
				* Total Amount of Cheques sent out signed by the Clerk Only		0.00	

### 3.2.2 Other payments

DATE		REF	PAYEE	DESCRIPTION	TOTAL	
2018					£	
Nov	15th	-	NatWest	Bankline Fees	20.90	*
	30th	-	NatWest	Bank Fees	5.00	*
Dec	12th	16	ADA	Conference Fees	144.00	*
		21	ADA Trent Branch	Branch Subscription Fees	45.00	*
		17	Danvm Drainage Commissioners	Cardnet Fees	60.66	*
		22	Quality ID Cards	Business Cards	17.80	*
	17th	-	NatWest	Bankline Fees	20.00	*
	31st	-	NatWest	Bank Fees	5.00	*
			Total Amount of all Payments		318.36	
			* Total Amount of Cheques sent out signed by the Clerk Only		318.36	

## 3.3 Audit

### 3.3.1 Review of the effectiveness of Internal Audit Review

The minutes of the meeting are attached at Appendix A

### 3.3.2 Risk Register

Members are required to review and approve the Risk Register that is attached at Appendix B

## 3.4 Estimates, Rates and Special Levies for the year Ending 31 March 2020

The Estimates for the forthcoming year are shown below.

	2018/19				2019/20	
Approved Estimate		Estimated Out-Turn				Estimate
£	£	£	£		£	£
				<b>INCOME</b>		
				<b>Drainage Rates on Agricultural Land:-</b>		
10,915		10,915		6.5p in £ on AV of £170,848	11,105	
				<b>Special Levy:-</b>		
				Stafford Borough Council		
101,472		101,472		6.5p in £ on AV of £1,595,476	103,706	
				South Staffs District Council		
3,704		3,704		6.5p in £ on AV of £58,240	3,786	
5,000		0		EA Grant - Doxey & Tillington Marshes SSSI WLMP	0	
0		350		Other Income	0	
150	121,241	210	116,651	Interest etc	200	118,796
				<b>EXPENDITURE</b>		
8,900		8,635		Flood Defence Levy	8,900	
				<b>Conservation Budget:</b>		
3,000		2,500		Biodiversity Action Plan	3,000	
5,000		0		Doxey & Tillington Marshes SSSI WLMP	0	
				<b>Maintenance:</b>		
76,220		68,220		Maintenance	77,967	
0		1,770		Catchment Modelling	32,500	
				<b>Administration:</b>		
5,000		1,768		County Showground	2,000	
24,403	122,523	24,455	107,348	Administration	25,315	149,682
	(1,282)		9,303	Surplus - (Deficit)		(30,886)
	123,911		128,653	Balance Brought Forward		131,956
	122,629		137,956			101,070
	6,000		6,000	Transfer To Doxey & Tillington Marshes Acc.		6,000
	116,629		131,956	Balance Carried Forward		95,070

**Previous Years Rates in the £**

1995/1996 : 4p - 1996/1997 : 4.2p - 1997/1998 : 4.2p - 1998/1999 : 4.2p - 1999/2000 : 4.2p - 2000/2001 : 4.2p - 2001/2002 : 4.2p  
 2002/2003 : 4.2p - 2003/2004 : 4.4p - 2004/2005 : 4.4p - 2005/2006 : 4.4p - 2006/2007 : 4.4p - 2007/08 : 4.4p - 2008/09 : 4.6p  
 2009/10: 4.6p - 2010/11 : 4.6p - 2011/12 : 5p - 2012/13 : 5.4p - 2013/14 : 6p - 2014/15: 6.12p - 2015/16 : 6.12p - 2016/17 : 6.24p  
 2017/18: 6.24p - 2018/19: 6.36p

