



Sow & Penk

Internal Drainage Board

Virtual Meeting

Microsoft Teams

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Meeting Papers

Wednesday 2 June 2021

Meeting at 11:00am



Shire

Group of IDBs

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Meeting Papers

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Purpose

These meeting papers have been prepared solely as a record for the Internal Drainage Board. JBA Consulting accepts no responsibility or liability for any use that is made of this document other than by the Drainage Board for the purposes for which it was originally commissioned and prepared.

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1. Governance

1.1 Apologies

1.2 Declaration of Interest

1.3 Complaints and FOI

1.4 Minutes of Meeting 3 February 2021

Present

Ray Sutherland (RS)
Len Bates (LB)
Ralph Cooke (RC)
Andrew Harp (AH)
Angela Loughran (AL)
Mark Winnington (ML)
Neil Brown (NB)
Anthony Parrot (AP)
Jeff Sim (JS)

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

Craig Benson (Clerk to the Board)
Paul Jones (Engineer to the Board)
David Blake (Finance Officer to the Board)
Janette Parker (Rating Officer to the Board)

Apologies for Absence

2021.1 Apologies received from F. Beatty and P. Bates.

Declaration of Interest

2021.2 None.

Complaints and Freedom of Information Requests

2021.3 None.

Minutes of the Last Meeting

2021.4 Minutes of the Last meeting held were considered, **proposed as a true record by AL, seconded LB, All in favour.**

Matters Arising

2021.5 LB thanked Engineer for setting up the Penkridge Scoping Study and liaising with the EA to ensure they and the Board now work together. Eng advised he had attended a recent meeting with the EA and they would be in attendance at the June Board meeting to provide an overview and a briefing note would be provided in the interim. He added that all the survey work in Penkridge had been completed by the EA with Main River modelling aiming to be completed by April.

CLERK'S REPORT

- 2021.6** Information from papers noted. Clerk advised with regard to Key Performance Indicators that the second section had no been upgraded to "Good" as it was felt members were now more knowledgeable as a result of the modelling.

FINANCIAL REPORT

- 2021.7** Rating Report – FO advised current balance of £1,154 of which £880.00 was in the hands of Solicitors.
- 2021.8** Rate Removals – FO referred to £74.21 requiring Board approval to remove as transferred to Special Levy. AL proposed, AH seconded and approved by the Board. MW joined meeting at this point and added his agreement.
- 2021.9** Schedule of Payments – **Schedule proposed by AH, seconded RC and approved by the Board.**
- 2021.10** Audit – Information noted.
- 2021.11** Risk Register – FO took members through the report, advising the changes made. **Approval proposed by AJ, seconded RC and approved by the Board.**
- 2021.12** Budget Estimates, Rates & Special Levies for Year Ending 21 March 2022 – FO took members through the report advising that income had increased by £35,000 which was the grant monies from EA in relation to the model which had been budgeted for in the previous year. He added that generally all forecasted expenditure was as expected but that there had been an increase in the model costs (including the Penkridge assessment) of £10,500 against budget, but the overall project was only £3,000 overbudget. FO concluded that the Board would therefore have a slight deficit of £559.00 resulting in an operating balance of £85,872, slightly reduced compared to budget. He indicated that other than inflationary increases the expenditure budget for 2021/22 was comparable with the previous year, resulting in total budgeted expenditure of £123,172. He then pointed out current income levels would cover forecasted expenditure and as a result it was sensible not to increase the rate at this time, especially in light of the current pandemic. **The recommendation was proposed by AH, seconded by AL and all members in agreement.**
- 2021.13** Five Year Budget Estimate – FO took members through the report reminding them that future years were a forecast and based on best estimates so figures are more tentative the further into the future, but that the report was reviewed and updated on a regular basis as information came to light.

ENGINEER'S REPORT

- 2021.14** Engineer advised information in papers was just for note.
- 2021.15** In relation to his recent meeting with the EA Eng confirmed that the IDB model had been provided to the EA and the information from that and the EA's model was to be integrated which would provide further information on flood risk. He added that the EA continued to work with the Board with regards maintenance on Main River and that needed to look at other areas which could be considered moving forwards. MW queried if other agencies, such as Councils and Severn Trent, were being included to look at the whole situation adding that he would be interested in taking part in further discussions. Eng stated that it was the intention first to evidence from the IDB model exactly what the flood risk would be with more information obtained from the link to the EA's model. He stated that once that was in place then could look at all the opportunities and projects which could reduce waterlogging and provide storage options. He added that Frances Beatty had provided him with information on the Stafford Brooks project, which he would issue to members after the meeting, and that this was in conjunction with Highways England who had provided £150,000 for further works and it was his intention to check this with EA modelling contacts. AL stated that she was thankful for the work undertaken by the IDB to the brook on Herbert Road which she said helped with recent flooding. She then asked

if there were plans to work with Severn Trent Water stating that co-operative working should be promoted and queried if there was any involvement in Priory Lane. Eng advised he would follow this up with her after the meeting as he was not currently aware of any issues in that location. RS requested feedback be provided to all members. JS added in relation to the Stafford Brooks project that the monies received from Highways England was for development work across Stafford where green spaces could be enhanced for wildlife and storage areas identified and was hopeful that major funding could be received for the works. He added that the Wildlife Trust had some money from the EA with regard to Natural Flood Management and were looking at the Upper Sow area, including Eccleshall and were engaging with landowners who were interested in providing flood storage areas. RS added that as flooding was such an issue in the Stafford borough that all members would be interested in receiving further information on this. LB advised that his council officers were undertaking a tactical flooding plan and asked the Eng if he would be prepared to provide a presentation particularly with regards to the River Penk. Eng agreed stating that he would also involve the EA as this was Main River and would make arrangements to organise. RS queried if Stafford would be affected with the flow of water from the Penk. Eng advised that the Penk and Sow did converge but that the water was held around Rickerscote before entering Stafford but that could have an impact dependent upon what was also happening in the River Trent.

- 2021.16** Eng. sought agreement from members to the proposed training session on the 10 March.
All in favour.

HEALTH & SAFETY REPORT

- 2021.17** Information noted. MW asked in relation to Covid were contractors being encouraged to have lateral flow tests and take up the vaccination if offered. Clerk advised they would be encouraged to have the vaccination if offered but that at the current time contractors had not been asked to take tests as generally they were lone working and didn't come into contact with other people. He added that this was continually reviewed and as Government guidance changed contractors were advised accordingly.

ENVIRONMENTAL REPORT

- 2021.18** Nothing to report. JS added that he had nothing to add on behalf of Staffordshire Wildlife Trust as no works had been possible due to the current weather conditions.

ANY OTHER BUSINESS

- 2021.19** AL queried if the River Trent had an IDB. AH responded not to his knowledge.
- 2021.20** AP queried who was responsible for maintenance of roadside ditches if they were man made. AH advised that farmers were responsible unless the County Council had diverted the road and taken responsibility for. MW added that if there was a field then a hedge then the ditch then the responsibility would be the County or Council but if there was a ditch and then the hedge the landowner was responsible. He stated that during the 50's and 60's when funds had been available Councils had started to do the works so farmers now reluctant to take on but stated that discussions needed to be undertaken as if roads were to be kept clear then the ditches needed clearing. AH said when he was involved with CLA it was a big issue but that no one was prepared to enforce the law. RS suggested that if related to South Staffordshire Council then the query should be raised with them. LB added it referred to Action Hill Road and pools occurred on the road in every rainfall event which caused traffic issues and that David Williams and been approached but never delivered on promises to resolve and that was responsibility of Staffordshire County Council. MW asked if a letter could be sent to David Williams on behalf of the Board to highlight concerns with seriousness of flooding. RS & LB agreed with suggestion and Clerk confirmed he would liaise with members to obtain relevant information to enable issue of letter.

2021.21 RS advised that he had received a card from the widow of former member John Hilderley thanking the Board for the letter and flowers that had been sent.

DATE OF NEXT MEETING

2021.22 Confirmed as 2 June 2021 as the County Show postponed to 25 and 26 August 2021.

1.5 Matters arising there from not elsewhere on the Agenda

2. Clerk's Report

Recommendation:

- Members note information contained in the Report
- To approve the Revised Standing Orders Item 2.1
- Approve co-option of new member

2.1 Policy

DEFRA have released a revised set of "Standing Orders" that will allow IDBs to hold virtual meetings in the future. The Order can be found at Appendix A and the Board are requested to approve the document.

2.2 Legislation

Nothing to report.

2.3 Environment Agency

Nothing to report.

2.4 ADA

ADA are working with DEFRA to amend the model land drainage byelaws for IDBs. Once the new model byelaws are formally published, Defra and ADA will set out the process for Boards to adopt the updated byelaws. DEFRA's target date was by the end of April 21.

2.5 Co-Option of Board Member

The Board have been approached by Mr Tim Williams who has expressed an interest in becoming a member of the Board. He farms over 100 acres of land at Acton Trussell. The Board are asked to consider approving his co-option to the Board.

