



**River Lugg Internal Drainage Board
Minutes of the Board Meeting
Held on 18 January 2018 at 10.30am at the 7Y Business Centre, Leominster**

PRESENT:

Board Members

Mr C Pudge – Chairman
Mr J Smith – Vice Chairman
Lord J Cawley
Mr J Makin
Mr M Davies
Mr G Sparey
Major J Hereford
Mr R Corbett
Mr S Dale
Mrs N Norman
Mz Z Chilman
Mr K Mitcheson,
Cllr B Baker
Cllr S Bowen
Cllr J Hardwick
Cllr F Norman

Hoope Ltd Officers in Attendance

Ms Adrienne Davies – Clerk to the Board (CB/AD)
Mrs Audrey Harris – Responsible Finance Officer (RFO/AH)
Mr Les Harrison – Area Engineer (AE/LH)
Mrs Liz Chandler – Deputy Clerk to the Board (LC/DCB)

APOLOGIES FOR NON ATTENDANCE

Apologies were noted from Mrs N Davies and Ms S Olney-

17/043 DECLARATION OF INTERESTS

No declarations were raised.

17/044 CHAIRMANS ANNOUNCEMENTS

The Chairman expressed his condolences following the death of Richard Hall, who was a former member of the Board.

17/045 CONFIRM THE MINUTES OF THE MEETING HELD 19 OCTOBER 2017

Minutes were approved.

17/046 MATTERS ARISING FROM THE MINUTES

Sustainable Urban Drainage Systems (SuDs)

The Area Engineer (AE) confirmed that following approval from the Board to accept involvement in adopting storm-water attenuation ponds, he had responded to Herefordshire Council.

17/047 REPORT OF THE AREA ENGINEER TO THE BOARD INCLUDING RAINFALL DATA

The Area Engineer presented some photographs alongside a verbal update. The Area Engineer explained that the flail-mowing team had done an excellent job in completing 99.9% of the flail mowing programme.

The outturn expenditure was reported as at 31 December 2017 of £125k, against an annual budget of £147k.

Cheaton Brook

It was reported the landowner was very pleased with the work on the management of bank-side vegetation at Cheaton Brook. Work carried out included blockage removal, erosion control and willow pollarding including alder coppicing.

Similar work was also carried out at Little Lugg, Sutton Lakes. Full co-operation was provided by the landowner and the opportunity provided the board to carry out environment enhancement work.

The Area Engineer advised the board that the Environment Agency (EA) have requested that any future works will require recording by advertising which could impact financially on the board. A board member suggested displaying photographs on the RLIDB website as a before and after which all board members voted in favour.

Action: Area Engineer/Clerk to the Board to take forward

Annual Maintenance Programme

All Board members approved the annual maintenance programme. The Area Engineer advised the Board that the maintenance programme would also be shared with the Environment Agency and be made available on the RLIDB website.

Action: Clerk to the Board

Wormbrook/Allensmore De-maintenance

The Area Engineer informed the board that a further meeting with the Environment Agency took place on 24 November 2017, represented by the Chairman of the Board, Area Engineer and Environmental Advisor. At the meeting a number of actions were discussed to enable the start of the de-maintenance process and these were outlined to the board.

The EA advisor leading on the matter has produced a report which was appended for information. The report outlined the necessary objectives that need to be achieved before the pilot can proceed to the next stage.

The Area Engineer advised that since the report was written, Defra have consulted with the EA and written to the Chairman suggesting the board withdraw from the pilot until the reconstitution of the board has taken place. The Area Engineer recommended that despite being withdrawn from the pilot the board should continue implementing the actions as outlined in the report. The Board agreed that it was essential to carry on.

Management of the Curl Brook System

In response to the request for cooperation that the board refrain from carrying out routine maintenance in the area, the overall number of those in support and the number against was discussed. As all those who responded were in favour the Board agreed not to carry out maintenance on Curl Brook unless the matter was urgent and the power of the board could then exercise their right. The Chairman agreed to all 16 ratepayers notifying them of the outcome.

Action: Clerk to the Board

The Clerk of the Board informed that advice had been sought with ADA regarding making contributions towards the cost of involving local school children and confirmed that the board are not empowered to make contributions.

The chairman agreed to write to Tony Norman to inform him of the Board decision that it could not support his request in relation to the curl brook.

Action: Chair of the Board

Mosely Common

It was reported that monitoring water levels on Mosely Common was the responsibility of Natural England.

Rainfall Figures

The rainfall figures were appended for information. The Area Engineer thanked the EA and Richard Corbett.

Land Drainage Consents

One application received for Network Rail that had already been approved in June 2015 which had expired. The application was approved.

Baron Cross Development

The Area Engineer informed the board that following an investigation commissioned by an experienced consultant the channel is of adequate capacity to receive the calculated discharge and the developer has been advised.