**Penny Rate : £18,245**

**DOXEY & TILLINGTON MARSHES SSSI WLMP ACCOUNT**

	2018/19				2019/20	
Approved Estimate		Estimated Out-Turn				Estimate
£	£	£	£		£	£
				<b>INCOME</b>		
6,000		6,000		Transfer From Revenue	6,000	
30	6,030	59	6,059	Interest etc	30	6,030
				<b>EXPENDITURE</b>		
				<b>Maintenance:</b>		
1,230		1,230		Maintenance	1,230	
				<b>Capital Expenditure:</b>		
0	1,230	0	1,230	Capital Expenditure:	0	1,230
	4,800		4,829	Surplus - (Deficit)		4,800
	34,870		36,093	Balance Brought Forward		40,922
	39,670		40,922	Balance Carried Forward		45,722

Sow And Penk IDB	0	0	1	2	3	4	5
Revenue Account	2018/19	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	App	Estimated	Estimated Out-turn				
	Budget	Out-turn					
	£	£	£	£	£	£	£
Income							
Drainage Rates	10,915	10,915	11,105	11,361	11,618	11,959	12,386
Special Levies	105,176	105,176	107,492	109,972	112,453	115,760	119,894
Doxey & Tillington Marshes SSSI WLMP	5,000	-	-	-	-	-	-
Grant In Aid- Catchement Modelling	-	-	-	-	-	-	-
Bank Interest, Other Contributions	150	560	200	200	200	200	200
Total Income	121,241	116,651	118,797	121,534	124,270	127,919	132,481
Expenditure							
Flood Defence Levy	8,900	8,635	8,900	9,167	9,442	9,725	10,017
Administration	24,403	24,455	25,315	25,568	25,824	26,082	26,343
Maintenance of Drains	58,220	58,220	59,967	61,766	63,619	65,527	67,493
Additional Maintenance	18,000	10,000	18,000	18,540	18,000	18,540	19,096
Catchment Modelling		1,770	32,500	32,500	-		
Biodiversity Action Plan	3,000	2,500	3,000	3,000	3,000	3,000	3,000
Doxey & Tillington Marshes SSSI WLMP	5,000	-	-	-	-	-	-
County Show Budget	5,000	1,768	2,000	1,000	1,000	1,000	1,000
Total Expenditure	122,523	107,348	149,682	151,541	120,884	123,874	126,949
Surplus/(Deficit)	(1,282)	9,303	(30,885)	(30,007)	3,386	4,045	5,532
Balance Brought Forward	123,911	128,652	131,955	95,070	59,062	56,448	54,493
Balance	122,629	137,955	101,070	65,062	62,448	60,493	60,025
Transfer to Doxey & Till Marshes Account	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Balance Carried Forward	116,629	131,955	95,070	59,062	56,448	54,493	54,025
Doxey & Tillington Marshes Acc	39,670	42,152	46,952	51,752	56,552	61,352	66,172
Penny Rate in £	6.36p	6.36p	6.50p	6.65p	6.80p	7.00p	7.25p
Penny Rate £18,245	95%	123%	61%	37%	44%	42%	41%
Rate Av £170,848	6.43p	6.18p	8.52p	8.62p	6.94p	7.11p	7.28p
Levy Av £1,653,716							
	2018/19	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Doxey & Tillington Marshes Acc	App	Estimated	Estimated Out-turn				
	Budget	Out-turn					
	£	£	£	£	£	£	£
Income							
Transfer from I&E	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Interest	30	59	30	30	30	30	50
Contribution to Scheme							
Total Income	6,030	6,059	6,030	6,030	6,030	6,030	6,050
Expenditure							
Capital Expenditure							
Maintenance	1,230	-	1,230	1,230	1,230	1,230	1,230
Total Expenditure	1,230	-	1,230	1,230	1,230	1,230	1,230
Surplus/(Deficit)	4,800	6,059	4,800	4,800	4,800	4,800	4,820
Balance Brought Forward	34,870	36,093	42,152	46,952	51,752	56,552	61,352
Balance Carried Forward	39,670	42,152	46,952	51,752	56,552	61,352	66,172

## 4. Engineer's Report

### Recommendation(s):

- To note the information contained in this report
- Board agree to progress Watercourse Maintenance Tenders through a 3<sup>rd</sup> Party Procurement Agent in accordance with Public Contract Regulations 2015 (Item 4.1.2)
- Board agree an Evaluation Panel with delegated powers to progress tender invitations and evaluation in 2019 (Item 4.1.2)

### 4.1 Asset Management

#### 4.1.1 Hydraulic Modelling

North Lincolnshire Council Procurement have confirmed issue of tender by the end of w/c 7<sup>th</sup> January with expected return by 15<sup>th</sup> February.