2.6 Board Key Performance Indicators

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

3. Financial Report

Recommendation:

- To note the information contained in this report
- To approve Section 1 of the AGAR
- To approve the Accounts for the Year Ended 31 March 2021
- To approve Section 2 of the AGAR
- To approve the schedule of payments

3.1 Rating Report

Details of the Rates and Special Levies issued, and payments received up to and including 31 March 2021: -

	£	£
Balance Brought forward as at 1 April 2020		826.58
2020/2021 Drainage Rates and Special Levies		
Drainage Rates		11,359.35
Special Levies		
Stafford Borough Council	106,099.00	
South Staffordshire District Council	3,873.00	109,972.00
Total Drainage Rates Due		<u>122,157.93</u>
Less Paid: -		
Drainage Rates		11,605.32
Special Levies		
Stafford Borough Council	106,099.00	
South Staffordshire District Council	3,873.00	109,972.00
Total Drainage Rates Paid		<u>121,577.32</u>
Rate Refunds (overpayments)		<u>294.73</u>
Adjustments		<u>-74.21</u>
Balance Outstanding as at 31 March 2021		<u>801.13</u>

3.2 Schedule of Payments

Payments made since those reported at the previous meeting:

DATE	REF	PAYEE	DESCRIPTION	TOTAL	
				£	
2021					
Jan	4th	-	Lloyds Bank plc	Lloyds Commercial Fees	50.40 *
	6th	-	Lloyds Bank plc	Bank Fees	2.25 *
		-	Lloyds Bank plc	Bank Fees	1.00 *
	13th	38	EVO Payments International	Cardnet Fees	11.58 *
	18th	30	ADA	Annual Subscription	1,039.20
		34	Environment Agency	Flood Defence Levy	2,158.75
		36	JBA Consulting	Management Services	5,307.38
	20th	31	Information Commissioner	Data Protection Registration	35.00 *
	25th	-	Lloyds Bank plc	Bank Fees	1.40 *
	29th	-	Lloyds Bank plc	Bank Fees	3.23 *
Feb	2nd	-	Lloyds Bank plc	Lloyds Commercial Fees	50.40 *
	10th	39	EVO Payments International	Cardnet Fees	11.69 *
	23rd	-	Lloyds Bank plc	Bank Fees	0.20 *
Mar	1st	-	Lloyds Bank plc	Bank Fees	1.90 *
	2nd	40-41	Littlehales Plant Hire Ltd	Maintenance	11,166.07
		42	Schofield Sweeney LLP	Legal Fees - Rate Demands	72.00
	8th	-	Lloyds Bank plc	Lloyds Commercial Fees	50.60 *
	10th	43	EVO Payments International	Cardnet Fees	16.02 *
	23rd	-	Lloyds Bank plc	Bank Fees	1.20 *
	29th	-	Lloyds Bank plc	Bank Fees	1.98 *
Apr	6th	-	Lloyds Bank plc	Lloyds Commercial Fees	50.00 *
	13th	44	EVO Payments International	Cardnet Fees	13.44 *
			Total Amount of all Payments		20,045.69
			* Total Amount of Cheques sent out signed by the Clerk Only		302.29

3.3 Audit

3.3.1 Internal Audit Report

The Internal Audit of the Board's financial statements for the year ended 31 March 2021 is underway and is expected to be completed before the meeting. A copy of the report will be available for inspection at the meeting.

3.4 Annual Governance and Accountability Return (AGAR) Section 1 – Annual Governance Statement 2020/21

Members are asked to review and approve Section 1 of the AGAR which can be viewed at Appendix B.

3.5 Accounts for the Year Ended 31 March 2021

The accounts for the year ending 31 March 2021 are included as a separate item in your pack.

3.6 Budget Comparison for the Year Ended 31 March 2021

	2020/21				2020/21	
Approved Estimate		Actual				
£	£	Todate	£	17 May 2021		
				INCOME		
				Drainage Rates on Agricultural Land:-		
11,354		11,285		6.5p in £ on AV of £170,848	99.39%	
				Special Levy:-		
				Stafford Borough Council		
106,099		106,099		6.5p in £ on AV of £1,595,476	100.00%	
				South Staffs District Council		
3,873		3,873		6.5p in £ on AV of £58,240	100.00%	
0		35,000		EA Grant - Catchment Modelling	0.00%	
<u>200</u>	121,526	<u>238</u>	156,495	Interest etc	118.97%	128.77%
				EXPENDITURE		
8,900		8,635		Flood Defence Levy	97.02%	
30,730		41,401		Catchment Modelling (including Penkridge area)	134.73%	
3,000		0		Biodiversity Action Plan	0.00%	
3,000		0		County Show	0.00%	
79,739		85,964		Maintenance	107.81%	
<u>26,241</u>	<u>151,610</u>	<u>22,837</u>	<u>158,837</u>	Administration	87.03%	104.77%
	(30,084)		(2,342)	Surplus - (Deficit)	7.79%	
	<u>124,300</u>		<u>92,431</u>	Balance Brought Forward	74.36%	
	<u>6,000</u>		<u>6,000</u>	Transfer to Doxey & Tillington Marshes SSSI WLMP ACC		
	88,216		84,088	Balance Carried Forward	95.32%	

3.7 Five Year Budget Estimate

Sow And Penk IDB	0	0	1	2	3	4	5
Revenue Account	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Approved Budget	Estimated Out Turn					
	£	£	£	£	£	£	£
Income							
Drainage Rates	11,342	11,342	11,939	12,365	12,791	12,791	13,218
Special Levies	112,852	112,852	118,792	123,034	127,277	127,277	131,519
Grant In Aid- Catchment Modelling	-	-	-	-	-	-	-
Bank Interest, Other Contributions	300	300	200	200	500	500	500
Total Income	124,494	124,494	130,930	135,599	140,568	140,568	145,237
Expenditure							
Flood Defence Levy	8,900	8,900	8,900	8,900	9,167	9,167	9,167
Administration	26,591	26,591	26,857	27,125	27,397	27,671	27,947
Maintenance of Drains	75,269	75,269	77,527	79,853	82,249	84,716	87,258
Additional Maintenance	6,412	6,412	6,604	6,802	7,006	7,216	7,433
Catchment Modelling	-	-	-	-	-	-	-
Penkridge Modelling Assessment	-	-	-	-	-	-	-
Biodiversity Action Plan	3,000	3,000	3,000	3,000	3,090	3,183	3,278
County Show Budget	3,000	3,000	2,500	2,500	2,500	2,500	1,000
Cont To Derrington							
Total Expenditure	123,172	123,172	125,388	128,181	131,409	134,453	136,083
Surplus/(Deficit)	1,322	1,322	5,542	7,418	9,160	6,115	9,154
Balance Brought Forward	85,872	84,402	81,194	80,736	82,154	85,314	85,429
Balance	87,194	85,724	86,736	88,154	91,314	91,429	94,583
Transfer to Doxey & Till Marshes Account	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Balance Carried Forward	81,194	79,724	80,736	82,154	85,314	85,429	88,583
Doxey & Tillington Marshes Acc	72,155	72,196	76,996	81,816	86,636	91,456	96,276
Penny Rate in £	6.65p	6.65p	7.00p	7.25p	7.50p	7.50p	7.75p
Penny Rate £18,245	63%	62%	61%	61%	62%	61%	62%
	2021/22	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
Doxey & Tillington Marshes Acc	Approved Budget	Estimated Out Turn					
	£	£	£	£	£	£	£
Income							
Transfer from I&E	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Interest	30	30	30	50	50	50	50
Total Income	6,030	6,030	6,030	6,050	6,050	6,050	6,050
Expenditure							
Maintenance	1,230	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	1,230
Surplus/(Deficit)	4,800	4,800	4,800	4,820	4,820	4,820	4,820
Balance Brought Forward	67,396	67,396	72,196	76,996	81,816	86,636	91,456
Balance Carried Forward	72,196	72,196	76,996	81,816	86,636	91,456	96,276

3.8 Annual Governance and Accountability Return (AGAR) Section 2 – Financial Statements 2019/20

Members are asked to review and approve Section 2 of the AGAR which can be viewed at Appendix B.

4. Engineer's Report

Recommendation(s):

- To note the information contained in this report

4.1 Asset Management

4.1.1 Hydraulic Modelling

Thank you to all Members for attending the Training Session on modelling outputs, and thank you to South Staffordshire Council and the Environment Agency for attending a Penkridge specific model meeting earlier in the year.

The Environment Agency are to provide an update on the Main River modelling (including Penkridge) at this meeting which incorporates the IDB modelling data.

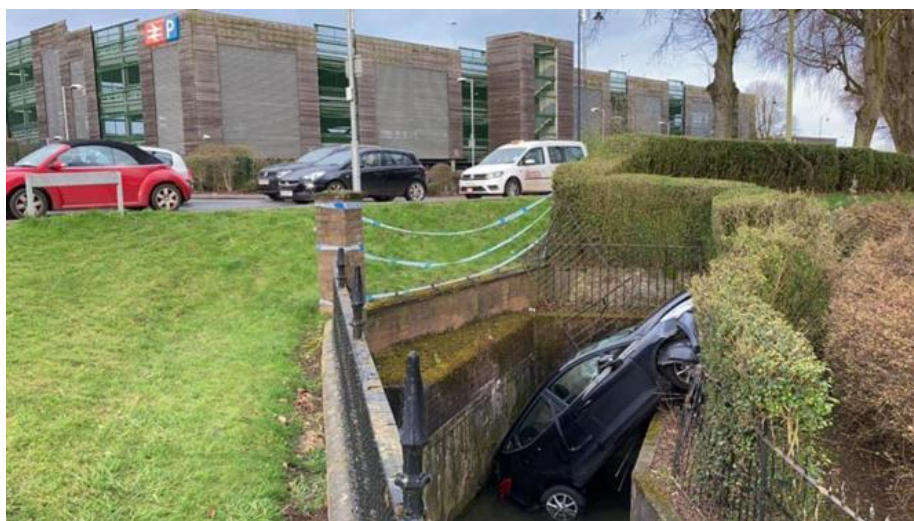
We would envisage that the following areas could be progressed over time as a benefit of the evidence that has been identified through modelling:

- Identifying Main River maintenance opportunities through EA PSCA
- Updating national flood risk mapping (via EA NaFRA2)
- Sharing flood outlines with LLFAs and RMAs
- Sharing of Smart PDFs via website or other streams and promotion
- Pricing Structure for Developers use or adjustment of IDB model / data
- Model maintenance contract (to keep model data / mapping updated)
- Utilising model data for any future capital works business cases
- Utilising model to consider improvement works and/or improved water level management with Staffordshire Wildlife Trust

4.1.2 Ordinary Watercourses

Maintenance is expected to commence from mid-July / early August as well as working with changes to Government guidelines in relation to Covid-19.

An obstruction to flow was identified on Forebridge Drain on 25th March and was removed by Stafford Borough Council. On behalf of the Board, we expressed our sincere thanks to Stafford Borough for their swift action in this incident.



