

**RIVER LUGG INTERNAL DRAINAGE BOARD**

**MINUTES OF THE MEETING OF THE BOARD**

**Held on Thursday 16 January 2014 at 7Y Business Centre, Leominster**

**Present:**

Mr C Pudge (Chair)  
Mr J Smith (Vice Chair)  
Lord J Cawley  
Ms Z Chilman  
Mr M Davies  
Major J Hereford  
Mr J Makin  
Mr K Mitcheson  
Cllr C Pritchard  
Mr G Sparey  
Cllr S Bowen  
Cllr M Cooper  
Cllr J Millar

**Officers in Attendance**

Mr. Matt Bajowski – Engineer  
Amanda Taylor – FSS Team Leader  
Mr L Harrison - Area Engineer

**Hoope Representative in Attendance**

Mr. Gregory Evans  
Mr. Duncan Trumper  
Jane Hemingway

**Minutes taken by:**

Beverley Ryan - Rating Officer

**APOLOGIES FOR NON-ATTENDANCE**

Apologies had been received from - Mr. R. Corbett, Mr. WR Davies, Mr. N Helme, Cllr. J Hardwick and Cllr F Norman, Mr. R Penn (Clerk) and Mrs. J Boast (Finance & Support Services Manager)

**13/056 DECLARATION OF INTERESTS**

These are recorded under the relevant minute.

**13/057 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman wished a speedy recovery to both Mrs. Boast and Mr. Penn who were absent from the meeting due to ill health.

**13/058 MINUTES OF THE MEETING HELD ON 3<sup>rd</sup> OCTOBER 2013**

The Board resolved that the minutes of the Board meeting held on 3<sup>rd</sup> October 2013 be agreed as a true and accurate record.

**13/059 MATTERS ARISING FROM THE MINUTES HELD ON THE 3<sup>RD</sup> OCTOBER 2013**

Noted (along with the incorrect spelling of Lord J Cawley's name).

### **13/060 MINUTES OF THE EXTRAORDINARY MEETING HELD ON THE 7<sup>TH</sup> NOVEMBER 2013**

The Board resolved that the minutes of the Board meeting held on 7<sup>th</sup> November 2013 be agreed as a true and accurate record.

### **13/061 MATTERS ARISING FROM THE MINUTES OF THE EXTRAORDINARY MEETING HELD ON THE 7<sup>TH</sup> NOVEMBER 2013**

There were no matters arising

### **13/062 MINUTES OF THE SUB COMMITTEE MEETING HELD ON 28<sup>TH</sup> NOVEMBER 2013**

The Board resolved that the minutes of the Board meeting held on 28<sup>th</sup> November 2013 be agreed as a true and accurate record.

### **13/063 MATTERS ARISING FROM THE MINUTES OF THE SUB COMMITTEE MEETING HELD ON 28<sup>TH</sup> NOVEMBER 2013**

The Area Engineer referred to page 3 of the minutes (3<sup>rd</sup> Item) and requested that the words 'flood risk' be removed which would refer to grant applications in all future schemes. It was also noted that the 'Environment Agency West Midlands' should be 'Severn and Wye RFCC'.

### **13/064 FINANCE REPORT**

#### **Finance Statement**

*(RL/13/0000/29)*

The bank balance at 31 December 2013 stood at £211,283.95

Board members asked about the nature of the VAT refund and the FSS Team Leader confirmed that the refund was in respect of invoices paid in the last 6 months.

**Noted**

#### **Schedule of Bills**

*(RL/13/000029/a)*

Total payments were £64,212.69. The invoices were available for inspection.

**Noted**

#### **Rating Report**

*(RL/13/000025/b)*

The collection rate at 31 December 2013 was 95% with a closing balance of £4,529.83

**Noted**

#### **Detailed Rating Report**

*(RL/13/000025/b)*

The following items were presented to the Board:

- KPI's

- Account Status 2013-14
- Queries Pending
- Land Transfers Pending
- Account Status – Land Transfers 2012-13
- Account Status – Query 2012-13
- Queries Resolved – 2012-13
- Land Transfers Resolved – 2012-13

**Noted**

### **Ledger Balances**

The Rating Officer reviewed the Report that had been circulated and drew attention to those accounts with the higher value of arrears. It was confirmed that legal action would commence in respect of at least one of the accounts further to land transfers completed and reminder letters sent to which there has been no response from the ratepayer concerned.

The Rating Officer confirmed that she is now in receipt of some plans off the Chairman and these will be looked at and should resolve some of the longer standing queries.