Evaluation Panel Members will be contacted by NLC regarding evaluation.

#### 4.1.2 Ordinary Watercourses

##### Watercourse Maintenance Contract

The EU compliant NEC3 Term Service Short Contract for Watercourse Maintenance Services with Littlehale Plant Hire Ltd. is approaching the 4<sup>th</sup> Year of Service at the end of March with no performance issues.

The Contract is due to expire on 31<sup>st</sup> March 2020.

A new Watercourse Maintenance Services Tender will be required moving forwards in accordance with Public Contract Regulations 2015 and a Procurement Agent will require appointment.

Quotations can be requested from at least two Procurement Agents both familiar with the Sow & Penk IDB requirements for approval of the Chairman.

##### Eccleshall Flood Action Group

We reported to the Board on the progress being made by the Flood Action Group at the November meeting as follows:

The Group are working with the EA and SCC to reduce flooding from the River Sow



We agreed with the Group about asking SCC to cleanse/clear the road culverts/bridge for the River Sow and riparian watercourse just to the south of the river bridge and advised those watercourses to the south of the castle would be the responsibility of riparian owner/occupiers and maintenance of those watercourse would not need Consent from the IDB.

Although maintenance of the watercourses will not eliminate or reduce flooding from the River Sow as such; if they were maintained by owners then conveyance would be improved as and when the River Sow river levels permitted discharge; and would therefore improve the 'return to river' from the area.

We now understand that desilting has been undertaken on the Main River, River Sow.

However, we received the following just before Christmas from J.M & S.J Edwards:

Dear Sirs

**Maintenance of the River Sow Watercourse**

I enclose a copy of the 2 invoices addressed to Roger Bell and JM & SJ Edwards relating to the work carried out on your behalf to clean and maintain the stretch of the River Sow downstream from Eccleshall.

This work has been necessary and carried out in co-operation with the Eccleshall Flood Defence Group in order to alleviate flood issues in the Eccleshall area.

Please reimburse the amounts expended to the above address.

Yours faithfully



Hood Plant Hire Ltd. have undertaken the desilting work, presumably with EA agreement / permit and charged the riparian owners a total of £1,728.00 (incl. VAT).

We have responded as follows on behalf of the Board:





Sow & Penk

Internal Drainage Board



Shire  
Group of IDBs

Our Ref: 2015s2970/05/5

7<sup>th</sup> January 2019

J.M & S.J Edwards  
Hilcote Farm  
Eccleshall  
STAFFORD  
Staffordshire  
ST21 6JX

Dear Sirs,

**MAINTENANCE OF THE RIVER SOW WATERCOURSE**

We are in receipt of your letter dated 18<sup>th</sup> December 2018 and copies of invoices addressed to yourselves and Mr R. Bell of Holly Barn Farm.

The IDB are aware of the risks in relation the River Sow around Eccleshall which is Main River, under the responsibility of the Environment Agency, the actions intended by the Eccleshall Flood Action Group, and the responsibilities of riparian owners.

Unfortunately, there is no record of any instruction or agreement to reimburse any costs associated with the work on River Sow. Responsibility for maintenance of the River Sow lies with the riparian owner/occupiers and/or the Environment Agency.