4.2 Community Engagement

4.2.1 Eccleshall Flood Acton Group

The minutes of the meeting from the evening of 25 March 2021 can be found at Appendix C. We provided an overview the IDB, riparian responsibilities and recommended that residents and owners could also contact the National Flood Forum for advice.

An IDB / Riparian presentation and District Plan was provided to the Group and is also shown at Appendix C, as well as the following links and information.

IDB website: [Sow & Penk IDB - Shire Group of IDBs \(shiregroup-idbs.gov.uk\)](https://www.shiregroup-idbs.gov.uk)

National Flood Forum: [National Flood Forum – A charity to help, support and represent people at risk of flooding.](https://www.nationalfloodforum.org/)

EA Guidance on Riparian Responsibilities: [Owning a watercourse - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/owning-a-watercourse)

Enforcement

The IDB may within the Enforcement Process consider serving Notice on the owner occupier or advising any injured parties of their right to apply for an Order from the First-tier Tribunal (Property Chamber):

[Form TALD711: Notice of Application for an Order under the Land Drainage Act 1991 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/form-tald711)

A Notice from the IDB (or Borough Council) would be dependent on priority, severity / evidence of injury being experienced, if multiple owner occupiers on a catchment scale are experiencing injury, or on a system vested under the control of an IDB or Council. To date there has been no evidence of injury (flooding or damage to underdrainage etc.) identified.

The First-tier Tribunal (Property Chamber) is free to submit an Application for an Order with evidence of injury that is not related to a watercourse not vested under the control of an IDB, EA or Council

4.3 Planning, pre-application advice, consents, enforcement

4.3.1 Planning Applications

Our email address for planning enquiries is planning@shiregroup-idbs.gov.uk

Officers have reviewed planning applications between February 2021 and May 2021, of which 4 have required comment on behalf of the Board.

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

Our email address for consent applications is consents@shiregroup-idbs.gov.uk

3 consent application have been received by the Board between February 2021 and May 2021. 1 has been granted and the remaining 2 are currently under consideration.

5. Health and Safety Report

Recommendation:

- Members note information contained in the Report

5.1 Accidents, Incidents and near misses

No accidents, incidents or near misses to report.

5.2 COVID-19

As the country slowly comes out of the lockdown restrictions, the Board's day to day activities remain virtually unaffected.

6. Environmental Adviser's Report

Recommendation:

- Members note information contained in the Report

6.1 Legislation

6.1.1 ELMS and NFM

Within some fora, Defra's intent in promoting Natural Flood Management (NFM) or Working with Natural Processes as a method of managing flood risk has been questioned. The purpose of this information is to advise on the current situation.

Under the Flood & Water Management Act 2010, the Environment Agency is responsible for setting the National Flood & Coastal Erosion Risk Management Strategy for England. The second of these strategies was approved by Parliament in 2020. An Internal Drainage Board (IDB) must have regard to these strategies when formulating its own work programme.

The 2020 National Strategy¹ refers to Flood and Coastal Risk Management activities which could work in combination with traditional flood and coastal defences including natural flood management. The term NFM is referred to multiple times within the National Strategy. It also references the significant evidence of the benefits of working with natural processes which already exists in the Environment Agency's NFM evidence base and case studies. The Government has also published a literature review on the research findings and best practice from stakeholders involved in delivering natural flood management projects. There is a growing number of demonstration projects that improve understanding of NFM techniques and how they can work best in practice. In 2017 the government announced a £15 million pilot programme to learn more about NFM working with communities, land managers, catchment partnerships and coastal groups around England.

An IDB is defined as a Risk Management Authority in the Flood & Water Management Act, which itself amended the Land Drainage Act. As such, an IDB may undertake Flood Risk Management work as set out in the Land Drainage Act 1991 (as amended) if:

14 (A)(6) the purpose of the work is to manage a flood risk in the authority's area from an ordinary watercourse or,

14 (A)(9) (a), (b) or (f), which are:

- (a) to maintain existing works (including buildings and structures) including cleansing, repairing or otherwise maintaining the efficiency of an existing watercourse or drainage work.
- (b) to operate existing works (such as sluice gates or pumps).
- (f) **to monitor, investigate or survey a location or a natural process.**

Clause 14(A)(9)(f) speaks to NFM in managing a flood risk by slowing the flow and reducing the speed peak flows reach urban areas.

IDBs are constituted in parts of the country requiring special drainage, associated with the original role as a Land Drainage Authority to assist with managed drainage of agricultural land.

The new Farming is Changing booklet² released by Defra recently advises the new Environmental Land Management Scheme (ELMS) informs actions that contribute to delivering public goods will include:

- protection from and mitigation of environmental hazards
- mitigation of and adaptation to climate change

Floods and flooding are an environmental hazard, therefore a landowner wishing to employ NFM processes within his land holding, will be offering protection from and mitigation of that environmental hazard.

NFM processes used in association with mitigation of and adaption to climate change could represent actions to include the flooding of grassland which may occur when NFM processes are employed.

Within an IDB District these works will require the consent of the IDB and as such, this Board could agree to work with any ratepayers interested in this ELMS option for providing public good, through that consenting process.

Local Nature Recovery agreements will also pay farmers and land managers for actions that support local nature recovery and deliver local environmental priorities.

Defra is serious about the use of NFM techniques which it sees as a sustainable and cost-effective way in which to manage flood risk, which IDBs as public bodies will be expected to support.

REFERENCES

1. "National Flood & Coastal Erosion Risk Management Strategy" available at:
<https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england--2>
2. "Farming is Changing" available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/939683/farming-changing.pdf

6.2 Policy

Nothing to Report.

7. Any Other Business

8. Date of Next Meeting

17 November 2021.

9. APPENDIX A – Standing Orders

A copy of the draft standing orders along with the certificate from the Secretary of State can be found over the following pages.



Rules made by Sow & Penk Internal Drainage Board with the approval of the Secretary of State under paragraph 3(1) of the Second Schedule to the Land Drainage Act, 1991. The relevant statutory provisions governing the proceedings of an Internal Drainage Board are set out in the Annex to these Rules for reference purposes

Regulations as to Proceedings

1. Meetings of the Board, for which 14 days notice will be given, will be open to the public and press who will on the invitation of the Chairman be able to speak at the meeting. The Board can name a resolution to exclude the public and/or press from a meeting or part thereof:-
 - a) The Board will hold an Annual Public Meeting at which the election of Chairman and Vice Chairman will be made.
 - b) The Board will hold a meeting at which the drainage rate and special levies will be set to enable the latter to be served on the special levy council by no later than the 15th February in respect to the following financial year.
 - c) In the event of the need for an emergency meeting the notice will be waived.
2. For each meeting, other than for one arranged as an emergency meeting, members will receive an Agenda and any accompanying papers by post or other means despatched at least seven days before the meeting.
3. No business shall be transacted by the Board, other than that which appears on the Agenda, unless 75% of the members present agree to any such additional issue being discussed.
 - a) A formal meeting of the Board cannot be conducted unless one third (5) members are present at the start of and during the meeting. If departures reduce the number below one third (5) then the Chairman will terminate the meeting at that point.
 - b) All resolutions and proposals will be decided by a majority of votes of the members present.
 - c) In the case of an equality of votes at any meeting, the Chairman for the time being of such meeting shall have a second or casting vote.
4. The Board shall choose to meet at a place to be confirmed on the Agenda, including: in person, by remote attendance, or a combination of the two. A place where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. A member in remote attendance is present if they are able at that time——
 - (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
 - (b) to hear, and where practicable see, and be so heard and, where practicable, been seen by any members of the public entitled to attend part or all, of the meeting.



Sow & Penk

Internal Drainage Board

5. The Board shall, as soon as they conveniently can, appoint a Chairman and Vice-Chairman. The term of office of such Chairman and Vice-Chairman shall continue until the first meeting of the Board after the next election following his appointment.
6. If any vacancy occurs in the office of Chairman or Vice-Chairman, the Board shall as soon as they conveniently can after the occurrence of such vacancy, choose someone of their number to fill such vacancy.
7.
 - a) At any meeting of the Board the Chairman, if present, shall preside.
 - b) If the Chairman is absent from a meeting of the Board, the Vice-Chairman, if present, shall preside.
 - c) If at any meeting of the Board both the Chairman and Vice-Chairman are not present at the time the members present shall choose someone of their number to be Chairman of such meeting.
8. The Board shall cause Minutes to be made of all meetings and recorded in an appropriate form:-
 - a) of all appointments of Officers made by the Board
 - b) of the names of the members present at each meeting of the Board and Committees or Sub-Committees of the Board
 - c) of all orders made by the Board and Committees or Sub-Committees of the Board, and
 - d) of all resolutions and proceedings of meetings of the Board and of Committees or Sub-Committees of the Board.

The Board will approve, with or without amendment, the minutes of the preceding meeting and these will be duly signed by the Chairman together with any financial statements presented at that meeting.

9. All proceedings, resolutions and reports of every Committee or Sub-Committee intended to be laid before the Board shall be circulated among the members of the Board at least seven days before the meeting of the Board at which the same are to be submitted.

Committees or Sub-Committees

10. The Board may appoint such Committees or Sub-Committees as they think fit but all acts of any Committee or Sub-Committee shall be subject to the approval of the Board unless the Board has delegated its powers to that Committee or Sub-Committee to deal with a specific issue.
11. A Committee or Sub-Committee may elect a Chairman of their meetings. If no such Chairman is elected, or if he is not present, the members present shall choose someone of their number to be Chairman of such meeting.



12. A Committee or Sub-Committee may meet and adjourn as they think proper. Proposals at any meeting shall be determined by a majority of votes of the members present. In case of any equal division of votes the Chairman shall have a second or casting vote.
13. Regulations 8 and 9 shall apply to minutes of Committees and Sub-Committees.