The Chairman gave a brief overview to the Hoople representatives with regards to the issue of not being able to locate land and therefore the correct land owner, an issue which has been a problem for the Board for many years.

The Chairman and Engineer confirmed that they would continue to evaluate any queries on ‘an as and when’ basis to facilitate resolution.

**Noted**

### **13/065 FORECAST OUTTURN 2013 – 2014**

***(RL/13/000030)***

The Chairman pointed out that there are inevitably budget variations due to unpredictable weather and the costs incurred in the tendering and handover processes Board member queried whether these costs could be recouped and the FSS Team Leader confirmed that this would not be possible.

**Noted**

### **13/066 WORKS PROGRAMME 2014 – 2015**

***(RL/13/000031)***

(Discussed as part of 13/069 ENGINEERS’ REPORT)

## **13/066 MAINTENANCE CONTRACT 1 APRIL 2014 – PROCUREMENT PROCESS**

The Chairman advised the Board of the letter received from an unsuccessful tenderer in the recent Tender for the RLIDB Management Services Contract 1 April 2014 to 31 March 2019. *(The letter referred also forms part of the Finance and Support Services Manager report).*

Mr. Greg Evans (Hoople Representative) presented his report and referred to the findings about the EU threshold in relation to the tendering process as detailed in his report. Mr. Evans confirmed that the re-tendering of the Maintenance Contract could be continued through Schedule 3 of the Public Contract Regulations 2006. This could be advertised on Hoople Ltd's e-Tendering Portal -Proactis.

After discussions Mr. Evans proposed that the Board should:

1. consider the re-tendering of the maintenance contract under the Public Contract Regulations 2006.
2. consider the use of the Proactis system to advertise the tender.
3. consider an extension of the current contract for a further 12 months.
4. Commence the re-tendering process in the summer of 2014 with an aim of a 3 month handover / mobilisation period.
5. should establish a working party / sub-committee to oversee the procurement process.

With regards to 5 above, it was noted that a sub-committee was already in place. The Chairman invited the Board members to indicate their interest in joining the Sub Committee but no additional nominations were made and the existing membership of the sub-committee remains in place.

**The Board resolved to approve the above proposals.**

## **13/067 BUDGETS/RATING ESTIMATES 2014 – 2015**

**(RL/13/000032)**

The Chairman gave an overview on the options with regards to the penny rate. He also advised that current expenditure on the maintenance contract should be maintained. Board members asked for clarification about the level of Board balances.

A proposal was put forward that the penny rate should be reduced to 7.5p **(a reduction of 6% compared with the penny rate of 7.75 p for 2013/14)**

**The Board resolved to approve a penny rate of 7.5p for 2014/15**

The Chairman confirmed he would make all drainage ratepayers aware of the reduction in the Drainage Rates as part of his annual newsletter. It was also agreed that the Clerk should write a Press Release advising of the Board's decision to reduce the 2014/2015 Drainage Rates by 6%. The Engineer confirmed that the RLIDB website would also be used to make those who visited it aware of the reduction.

**Action: The Clerk to write an appropriate Press Release to be sent to the Hereford Times newspaper for publication.**

## **13/068 FINANCE AND SUPPORT SERVICES MANAGER REPORT**

**(RL/13000027)**

## **1. Personnel**

The post of CWLIDB Support Services Assistant is currently being filled on a part time temporary basis.

**Noted**

## **2. Future Management of the Board**

Discussions took place with regards to responsibility for the following tasks.

- a) 4<sup>th</sup> quarter actual V budget
- b) 2013/2014 accounts
- c) Internal Audit
- d) 2014-2015 Rate Demands

Mr. Greg Evans advised that it would make more sense for CWLIDB to complete tasks a to c, and that CWLIDB had agreed to and would be willing to produce 4<sup>th</sup> quarter actual V budgets, accounts and to arrange an internal audit. This work would be charged at appropriate hourly rates to RLIDB as it would take place after 1 April 2014.

**Noted**

## **3. Rating System**

The Engineer presented the FSSM's report and referred to an updated tabled report. The Engineer compared the options of the 'DRS' system currently being used by Caldicot and Wentlooge Levels IDB and the 'Rate Manager' used by North Somerset Levels IDB.

The Engineer recommended that the Board obtains the DRS system and Mr. Duncan Trumper (Hoople representative) confirmed that this would also be his advice, although in the longer term Hoople would consider developing an in-house system.

### **The Board resolved to approve the Engineer's proposal**

Further discussion took place about options of purchasing the DRS system or of rental over a 3 year period.