Yours faithfully,

For and on behalf of the Sow & Penk Internal Drainage Board,

Paul Jones BSc (Hons) MSc (Eng) GMICE  
Engineer to the Board  
[paul.jones@shiregroup-idbs.gov.uk](mailto:paul.jones@shiregroup-idbs.gov.uk)

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Clerk and Engineer to  
Ancholme IDB  
Black Drain DB  
Danvm Drainage Commissioners  
Goole & Airmyn IDB  
Goole Fields District DB  
Scunthorpe & Gainsborough WMB  
Sow and Penk IDB

Engineer to  
Kyle & Upper Ouse IDB  
Selby Area IDB

JM & SJ Edwards further responded by email:

Sent: 10 January 2019 20:41  
To: Paul Jones <[Paul.Jones@shiregroup-idbs.gov.uk](mailto:Paul.Jones@shiregroup-idbs.gov.uk)>  
Subject: Your Ref 2015s2970/05/5

Dear Paul

Further to your letter of 7th January we have spoken to the Environment Agency and they have advised that the maintenance of the river is not their responsibility.

Therefore the responsibility must lie with you, especially given your title of 'Sow and Penk Internal Drainage Board'. Some years ago the drainage board used to maintain the river annually which seems to have ceased, hence our actions to clean the river.

We have paid the invoice from Hood Plant Hire and will forward you a bill to reimburse us shortly

Best regards



Our further response was as follows, however an invoice from JM & SJ Edwards has now been received addressed to Sow & Penk IDB for £864 (incl. VAT). No invoice has yet been received from Mr R. Bell.



Dear Mark,

Please can you confirm who you have spoken to at the Environment Agency.

The Environment Agency has powers of access and the responsibilities across England for all Main Rivers; which in this situation is the River Sow and River Penk. The IDB have powers of access and responsibilities across Ordinary Watercourses identified on the IDB website map <https://www.shiregroup-idbs.gov.uk/idbs/sow-penk/>

The IDB was constituted in 1997 and to my understand has not maintained Main Rivers to date. However, the IDB is talking to the EA through a Public Sector Cooperation Agreement to consider future maintenance on Main River.

Over and above the use of permissive powers by the EA on Main River the responsibility for maintaining / cleansing lies with riparian owners. Please see attached Living on the Edge document for further information.

Kind regards,  
For and on behalf of the Sow & Penk Internal Drainage Board,

Paul Jones BSc (Hons) MSc (Eng) GMICE  
Engineer to the Board  
Lead Water Level Management Engineer

## 4.2 Planning, pre-application advice and consents

### 4.2.1 Planning applications

Our email address for planning enquiries is [planning@shiregroup-idbs.gov.uk](mailto:planning@shiregroup-idbs.gov.uk)

Officers have reviewed 91 planning applications between 24 October 2018 and 22 January 2019 of which 1 has required comment on behalf of the Board.

### 4.2.2 Land Drainage Act 1991 Section 23 and 66 (Byelaw) Consents

Our email address for consent applications is [consents@shiregroup-idbs.gov.uk](mailto:consents@shiregroup-idbs.gov.uk)

2 No consents have been issued on behalf of the Board between 24 October 2018 and 22 January 2019.

## 5. Health and Safety Report

**Recommendation:**

- Members note information contained in the Report

### 5.1 Health and Safety Boards Contractor

#### 5.1.1 Accidents and Incidents

Nothing to report.

### 5.2 ADA Technical and Environment Committee

Report and guidance issued on lone working and posted on the Shiregroup website.

## 6. Environmental Adviser's Report

**Recommendation:**

- Members note information contained in the Report

### 6.1 Policy

Nothing to report

### 6.2 Legislation

#### 6.2.1 Biodiversity Action Plan

Nothing to report.

## 7. Any Other Business

## 8. Date of Next Meeting

The May meeting will take place on Tuesday 28 May 2019 at Stafford Borough Council Offices and the November meeting on Wednesday 20 November 2019 at The Tonge Suite, County Showground, Weston Road, Stafford ST18 0BD  
Both meetings will start at 11:00am.

## 9. APPENDIX A: Minute of the Audit Review Meeting

**Held at JBA Consulting, Epsom House,  
Monday, 26 November 2018**

<b>Present:</b>	Mr David Hinchcliffe (DH)	Black Drain Drainage Board
	Mrs Gillian Ivey (GI)	Danvm Drainage Commissioners
	Mr Christopher Day (CD)	Ancholme Internal Drainage Board
	Mr Andy Cane (AC)	Brodericks GBC

### **In Attendance on behalf of JBA Consulting:**

Mr David Blake (DB) (Financial Officer to the Shire Group of IDBs)  
Mr Mark Joynes (MJ) (Financial Officer to the Shire Group of IDBs)

### **Introductions and Apologies for Absence**

MJ welcomed the members. Apologies for absence were received from Mr Ray Sutherland, Mr Martin Oldknow and Mr Adrian Black.