Standing Orders Order of Debate

14. Every proposal or amendment, other than a proposal for the approval of a Committee or Sub-Committee, shall be proposed and seconded and shall, if required, be submitted to the Chairman who shall read it out before it is further discussed or put to the meeting.
15. The Chairman will invite members to speak on the subject under discussion.
16. Members must declare where they have an interest in a matter to be discussed, the Chairman then deciding what if any part the member can take in any ensuing discussion and whether the member can vote.
17. A proposal or amendment once made shall not be withdrawn without the consent of the Board.
18. Every amendment shall be relevant to the proposal to which it is applied.
19. Whenever an amendment upon an original resolution has been proposed and seconded, no second or subsequent amendment shall be moved until the first amendment shall have been dealt with but notice of any number of amendments may be given.
20. If an amendment is rejected then other amendments may be proposed on the original resolution or proposal.
21. If an amendment is carried the proposal as amended shall take the place of the original proposal and shall become the question upon which any further amendment may be moved.
22. No proposal to rescind any resolution which has been passed within the preceding six months, nor any proposal to the same effect as any proposal which has been negatived within the preceding six months shall be in order unless: (a) notice thereof has been given and specified in the Agenda and (b) the notice bears, in addition to the name of the member who proposed the resolution, the names of two other members; and when such resolution or proposal has been disposed of by the Board, it shall not be competent for any member to propose a similar proposal within a further period of six months.
23. Order 23 shall not apply to proposals which are moved by the Chairman or other members of the Committee or Sub-Committee in pursuance of the report of the Committee.



Sow & Penk

Internal Drainage Board

Common Seal

24. The Common Seal of the Board shall be kept in some safe place. All deeds and other documents to which the Common Seal of the Board shall require to be affixed shall be sealed in pursuance of the Board, and in the presence of both the Chairman and the Chief Executive of the Board.
25. Copies of all sealed documents must be retained.

Suspension of Standing Orders

26. Any one or more of the standing orders, in any case of urgency or upon resolution or proposal made on a notice duly given, may be suspended at any meeting, so far as regards any business at such meeting, provided that 75% of the members of the Board present and voting are in agreement.

STATUTORY PROVISIONS REGARDING THE PROCEEDINGS OF AN INTERNAL DRAINAGE BOARD SET OUT IN PARAGRAPH 3 OF SCHEDULE 2 TO THE LAND DRAINAGE ACT, 1991.

Proceedings of internal drainage board

3. (1) An internal drainage board may, with the approval of the relevant Minister, make rules—
 - (a) for regulating the proceedings of the board, including quorum, place of meetings and notices to be given of meetings;
 - (b) with respect to the appointment of a chairman and a vice-chairman;
 - (c) for enabling the board to constitute committees; and
 - (d) for authorising the delegation to committees of any of the powers of the board and for regulating the proceedings of committees, including quorum, place of meetings and notices to be given of meetings.
 - (2) The first meeting of an internal drainage board shall be held on such day and at such time and place as may be fixed by the relevant Minister; and the relevant Minister shall cause notice of the meeting to be sent by post to each member of the board not less than fourteen days before the appointed day.
 - (3) Any member of an internal drainage board who is interested in any company with which the board has, or proposes to make, any contract shall—
 - (a) disclose to the board the fact and nature of his interest; and
 - (b) take no part in any deliberation or decision of the board relating to such contract;
- and such disclosure shall be forthwith recorded in the minutes of the board.
- (4) A minute of the proceedings of a meeting of an internal drainage board, or of a committee of such a board, purporting to be signed at that or the next ensuing meeting by a person



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Internal Drainage Board

describing himself as, or appearing to be, the chairman of the meeting to the proceedings of which the minute relates—

- (a) shall be evidence of the proceedings; and
- (b) shall be received in evidence without further proof.
- (5) Until the contrary is proved—
 - (a) every meeting in respect of the proceedings of which a minute has been so signed shall be deemed to have been duly convened and held;
 - (b) all the proceedings had at any such meeting shall be deemed to have been duly had; and
 - (c) where the proceedings at any such meeting are the proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute.
- (6) The proceedings of an internal drainage board shall not be invalidated by any vacancy in the membership of the board or by any defect in the appointment or qualification of any member of the board.

At the meeting of the Board held on 1 June 2021 the Board Resolved to accept the foregoing Standing Orders.

..... **Chairman**

..... **Clerk**

**RIVER LUGG, EARBY & SALTERFORTH, SOW AND PENK, GOOLE &
AIRMYN, ANCHOLME, GOOLE FIELDS DISTRICT INTERNAL
DRAINAGE BOARDS, AND SCUNTHORPE & GAINSBOROUGH WATER
MANAGEMENT BOARD**

STANDING ORDERS

The Secretary of State for Environment, Food and Rural Affairs, by virtue of the power contained in paragraph 3 of Schedule 2 to the Land Drainage Act 1991, HEREBY APPROVES these standing orders.



C A Tidmarsh
for and on behalf of the
Secretary of State
Date: 29 April 2021

10. APPENDIX B –Sections of the AGAR

Copies of the relevant sections of the Annual Governance & Accountability Return can be found over the following pages.

Section 1 – Annual Governance Statement 2020/21

We acknowledge as the members of:

SOW & PENK INTERNAL DRAINAGE BOARD

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2021, that:

	Agreed		'Yes' means that this authority:
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			✓

*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

DD/MM/YY

and recorded as minute reference:

MINUTE REFERENCE

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

SIGNATURE REQUIRED

Clerk

SIGNATURE REQUIRED

WWW.SHIREGROUP-IDBS.GOV.UK

ENTER FULL AVAILABLE WEBSITE/WEBPAGE ADDRESS

Section 2 – Accounting Statements 2020/21 for

SOW & PENK INTERNAL DRAINAGE BOARD

	Year ending		Notes and guidance
	31 March 2020 £	31 March 2021 £	
1. Balances brought forward	183,484	153,755	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	118,434	121,257	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	618	35,308	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	0	0	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	148,781	158,837	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	153,755	151,483	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	155,559	153,004	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	0	0	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
			<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2021 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

SIGNATURE REQUIRED

Date

DD/MM/YY

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

as recorded in minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where the Accounting Statements were approved

SIGNATURE REQUIRED

11. APPENDIX C - Eccleshall Flood Acton Group

Copies of the minutes can be found over the following pages, along with the presentation made on 25 March 2021 and the District Plan.

ECCLESHALL FLOOD ACTION GROUP

Draft Minutes of the Eccleshall Flood Action Group Public Zoom Meeting

7pm, Thursday 25th March 2021

Present: Stuart Perren (Chairman), Chris Archer, Sue Bramall, David Cadman, David Chare, Steven Duffield, Steve Hall, Paul Jones, Kath Lynch, Jeremy Pert, Tina Price, Antony Reid, Luke Serjeant, Ros Taylor and members of the public.

1. WELCOME

SP - Welcomed everyone to the meeting, particularly the guests and members of the public.

SP Introduced:

- David Cadman – Senior Conservation Manager, Staffordshire Wildlife Trust.
- Paul Jones - Shire Group of Internal Drainage Boards, Engineer.
- Councillor Jeremy Pert – Staffordshire County and Stafford Borough Councillor.
- EFLAG members.

2. APOLOGIES

- Chris Archer – Lead Local Flood Authority.
- Rob Ellam – Bovis Homes.
- Liz Fowler – Environment Agency.
- John Leather – Eccleshall Parish Councillor.
- Paul Less – Staffordshire County Council.
- Jeremy Lowe – National Farmers Union.

3. KEY ISSUES

SP gave the background on EFLAG and a summary of flooding in the area.

Problems relate to inadequate drainage and more frequent and intense rain events.

EFLAG Action Plan / Progress report provides documentary evidence of floods and their impacts, together with actions undertaken by various agencies. Actions are driven by impact.

The document has been shared with the Environment Agency, Staffordshire County Council Highways, Shire Group of Internal Drainage Boards, Staffordshire Wildlife Trust, Severn Trent Water and Stafford Borough Planning Department, National Farmers Union and Bovis Homes.

It is available on request.

Key Issues at present.

- **Stafford Street / Castle Street**
STW undertaking mapping.
- **Slindon**
Residents are suffering from flooding, in particular one family who are now living in a caravan.
- **Sancerre Grange / Catholic Church land and residential premises.**
Cllr. JP - Despite his own views on the causes of flooding **Cllr. JP** does not think they are relevant as it would require something conclusive to bring Bovis Homes back to the table.
SP – Contact with Rob Ellam (BH) who has responded, however, various issues and queries remain and the company for whatever reason do not reply to correspondence.
Cllr. JP - Bovis development is having to deal with the surface water from the roundabout on Stafford Rd, that would previously have drained into the Stafford Rd system.
Future planning applications should include details of the run-off area taken into account, as well as the undeveloped site, when designing the attenuation ponds.
- **Stone Road**

Cllr. JP reported that SCC had signed off £250,000 to add some additional drainage to the Stone Road and to take surface water out to the Sow. It will take in to account some work with the Catholic Church who are looking at putting in some attenuation ponds.

The drainage will run parallel with the existing system on the other side of the road creating additional capacity.

The system runs from the Catholic Church to the Burgage and out to the foul system at the back of the Burgage.

Separate actions have been agreed with Fletchers Garden Centre, where the drainage runs towards the foul system at Blurtons Lane.

Work is expected to begin on April 19th 2021.

SH requested further details regarding the scheme in terms of drawings, explanations and expected outcomes.

Cllr. JP will inform the County Council Officers of the request.

- **Linacre Road / Green Lane**

STW currently mapping the area.

- **Castle Mews car park / A519**

CA enquired as to whether the IDB could help in coordinating the cleaning of the ditches by Castle Mews.

PR The castle Mews car par attenuation tank pumps into a drainage ditch. The ditch has never seen any flow. Dredging the ditch just makes it deeper but doesn't increase the flow. There appears to be an adverse flow, on the other side of the A519 where the ditch joins the river.

The area needs surveying.

TP will take photos and look at the area with **SP**.

- **Proposed housing development on land off Castle Street**

CA water appears to be flowing the wrong way from east to west across the A519.

LS agreed and reported it was contrary to the documents submitted for the planning application.