Planning matters

The following planning matters were reported.

- PR2017-0006 – P172043/RM
13th June 2017
Land adjacent to Whitestone Chapel, Withington, Hereford. HR1 3QA
- PR2017-0007 – P174097/F
7th November 2017
Mile End, Broad Lane, Leominster, Herefordshire. HR6 0AL
- PR2017-0008 – P174192/F
6th November 2017
Fir Tree Inn. Much Cowarne. Herefordshire
- PR2017-0008 – P173759/F
22nd November 2017
Broad Farm, Leominster, Herefordshire. HR6 0AN
- PR2017-0010 – P174167/F
20th November 2017
Unit's 15-20 Croft Business Park. Leominster Herefordshire HR6 0QF

A board member requested that the response note should include as a standard response complying with the Bye Laws and provide information on where a copy is available.

Action: Clerk to the Board

17/048 RECONSTITUTING THE BOARD

A discussion took place regarding the proposed changes to the size of the board. A discussion took place that in the past the Council collected the rates on behalf of the board and were paid a commission for doing this; thus were the Council an agent and not a ratepayer; the discussion that followed was that things had changed since then and all IDB's needed to comply with the 1991 Land Drainage Act. John Smith is to send emails with further details about the Council being an agent rather than a ratepayer.

The Clerk to the Board, Adrienne Davies provided an update on the reconstitution of the board, which has changed since the board papers were issued. The EA has drafted a scheme to reconstitute the Board to 10 elected members. The scheme has submitted to Defra for review and approval, then it will be advertised. The DEFA have confirmed there will be no cost for advertising.

The Clerk to the Board has asked EA as part of this process if they can investigate whether the election due to take place this year can be delayed to co-inside with the election that needs to take place following the reconstitution of the Board.

17/049 FINANCE REPORTS

The Responsible Finance Officer (RFO), Audrey Harris, reported an in-year deficit of £34,989 creating an underspend.

Rates Account

The RFO informed the board the current outstanding debt is approximately £9k across a total of 187 accounts. The collection rate currently stands at 90%, which is now back inline with previous years

Internal Audit and Annual Return

It was noted that the final annual return is now available on the website.

Schedule of Bills

The Board unanimously agreed to the Chairman signing the schedule of bills.

Appointment of External Auditor

The board were made aware that PKF Littlejohn LLP has been appointed for a five year period commencing April 2018. There has been no change in the fees.

17/050 BUDGET AND PENNY RATE

The board members considered the draft budget in order to set the penny rate. The RFO advised the budget includes an uplift where it was necessary to cover expected costs.

The RFO recommended the board set the RL penny rate at 9.00p, an increase of 0.50p and the Lower Wye penny rate is set at 3p, an increase of 0.50p.

During a discussion it was suggested increasing the Lower Wye penny rate further and the RFO supported this suggestion. Cllr Bowen proposed and Richard Corbett seconded to set the RL penny rate at 9.00p and the Lower Wye at 3.50p. All board members were in favour.

17/051 GENERAL DATA PROTECTION REGULATION (GDPR)

The board members noted the report and the actions required.

AD will check RL is registered with the ICO.

Action: AD

17/052 RISK MANAGEMENT

The board members reviewed the risk register and were content with the risks and scoring.

17/053 HEALTH AND SAFETY

The Clerk tabled a copy of the minutes from the Health and Safety meeting held on 10th January for information and reported that no Health and Safety issues were raised in the last quarter.

17/054 RIVER LUGG BYE LAWS

AD presented the Board with the updated Byelaws following the a recommendation by ADA for all IDB's to review their byelaws to bring them into line with DEFA's model byelaws, this was also a recommendation from the de-maining pilot. The Clerk sought the board approval for the revised byelaws and advised that following their approval the revised Byelaws would be sent to Defra and published on the RL website.

The Chairman proposed and Major J Hereford seconded approval of the revised Bye Laws. Tony Mitchenson objected to the approval of the byelaws and all other members approved. The byelaws were approved.

17/055 ELECTION PROCESS TIMETABLE

The Clerk informed the board that in the event that the election process could not be deferred the election process timetable was included for information.

It was agreed in readiness for the elections and board reconstitution to produce a questionnaire for all board members to complete. Questionnaire would include a question on expertise, skills and experience and other bodies they may sit on.

Action: Clerk to the Board

17/056 ANY OTHER BUSINESS

It was agreed to set the May inspection for Thursday 17th May.

The ADA General meeting and Marches branch meeting took place on 14th December. At the `meeting it was discussed holding another meeting in the summer.

17/057 DATE OF NEXT MEETING

19th April 2018

Two handwritten signatures in blue ink are visible at the bottom of the page. The first signature is written in a cursive style and appears to be 'C. Hodge'. The second signature is also in cursive and appears to be 'A. Hodge'.