### **Minutes of the Last Meeting / Matters Arising**

The panel approved the minutes as a true and fair record with no matters arising.

### **Risk Register**

The panel discussed the new format and MJ explained that the single-page 'generic' risk register was underpinned by a more detailed register. Every drainage board would be presented with its own custom risk register with along with the generic one. In all cases a 'traffic-light' system was employed to highlight risk gradings by severity and likelihood.

DB said the risk levels would be scored by the clerks, but that the individual Boards must review and approve the risk gradings, modifying them where necessary. AC said it was important for individual Boards to take ownership of the registers.

DB briefly showed the panel the Danvm DC detailed register by way of example, with the detailed risks as yet unscored. The document contained points of mitigation and individual action plans. GI said she would like to see the detailed Danvm DC register before circulation with the January 2019 meeting papers. DH said likewise for the Black Drain DB register. AC suggested risks should be scored harshly in the first instance to better attract members' attention.

DB took panels members through the introductory text and explained the document in the wider context of risk management policy. Risk policy should be in line with asset management and should be monitored & reviewed on a quarterly basis and presented to the board annually. DH said while there was no accounting for unknowns, risk levels should change little once correctly assessed, AC agreed. GI said in local authority meetings, risks were listed in individual reports, so they can be considered for inclusion in the wider risk register.

### **Internal Auditor's Report**

The internal auditor reviewed the work undertaken on the 2017/18 accounts. In general, the internal auditor was satisfied with how things were run and said there were no major concerns. CD noted that several items appeared in all reports. AC said the items listed in the schedule as 'other matters' merely highlighted the areas that had been investigated and did not necessarily indicate any concern. The panel then discussed the following points:

#### Decision Making & Member Attendance

The panel discussed this issue. AC said that while had been some improvement, this issue was still a concern. In some cases, it was elected members and in others it was local authority nominated members. After an enquiry from CD, DB confirmed the quorate levels were fixed single figures and were not broken down over the two categories. DH noted it was often difficult

to get Doncaster MBC to appoint members and that the board could miss out on those members' experience. CD said tours of the district had proved hugely instructive for new members.

#### Supplier Bank Details and Associated Fraud Risk

AC gave the panel a summary of his views on this issue. He was pleased to report that general awareness of these issues had improved but it remained a major concern for him as an auditor in general. He informed the panel an estimated £500m had been lost nationwide in fraudulent payments. CD said he had recently attended a seminar organised by HMRC and they were extremely concerned by the problem.

AC reaffirmed that once money was lost the funds may never be traced and the board would have to bear the loss. On the other hand, if any bankers' own systems were hacked, responsibility would lie with the bankers, and the board could recover their losses.

CD asked for an explanation of the current system of payment. MJ gave a brief description saying he personally verified all the creditors' records before submitting payment batches. DB said there should be safeguards in place against the officers committing fraud. GI expressed concern that, as a signatory, responsibility ultimately lay with the chairman. MJ said the signatories had to place reliance on the work done by the officers. MJ said he would be happy to supply evidence of clients' bank details if required. After, a query from CD, MJ informed the panel all board members were protected by members liability insurance. MJ said controls should be in place to manage the risk of fraud from all parties.

AC said business do not change their suppliers often and it was this area he regarded as especially susceptible to fraud. To lesser extent, the bank details of new suppliers also posed a risk. In these cases, he suggested an initial payment be made by cheque.

#### System Backup Procedures

The panel discussed the system backup procedures to cover sudden unexpected loss of data. AC reported he included this in his report every year and was satisfied the current procedures were robust.