A foul water drain runs across the middle of the site, in recent floods a manhole cover has blown putting foul water across the field, into the ditches and the larger group of trees outside the site. There is no direct route to the Sow, so it is being absorbed into the field, gradually leaching into the Sow.

SP – EFLAG will carefully monitor documents submitted for the application.

Cllr. JP There should be a strong push for the appropriate measures to be taken into account for drainage. Reference should be made to letters submitted to the planning inspectorate highlighting flood risk.

- **River Sow where it passes under the A519**

See Castle Mews bullet point.

IDB hope to work with EA in progressing works in the river near to the A519 road crossing, from June onwards.

- **Footpaths 13 and 15.**

Not discussed.

4. OVERVIEW OF THE IDBS

Paul Jones Overview of IDB role in the area.

Sow and Penk IDB constituted and formed under the land drainage act in 1996.

From 1996 the IDB has a specific boundary that it manages to a degree, the boundary follows the main River corridor.

Main rivers such as the Sow and Penk are classed as a main river under EA control.

The IDB is an independent public authority that reports to Defra and Central government.

IDB is made up of 20+ members including council representation, SWT and landowners across 4500 hectares from Eccleshall to Penkridge, covering 40kms of ordinary water courses (open water course or ditch other than the main river).

IDB role is to consider enforcement of riparian responsibilities.

It works with all risk management authorities e.g. EA, Borough, Staffordshire CC, South Staffordshire and the Wildlife Trust.

Improvement schemes proposed on a catchment scale would need to seek funding and be initiated by the Borough or public organisation.

Presently working with the EA while they are updating their hydraulic modelling across the whole district, including Eccleshall and Meece Brook, details are expected in June.

A prepared presentation, website links and maps will be forwarded.

5. STAFFORDSHIRE WILDLIFE TRUST

David Cadman.

Senior Conservation Manager, Staffordshire Wildlife Trust and local resident.

Role to enhance the magnificent river catchment.

The Sow has some of the most important, nature rich, biodiversity rich sites in the county and is a catchment sensitive farming area.

A catchment that is susceptible to rapid changes in agricultural practice.

Sow is in poor condition due to excessive phosphates and poor biological indicators.

Magnificent sites in the area but they are failing in condition.

Staffordshire Wildlife Trust is working with partners, primarily the EA, but also IDB, County Council and Natural England.

Accrued funding in the region of £25000.

Looking at how they can remedy some of the flooding caused by surface runoff and inadequate SuDS systems, but also through increased rainfall due to climate change.

SWT with the Highway agency and Highways England are working on how to create a series of sponges to absorb the water and slow the flow.

Also working with landowners from Copmere, Blore Pipe and Fair Oak on how to store water on their land, and will do the same from Eccleshall into Stafford.

The aim is to help during flash floods, improve biodiversity and water quality.

SWT are working with an agency contractor ARUP, who are currently redrawing the flood model of Eccleshall.

Castle Street development may warrant a second look once the new flood model is complete.

6. HEDGES AND DITCHES

SP – read the attached e-mails from **Jeremy Lowe** NFU

Flooded fields e.g. Green Lane are occurring as fields are larger in area, ditches filled in and inadequate drains.

Cllr. JP – In the past the County Council funded farmers to maintain ditches.

The changes in farming practices and land management as part of the New Deal that preplaces the Common Agricultural Policy are an opportunity to try new ideas.

Partnership work is recommended, encouraging sensitive land management.

DC – The Wildlife Trust are operating a water environment grant that is particularly focused on the Upper Sow area aimed at mitigating floods.

7. RIPERIAN RESPONSIBILITY.

PJ A riparian owner has rights and responsibilities. The responsibilities are to permit flow without obstruction and to accept flow flows through the land regardless of boundaries.

Powers that are vested under the control of an IDB or a borough council under the land drainage act, would be to pursue removal of an obstruction in an existing water course.

The legislation is predominantly about maintaining existing flows not necessarily powers to enforce improvements.

A possible route for any civil action will be through the first tier tribunal.

The tribunal would consider whether to serve an order or notice on the other owner occupier to cleanse their system, if it was a clear cut case of clear obstruction to flow.

Every owner occupier has a responsibility to maintain and cleanse their systems to avoid injury to others upstream.

8. LLFA ROLES AND RESPONSIBILITIES

PJ The LLFA would instigate any section 19 flood reporting for internal property flooding.

SB - Enquired when the policy of LLFA to only investigate internal flooding of 5 or more properties will be reviewed.

Cllr. JP – Suggested contacting **Chris Archer** (LLFA) regarding any review of policy.

LLFA report to the Council sub-committee – Prosperous Staffordshire.

9. FLOOD BARRIERS

SP – written to LLFA regarding funding.

SD – businesses have enquired about schemes/grants for flood barriers

SP – will collate information regarding costs of barriers and potential recipients.

10. REPORTING

SP – Inadequate STW reporting systems. Suggestions for improvement will be forwarded by **Steve Allmark** (STW) to the digital team.

SH & PS – Problem knowing who is responsible for a particular drain.

Cllr. JP - Report to STW unless you definitely know it isn't a STW drain.

An overview is required about the issues of flooding, their frequency and severity. Pressure needs to be maintained on the relevant authorities.

AR – SWT need to be informed during the intense rainfall event.

Report to CCH with photos regarding broken drains and blocked gullies.

SP – Report all issues to EFLAG, a record will be kept and forwarded to the relevant authorities.

11. PLANNING PERMISSION

SH – The onus on the planning authorities and LLFA should be to try to consider and possibly solve problems before permission is granted.

Section 106 agreements might be used to fund solutions.

The department either doesn't have the authority or will to pursue the possible issues at the planning stage.

Cllr. JP – Unlikely that a Section 106 would be used, instead there is an onus on the developer to mitigate any potential impact.

Cllr. JP met with Chief Executive of the County Council and the Borough Council and John Holmes to discuss improvements in the approving of planning applications due to the lack of background work and the likely wider effects.

Wider impacts should be taken into account in terms of the local plan review.

Taylor Wimpey has the option on the land off Shaws Lane, but it is of no value to Taylor Wimpey unless they get planning permission.

The Local Plan for Stafford is currently under review and will go through consultation phases, it is recommended that EFLAG make comments on the proposals at the appropriate time.

There needs to be alignment between the borough's plan which takes primacy and the actual neighbourhood plan.

There is a process at some stage to review where development goes. Currently, the proposal is to look at centralising development on a garden settlement, rather than spreading it all around the borough. A garden settlement is one of five options.

12. ANY OTHER BUSINESS / ADDITIONAL ISSUES

SHAWS LANE FLOODING

PS Residential property has flooded 3 times in the last 14 months. Twice internally, other properties also affected.

Although drainage on property is not adequate it is not the whole problem.

Water is flowing off the field which has no ditches.

Does the Council have the authority to send notices to improve drainage on land.

Cllr. JP - Civil matter, as it is two adjacent landowners who have a problem with flooding, one person is passing it on to the other.

PS needs to know who is responsible for the drains on Shaws lane to gain permission to link up with his own potentially new drainage.

After a year of contacting SCC Highways, Stafford Borough Council and STW there is still no clarity on who is responsible for the drains, consequently **PS** is unable to organise a contractor and has concerns regarding the insurance and value of his property.

PJ - recommended contacting The National Flood Forum for advice and support.

SP The runoff from the field also floods part of Shaws Lane.

Cllr. JP – Has requested a response from the Highways department.

SP – Will arrange a site visit when restrictions allow.

PS – A council flood report was completed online regarding the flooding, but there has been no follow up.

MILL MEECE

SP there is a problem with water getting onto the railway line.

Cllr. JP Network Rail investigations are taking place along the line from Hatton waterworks, with cameras on many of the junctions

National Flood Forum

Cllr. JP – recommended EFLAG reconnect with The National Flood Forum as they are becoming more influential in terms of lobbying on planning terms.

Gullies

CA – Enquired as to when further action would be taken regarding blocked gullies that could not be cleaned by the regular gully cleaner.

Cllr. JP – A gully in Castle St has been discussed today with SCCHighways.

If the gully is unable to be cleaned it is reported, different teams then respond, dependent upon the work required.

AR Rural flooding is occurring in Outlands, to the west of Eccleshall.

SP – Photo evidence, if in the area, will investigate if the residents request help.

13. THANKS

SP Thanked everyone for attending and contributing to the meeting especially **Paul Jones, David Cadman** and **Councillor Jeremy Pert**, for their invaluable input.

Cllr. JP – thanked **Chris Archer** for his hard work over the past 4 years as Chairman of EFLAG especially for securing the funding of flood defences.

Philip Stenning was very grateful to **Cllr. JP** for his help in relation to the flooding of his land and property.

14. DATE OF NEXT MEETING

To be arranged.