It was agreed that the better option would be to purchase the DRS system software licence along with its annual support costs.

### **The Board resolved to approve this proposal.**

## **4. Tender for the RLIDB Management Services Contract 1 April 2014 to 31 March 2019**

(Discussed as part of 13/066 MAINTENANCE CONTRACT 1 APRIL 2014 – PROCUREMENT PROCESS)

**Noted**

**13/069 ENGINEERS' REPORT**

*(RL/13/000034)*

**Maintenance**

The Engineer reported that as far as he was aware there had been no reported flooding within the RLIDB district due to the recent adverse weather conditions and the money spent recently on Lawton Brook culvert improvements proved to be very beneficial in conveying flood flows.

The Area Engineer made reference to an incident when a car driven by a young doctor, accompanied by his wife and child, had driven into a flooded ford at Wellington during the hours of darkness and had narrowly escaped drowning. Luckily, a nearby resident heard their cries and they were rescued before the car was swept downstream. Subsequently, the driver, a stranger to the area, explained that there were no warning signs and the hazard was not visible on the unlit road.

After further discussions it was agreed that the Board would write to the Council Highways Department to advise on the lack of warning signs and danger when river levels are high. Board members undertook to contact the relevant officers to get temporary signage put in place.

**Action: the Clerk to write to the Council's Highway Department requesting signage in this area.**

### **Maintenance Programme for 2014-2015**

The Annual Maintenance Programme for 2014-2015 was discussed and the Area Engineer was requested to break down the Annual Maintenance Programme into 4 quarters so that expenditure could be more effectively and regularly monitored.

**The Board resolved to approve the Annual Maintenance Programme.**

**Action: The Area Engineer to monitor the Annual Maintenance Programme on a 4 quarters basis.**

### **Other Matters**

#### **Bodeham Flood Protection Group**

As in previous years the Board has contributed 5 litres of Roundup Pro-plus for the use in controlling watercourse vegetation. It was agreed that the Board should continue with this practice to support the work of the group of volunteers that carries out regular maintenance on the drainage system within the Bodenham area.

#### **Ecological Advisor**

The Area Engineer proposed that Mr Tony Pickup, the Ecological Advisor, should continue his work on behalf of the Board with the agreement of Hoople Ltd. This would require to Board to provide an annual retainer of £500.00.

**The Board resolved to approve this proposal**

#### **Ivington Common Fencing**

The Area Engineer reported that the WUF was prepared to carry out the proposed works on Stretford Brook if the Board would contribute 50% of the costs. The cost of this work is estimated to be £2,000.00 for the drinking bay and £2,160.00 for 360 m of fencing, a total of £4160.00.

**The Board resolved to contribute 50% of the cost of this work**

### **Adopted Watercourse Structures**

There have been further discussions with the Environment Agency regarding the Board's formal adoption of the structures associated with the recently de-mained watercourses. The EA will defer finalising the handover until faulty flap valve winches have been replaced.

**Noted**

### **Foreign Water Grant**

The Board pays an annual precept payment to the EA for this purpose but an equivalent sum is then repaid to the Board by way of the Foreign Water Grant. The sum available for 2014/15 has not yet been confirmed but it is hoped that this information will be available by the date of the next Board meeting.

**Noted**

### **Severnside IDB Liaison Meeting**

In November, the Chairman and Area Engineer attended the annual Severnside IDB Liaison meeting hosted by the Environment Agency and chaired by Anne Wheeler, the Severn and Wye RFCC Chairwoman. This normally involves various presentations by EA staff members and provides a forum where items of mutual interest can be discussed. The Chairman has communicated the Board's willingness to co-operate through partnership- working if instances arise when it would be more economic for the Board to carry out main river maintenance on behalf of the EA.

**Noted**

### **Rainfall Figures**

The Area Engineer presented the rainfall totals

**Noted**

### **Planning Matters**

i)

**Planning Application:** 132322/F

**Description:** Proposed construction of water storage reservoirs.

**Location:** Brierley Court Farm Brierley Leominster Herefordshire HR6 0NU

**Date of IDB's Letter:** 12<sup>th</sup> November 2013

**Notes:** The Board's officers reported that they are in favour of the proposed increase of storage volume for surface water runoff attenuation. However it was noted that the proposal involves culverting of existing watercourses/ditches, abstraction and discharge of water from/into viewed

watercourse, namely Brierley Cut, and the modification of watercourses. Planning Officers and the developer were made aware of the requirement for written Land Drainage Consent for additional abstraction or discharge of water from Brierley Cut, culverting or modification, including water control structures such as weirs, of any ditches /watercourses within the IDB district. The planners had been reminded that a 9 metre strip of land is to be left clear between the top of bank and any building or obstruction, along both banks of any IDB watercourse. This is necessary so that a watercourse can be maintained with heavy machinery.