#### Level of Reserves

AC said this is another area he reviews every year. He said suitable levels or reserve varied, depending on the organisation, but he would usually expect to see around 3 months' costs held in reserve. MJ said this is similar to DEFRA's own guidelines for internal drainage boards – approximately 30% of one year's running costs. DB said each board had a reserves policy. GI asked if commuted sums were included in these reserves. DB confirmed they were not.

#### **External Auditor's Report**

The Annual Returns were reviewed by the panel and more specifically the External Auditors' comments. The panel was pleased to note there were no major issues. The only minor issue raised related to an incorrectly transcribed figure in Scunthorpe & Gainsborough WMB. No other concerns were discussed.

#### **Any Other Business**

Nothing to report.

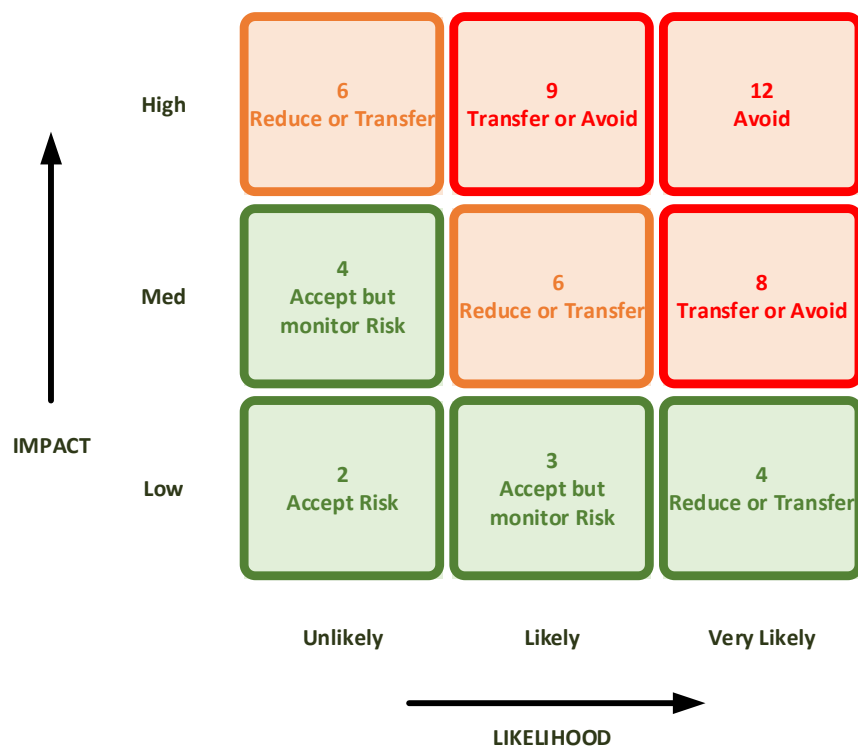
#### **Date of Next Meeting and Close of Meeting**

The next meeting of the panel will be held on Monday, 25 November 2019 at 10.00am at the offices of JBA Consulting, Epsom House, Chase Park, Redhouse Interchange, Doncaster, DN6 7FE.

MJ thanked the members for attending. The meeting was closed at approximately 11:15am.

## 10. APPENDIX B: Draft Risk Register

The Board's Risk Register can be found over the following pages. The scoring system is demonstrated below:



## Sow & Penk IDB- Risk Register Jan 2019

	OBJECTIVE	RISK	Current Controls/Assurances	Risk			Status	Mitigation/Action Plan	Owner/Target Date
				Impact	Likelihood	Score			
S U S T A I N A B I L I T Y	<b>Objective 1 :</b> Provide & Maintain Sustainable Flood Protection through Water Level Management	Lack of direction, Conflicting aims & objectives (Internal & External)	Policy statement on Flood Protection and Water Level Management The board has an extensive list of policies	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
		Human Resource Risk- Contractors	Contractors go through tender process if necessary Timely Contractual performance review- Time & Quality All Legislation and requirements made clear to all contractors All Contractors must meet basic requirements	Med	Likely	4	REDUCE- ACTION REQUIRED TO REDUCE RISK	Happy with the current contractors but AM will build into Contingency Plan going forward	Asset Manager- 2019
	<b>Objective 2:</b> Promote & Integrate Biodiversity with the boards primary and operational activities	Risk of prosecution for not adhering to Environmental Legislation	Board directly employs a suitably qualified Env. Officer	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Refresher presentation to be given to Operatives & Contractors before start of summer works season. Continue to communicate Environmental best working practices	Env Officer- Apr 19
			Extensive Environmental Surveys carried out						
			Species reporting on all new watercourses						
		The board does not deliver on the duty to protect and where practicable enhance the environment	The board has a Biodiversity Action Plan	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Produce Environmental Annual Report and Action Plan for the year ahead.						
		Lack of staff training, not provided with the relevant training and information to ensure necessary steps are taken with regard to Diversity	Contractors are advised in environmental matters	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Refresher presentation to be given to Operatives & Contractors before start of summer works season. Continue to communicate Environmental best working practices	Env Officer- Apr 19
			Training made available (Badgers License etc)						
			Develop plans to mitigate the risk of destroying habitat						
I N N O V A T I O N	<b>Objective 3:</b> Embrace new technology/methods introduced into the industry	Financial Limitations	Cost Savings- Payback Calculation	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Research & Development Included in Budget						
			PWLB- Potential to borrow						
		Historical Viewpoint- 'we've always done it this way' can stifle innovation	Long Term Asset Management Strategy Adopted	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Forward Thinking Board						
		Uncertainty- results limited as technology/methods are in early stages of its lifecycle	The Board would always look to trial new technology	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Economies of Scale through Shire Group of IDBs reduces risk to SPIDB						
			Regulation with in the industry						
	<b>Objective 4:</b> Promote Innovation, ensure the board is continually looking at ways to improve and grow	Members lack understanding of the Board's objectives, latest legislative requirement and latest developments in the industry.	Land Drainage Act provides for election of members every 3rd Year	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	1. ADA's good governance guide sent to all drainage Board members <b>14/12/2018</b> 2. Members will be encouraged to attend ADA IDB governance workshop <b>20/03/2019 @ Doncaster Knights Rugby Club</b> 3. Seminar sessions will be provided at board meetings	Clerk- Jan Meeting
			Training Courses for board members						
			Legislative/Industry developments promoted on the website and in meetings						
		Board Structure- Limited diversity of members background	Elected/Nominated split dependant on Annual Values	Low	Likely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Nominated members typically have knowledge of WLM						
			Elected members must be nominated by Landowners in the district						
		Short Termism- Reduction of cost philosophy	STP/MTP/LTP	Low	Likely	2	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Long Term Forecasting, 20 years Budget plans, Long Term Capital plan						
		Unsuitable members appointed to the Board	Elected members must be nominated by Landowners in the district	Low	Unlikely	1	ACCEPT- RISK LEVEL ACCEPTABLE		Next Review 30/06/19
			Members register of interest						