Sow & Penk

Internal Drainage Board

Drainage District

presentation for

Eccleshall Flood Action Group

Community Engagement



Shire

Group of IDBs



 Ancholme IDB

 Goole & Airmyn IDB

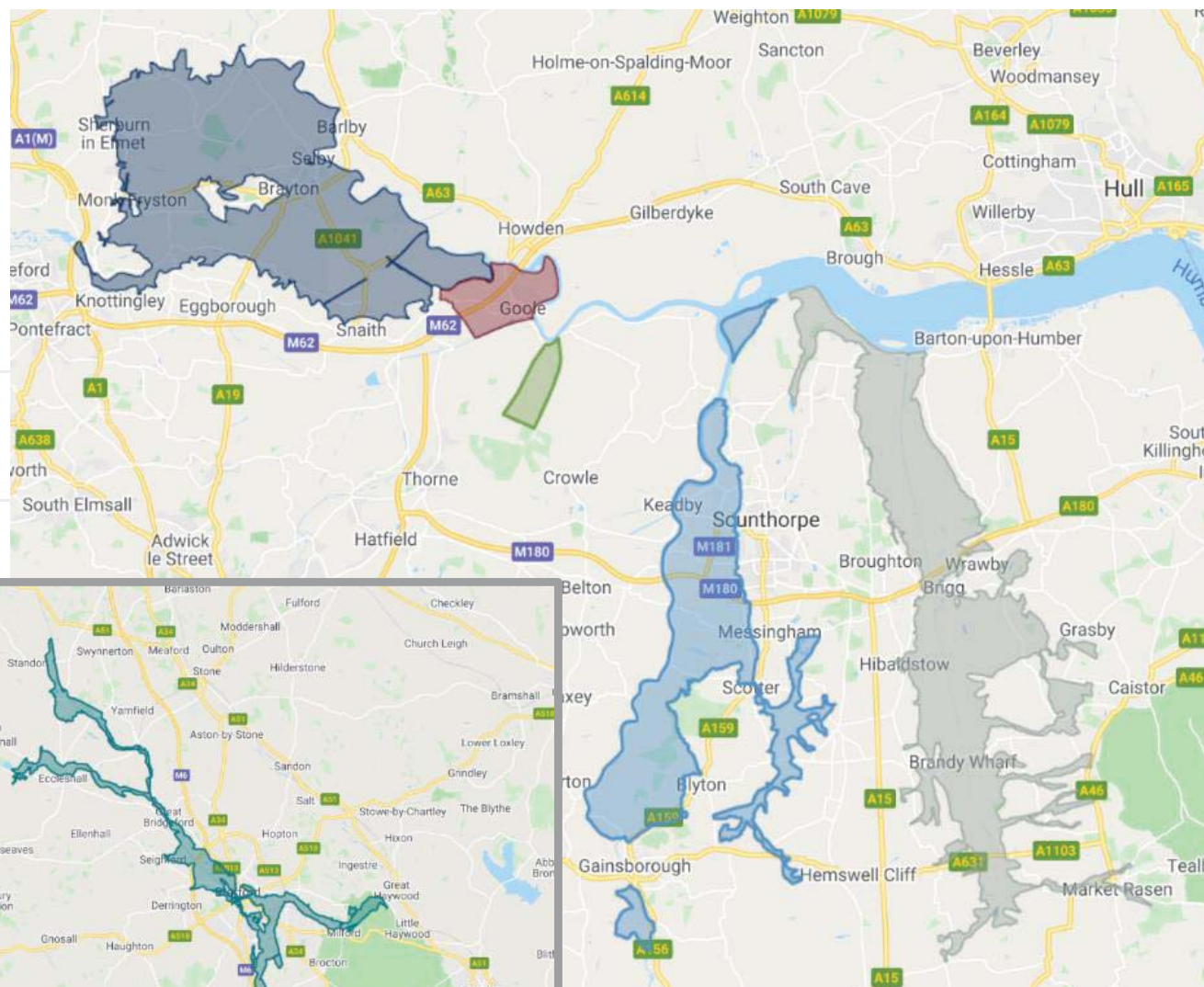
 Goole Fields DDB

 Kyle & Upper Ouse IDB

 Scunthorpe & Gainsborough
WMB

 Selby Area IDB

 Sow & Penk IDB



Drainage District

[Sow & Penk IDB - Shire Group of IDBs \(shiregroup-idbs.gov.uk\)](http://shiregroup-idbs.gov.uk)



Sow & Penk
Internal Drainage Board

District

4,581ha

Ordinary Watercourses

40km

Pumping Stations

0

Ratepayers

165

Board Members

13

Elected Members

6

Nominated Members

7

Chairman

Ray Sutherland

Vice-Chairman

Andrew Harp

Clerk

Craig Benson (JBA Consulting)

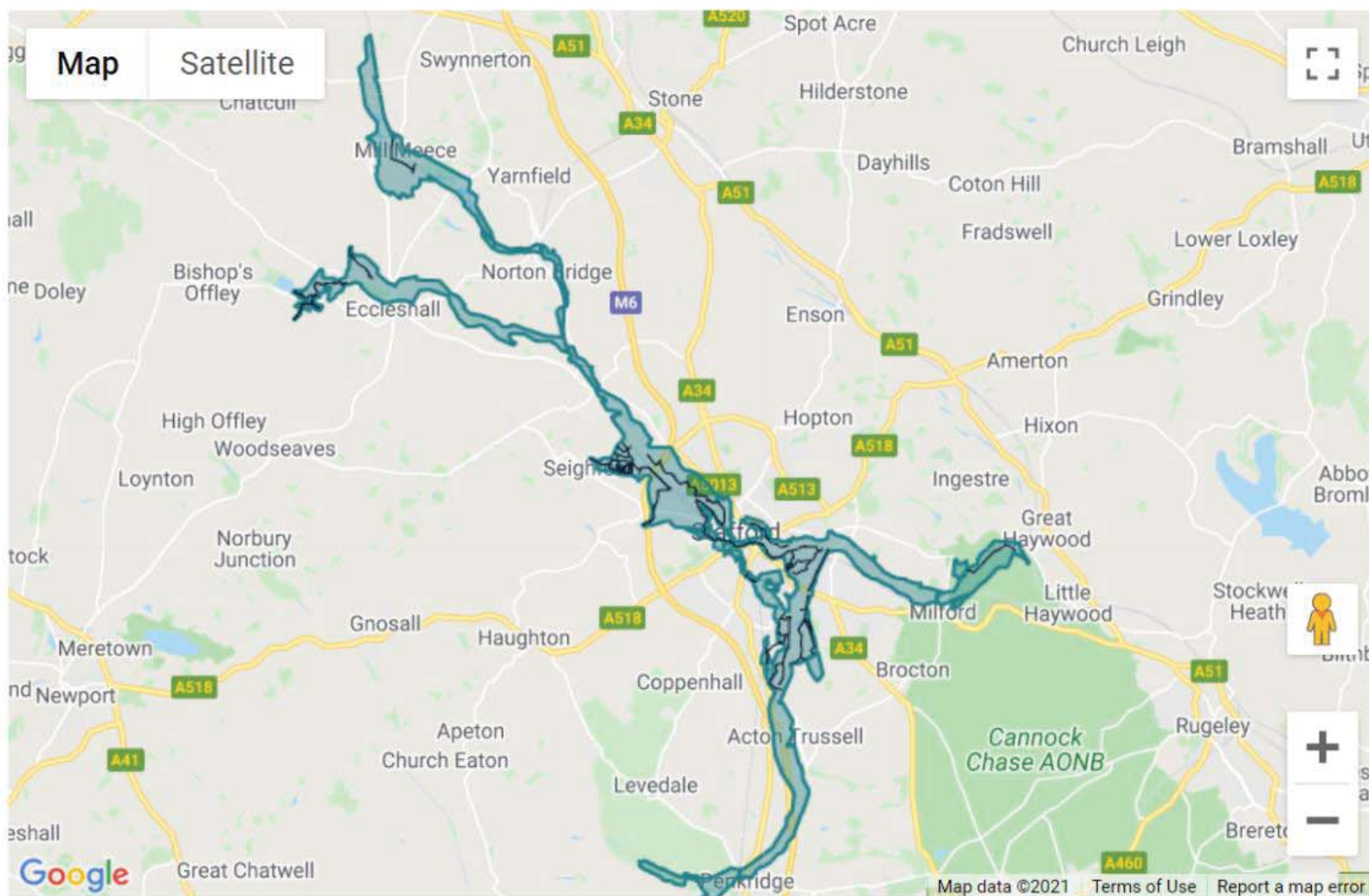
Engineer

Paul Jones (JBA Consulting)

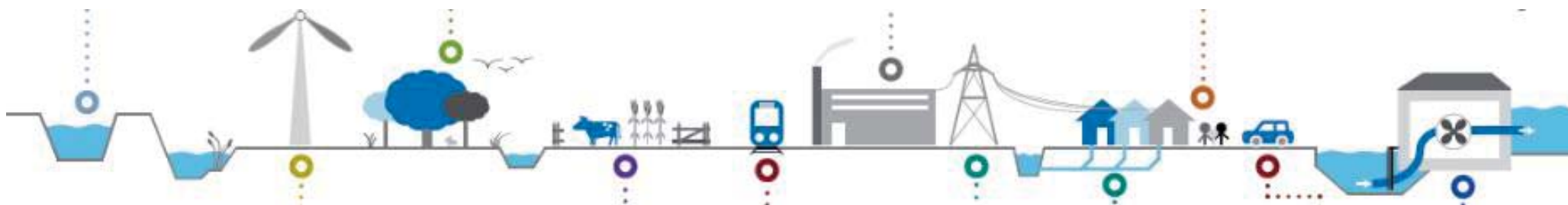
Financial Officer

David Blake (JBA Consulting)

The IDB is a public authority managing water levels within the District and Ordinary Watercourses shown below.