**Noted**

**ii)**

**Planning Application:** 132735/F

**Description:** Erection of 6 no. poultry buildings

**Location:** Oakfields Farm Kingsland Leominster Herefordshire HR6 9QU

**Date of IDB's Letter:** 13<sup>th</sup> November 2013

**Notes:** The site is located inside of the Board's operational boundary as such the development has the potential to have direct effect on the Board's operational interests and watercourses under the Board's control. It was noted that the proposal involves discharge of water into a viewed watercourse maintained by the River Lugg Internal Drainage Board, namely Mousenatch. This ditch is referred to in the "FLOOD RISK & SURFACE WATER MANAGEMENT" document, prepared by Land Drainage Consultancy Ltd, as 'Blue Ditch'. The applicant was informed that any modification or discharge of water into watercourses within the IDB district can be undertaken without a written Land Drainage Consent from the Board. The planning officers have also been informed of the Board's requirements in respect of surface water disposal.

**Noted**

**iii)**

**Planning Application:** 132796/F

**Description:** Change of use of agricultural land to extend domestic curtilage. Extension to form annexe accommodation ancillary to main dwelling house. Replacement garage with workshop and home office. Access improvements. Erection of 2 metre high brick.

**Location:** Bridge House, Kingsland, Leominster Herefordshire HR6 9SF

**Date of IDB's Letter:** 13<sup>th</sup> November 2013

**Notes:** The site is located inside the Board's operational area. The intention is to dispose of surface water via soakaways. Planning officers have been advised of the Board's standard requirements in respect of soakaways i.e. the developer must establish ground conditions are suitable for the use of soakaways. Percolation tests to establish the suitability of the use of soakaways must be conducted at the appropriate time of the year i.e. not



during abnormal weather conditions such as heavy rain, severe frost or drought.

**Noted**

iv)

**Planning Application:** P133305/F

**Description:** Erection of 2 nos. broiler units with a linked control room and associated hard standings, feed bins and attenuation pond.

**Location:** Claston Farm Dormington Hereford Herefordshire HR1 4EA

**Date of IDB's Letter:** 24<sup>th</sup> December 2013

**Notes:** Planning officers have been advised that the site is located inside the Board's operational area and has the potential to have direct effect on the Board's operational interests and watercourses under the Board's control. The intention is to dispose of surface water via sustainable drainage. The Board's standard requirements in respect of surface water disposal have been passed on to the applicant. The document available online entitled "Proposed Poultry Development at Claston Farm FLOOD RISK & SURFACE WATER MANAGEMENT" prepared by Land Drainage Consultancy Ltd suggests a very low discharge rate of 1.4 l/s/ha. The Board's formal response has specified catchment descriptors applicable for the site and allowable (and a practically achievable) discharge rate of 5 l/s. strict compliance with the proposed on-site storage designed for the 1 in 100 year storm event of 670 m<sup>3</sup> was recommended. Due to the close proximity of the main receiving watercourse River Frome, consultation with Environment Agency was also recommended.

**Noted**

### **13/070 GENERAL MANAGERS REPORT**

#### **The future of IDBs in Wales**

The Engineer gave a verbal update with regards the Welsh Government's intention to transfer the functions of IDBs in Wales to Natural Resources Wales in April 2015. The Engineer referred to the recently published Welsh Government 'business case' and advised that the Minister has bought forward the proposed transfer date of April 2016 to April 2015.

**Noted**

### **13/071 CORRESPONDENCE & ANY OTHER BUSINESS**

The Chairman gave his sincere thanks to CWLIDB Board and staff for its continued support and efforts over the past years and wished management and staff the very best for the future.

#### **RLIDB – Inspection**

A provisional date of 8<sup>th</sup> May 2014 noted.

## **ADA**

Discussions took place with regards to the last ADA AGM attended by the Chairman and members of the Board. It was noted that ADA will become an incorporated company as from April 2015 and that each ADA Branch is required to appoint one representative to serve on the Board of the new company the possibility of withdrawing from membership of ADA was discussed but no decision was taken on the members in the future.

### **Dates of future Board Meetings**

To be held at 7Y Business Centre, Leominster.

- **Board Meeting Thursday 17<sup>th</sup> April at 10:30 a.m.**

The Chairman declared the meeting closed at 12:40 p.m.

**Chairman**

**Clerk**