## Sow & Penk IDB- Risk Register Jan 2019

OBJECTIVE		RISK	Current Controls/Assurances	Risk			Status	Mitigation/Action Plan	Owner/Target Date
				Impact	Likelihood	Score			
STAKEHOLDER VALUE	Objective 5: To be a self sufficient IDB that provides value to ‘our’ stakeholders at all times	Reduction in income to the Board to maintain an appropriate provision of services	Systems and processes to maximise income opportunities and collection	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Provide all significant ratepayers/creditors with the Long-Term forecast, allowing them to make provisions accordingly.	Senior Finance Officer Mar 19
			Timely invoicing of Drainage Rates account holders annually, monitoring of collection rates and take follow-up action when non-payment.						
			Submit Highland Water claims to the EA.						
		Overspending, not obtaining value for money	Monthly Budget reviews, Budget to date and out turn analysed by members at meetings	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Cash Flow analysis incorporated into monthly budget review, ensure value for money is sought on every purchase	FO-2019
			Financial Regulations- >£5000 2 quotes > £20,000 Tender Process						
			Approved Suppliers List with specific criteria that is regularly monitored						
		Perception that this isn't the case	Internal/External Audits & IDB1 forms	Med	Likely	4	REDUCE- ACTION REQUIRED TO REDUCE RISK	Promote the board, shout about the good work SOW & Penk IDB do Tap into to Social Media to do this	SGAT- Ongoing
			Website promoting board Activities						
			Lead Role in partnership working/PSCA agreements						
		Flood damage to third party	Insurance Policies to cover main risks including asset failure and indemnity for third party damage	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Insurance policies reviewed annually for the Board and risks required changes to cover reassessed.	SFO- Jan 2019
	Catchment Mapping completed								
	Objective 6: To be a champion of partnership working, work collaboratively where this can deliver shared research objectives more cost-effectively and for the wider good of all connected	Miscommunication causing differing expectations/goals	Close working relationships with all connected stakeholders	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Monitor all relationships with all connected stakeholders, continue to be a champion of partnership working	Next Review 30/06/19
			Historic Agreements						
			Drive for partnership working						
		Lack of formal structure and clear risk-sharing arrangements	Good working relationship with LLFA	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Monitor all relationships with all connected stakeholders, continue to be a champion of partnership working	Next Review 30/06/19
			Clear definition of role between IDB & other Stakeholders						
		Internal & External Conflicts, which could create a lack of trust	Conflict Management Policy	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Monitor all relationships with all connected stakeholders, continue to be a champion of partnership working	Next Review 30/06/19
	Open & Honest- 100% Transparent- Minutes on website								
	COMPLIANCE	Objective 7: Ensure that the board always complies with all recommended accounting practices	Adverse audit reports, legal action and loss of confidence in the IDB.	Put in place a satisfactory Governance framework, including: - Internal Audit contract & access to the Boards. - External Audit Service - Financial regulations in place for each Board - Business continuity & recovery plan - Insurance Policies proportionate to identified risks - Appropriate ICT systems to support key functions (Ratings, Finance and GIs). - ADA Practitioners’ Guide (2006), as revised 2017 - Data processing, handling and retention in compliance with ICO’s Guidance & Licence for each Board.	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	1. Continue to work with Internal Auditor to always minimise risks associated with accounting practices, especially when new risks emerge 2. Review current SGAT processes & procedures and update where appropriate
Adhere to Board Approved Financial Regulations									
Experienced and suitably qualified finance officers									
Bank Mandate in place, always two signorities needed									
All Purchase Ledger Transactions are reviewed by the board									
Adequate Insurance to cover such Losses									
Loss of Cash through error or fraud			Audit approved documented processes, that have a clear segregation of duties	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Review current SGAT processes & procedures and update where appropriate	Finance Team- May 2019 & Ongoing
			Bank Mandate in place, always two signorities needed						
Loss of Control through inadequate processes.			The Board has adopted a reserves policy	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Review Reserves level (50%) at the monthly budget meetings	Next Review 30/06/19
			Short, Mid & Long Term Budgetted						
Liquidity issues, lack of reserves			Boards financial postion presented at Board meetings						
			Risk to Board Members	Qualified & expierienced staff attempt to advise the board	Med	Unlikely	2	ACCEPT- RISK LEVEL ACCEPTABLE	Monitor any changes to current EU & UK legislation
Ultimately, all decisions should be discussed and made as a collective									
Adequate Insurance underaken									
Objective 8: Ensure that at all times the board complies with all current EU & UK legislation		Non-compliance with legislation, regulations good practice resulting in prosecution, fines /penalties / sanctions and loss of confidence in the Board(s).	Access specialist advice as required, eg Finance, Legal, H&S, Insurance, etc.	High	Unlikely	3	REDUCE- ACTION REQUIRED TO REDUCE RISK	Monitor any changes to current EU & UK legislation	Next Review 30/06/19
			Peer Group support, e.g. ADA’s Policy & Finance and Technical Committees						
			Inter-agency working amongst FRM authorities						





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Newport  
Peterborough  
Saltaire  
Skipton (Belle Vue Mills)  
Skipton  
Tadcaster  
Thirsk  
Wallingford  
Warrington**