Drainage District



Why are IDBs so Important to the UK (ADA, 2013)



IDB Overview

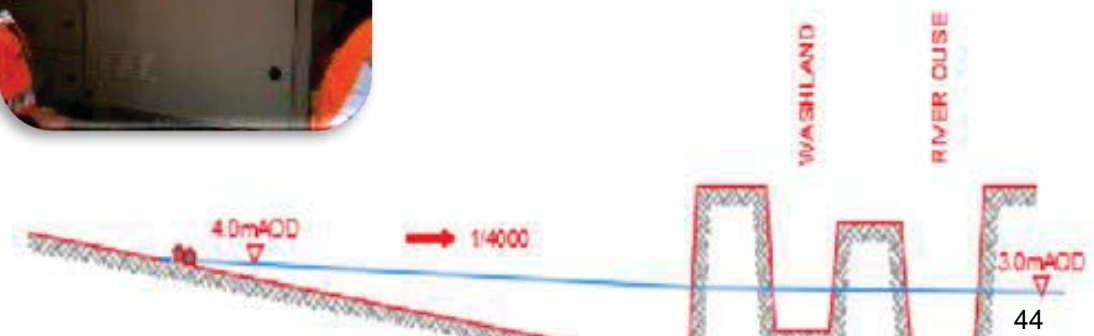
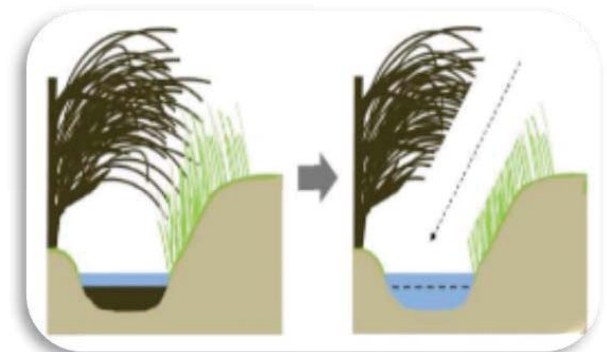
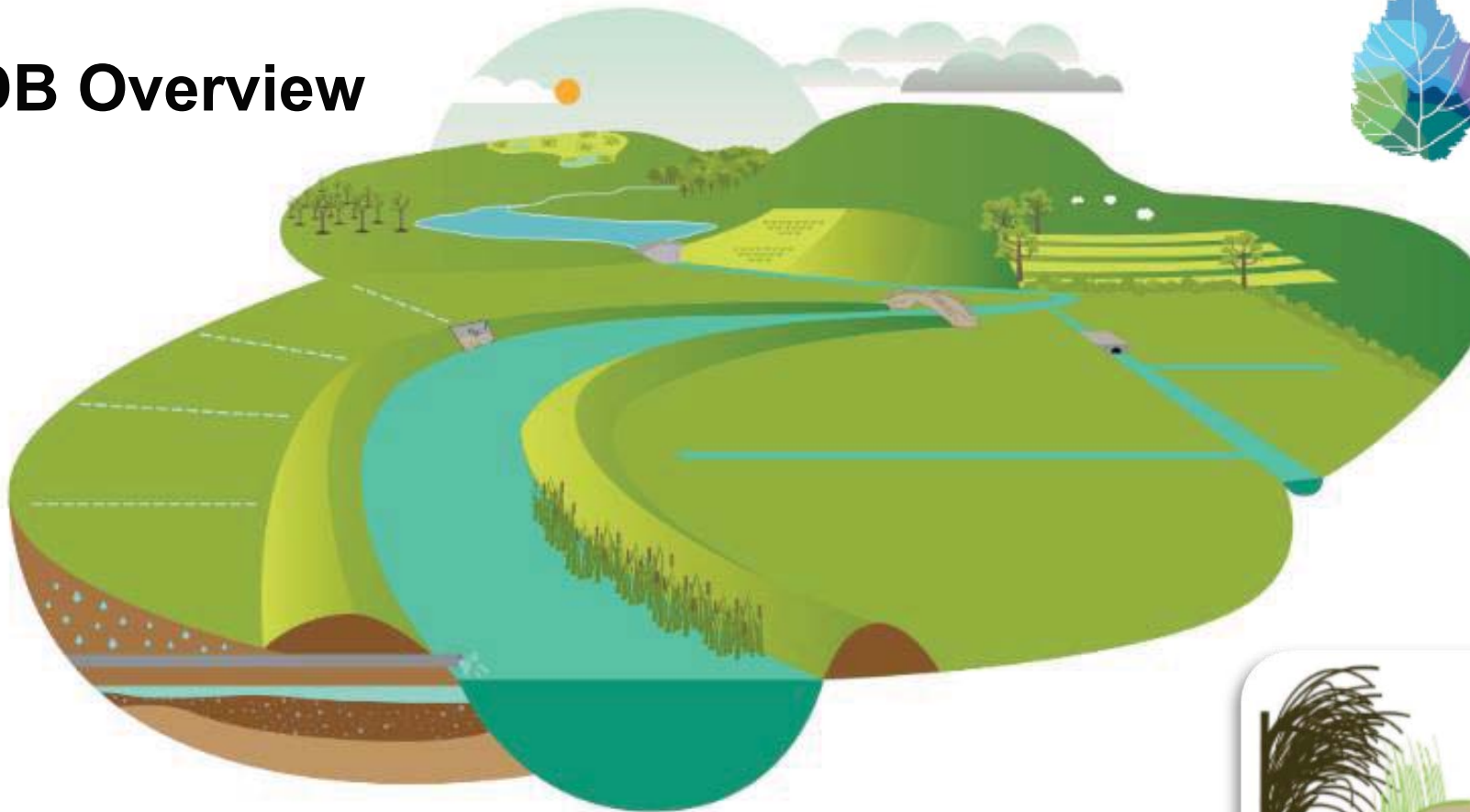
- IDB's **formed** through Constitution Orders under the *Land Drainage Act*.
- **Purpose** is to protect people and property against river and surface water flooding through *water level management* within the *Drainage District*.
- **Roles and responsibilities** under *LDA*, *Flood & Water Management Act*, *Flood Risk Regulations*, *Public Bodies Bill*, *FCERM*, *Water Framework Directive*
- They **fulfil their role** through maintaining *Ordinary Watercourses* and *pumping stations* to convey rainfall to Main River.
- **Funded** through *drainage rates* and *special levies*.
- **Report to Defra**, and *EA* has a **supervisory** role.



IDB Overview



Shire
Group of IDBs

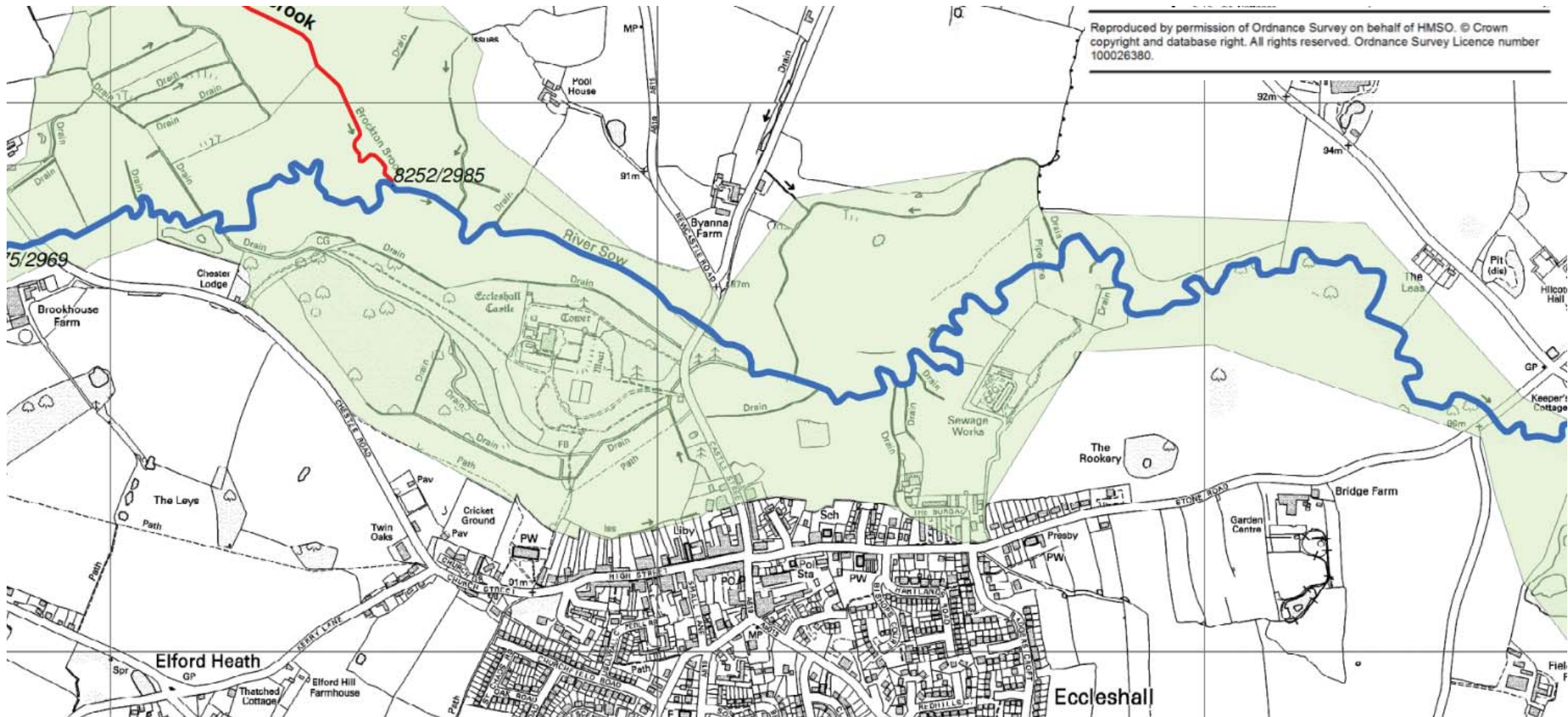


Drainage District

Eccleshall Catchment



Sow & Penk
Internal Drainage Board



Obstruction to Flow

Examples



Photo: 2_1_12_10012019_144159_A.jpg
39m, Roots, mass, 80% cross-sectional area loss



External Flood Risk



Internal Flood Risk



Riparian Owners: Overview

A **watercourse** includes all **rivers**, streams, **ditches**, drains, cuts, **culverts**, dikes, **sluices**, sewers (other than public sewers) and **passages, through which water flows** (LDA, s72).

An **Ordinary Watercourse** is defined as **any watercourse** other than a Main River (LDA, s72).

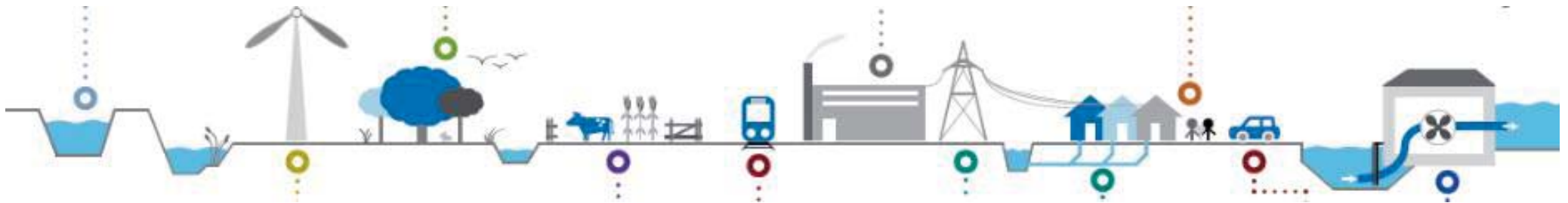
Who is responsible for maintaining Ordinary Watercourses?

Who is the riparian owner?

What is the IDB role in maintenance?

Riparian Owners: Rights

- To **protect** your property from **flooding** (with approval from LA, EA, IDB)
- To **protect** your land from **erosion** (with approval from IDB)
- To **discharge** water (with approval from IDB)
- To **abstract** water (with approval from EA)

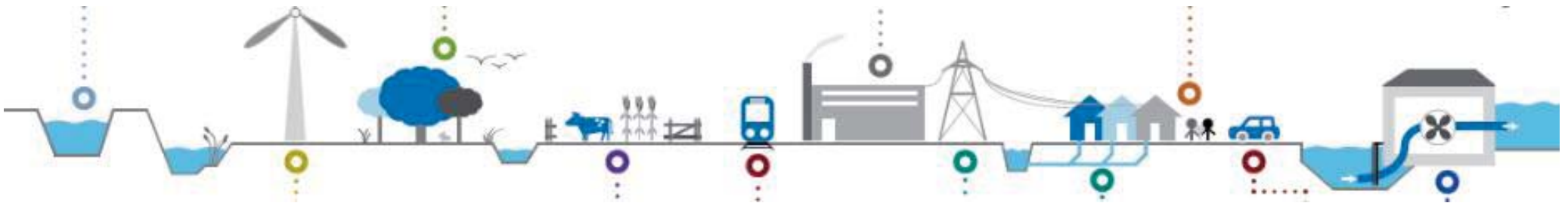


Why are IDBs so Important to the UK (ADA, 2013)

- To **divert** waters (with approval from IDB, EA)
- To **fish** (with approval from EA)

Riparian Owners: Responsibilities

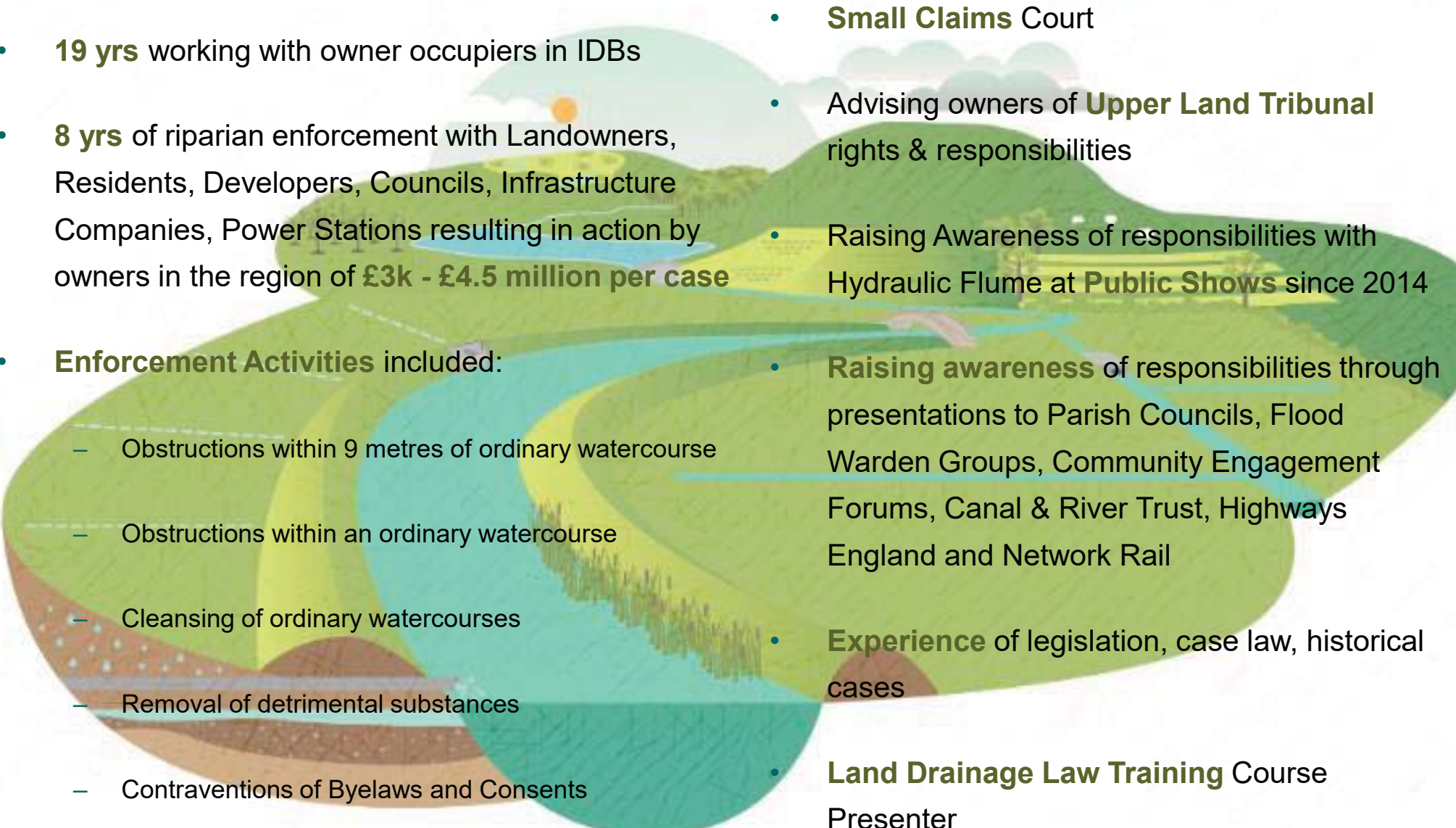
- To **permit** flow without **obstruction**
- To **accept** flood flows through your **land**
- To keep the **banks clear** of anything that could cause an **obstruction**
- To keep **structures** such as culverts, trash screens **clear of debris**



Why are IDBs so Important to the UK (ADA, 2013)

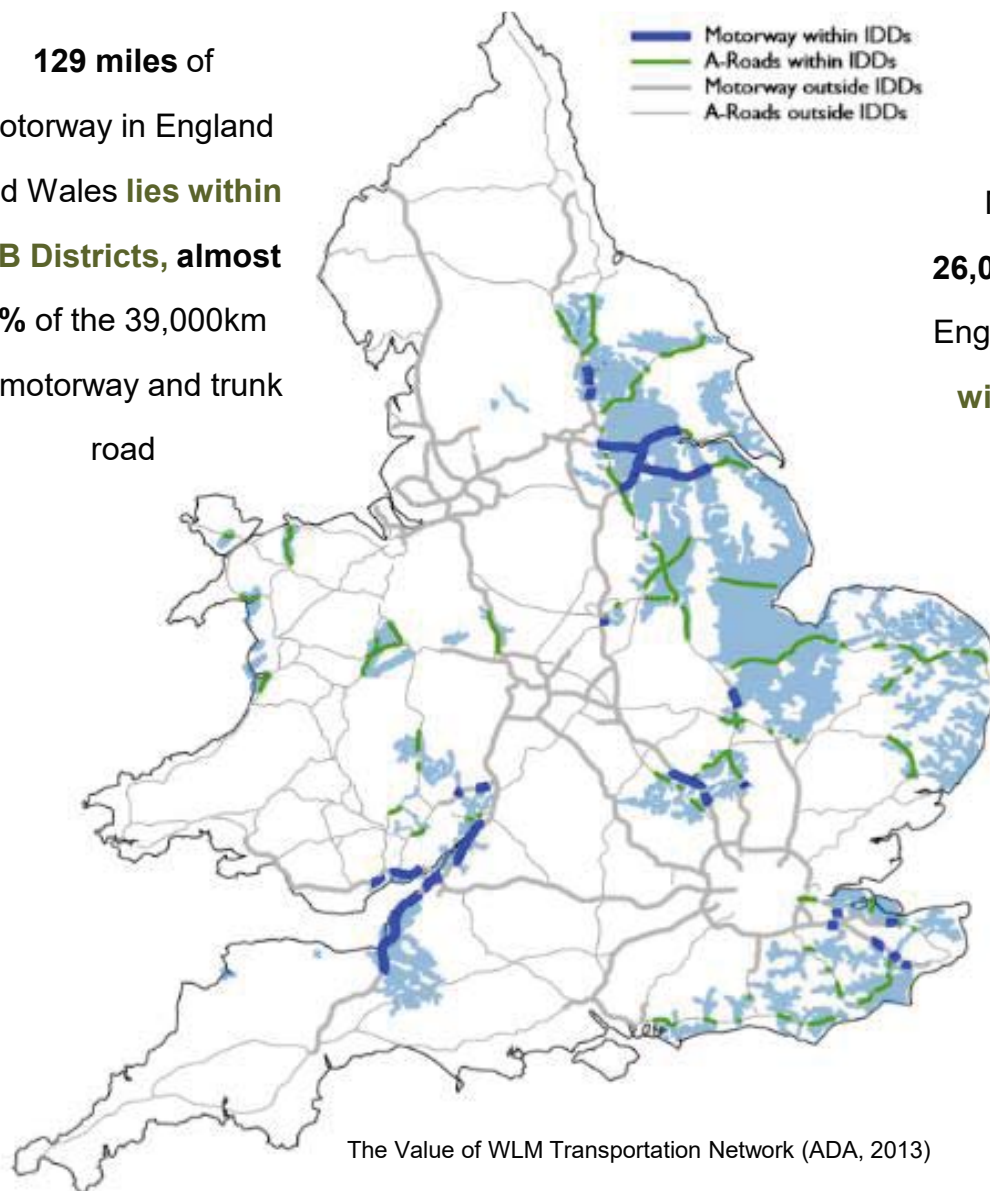
- To **control** invasive species
- To **notify the IDB** of any works in, on, under or near a watercourse

Riparian Responsibilities Experience

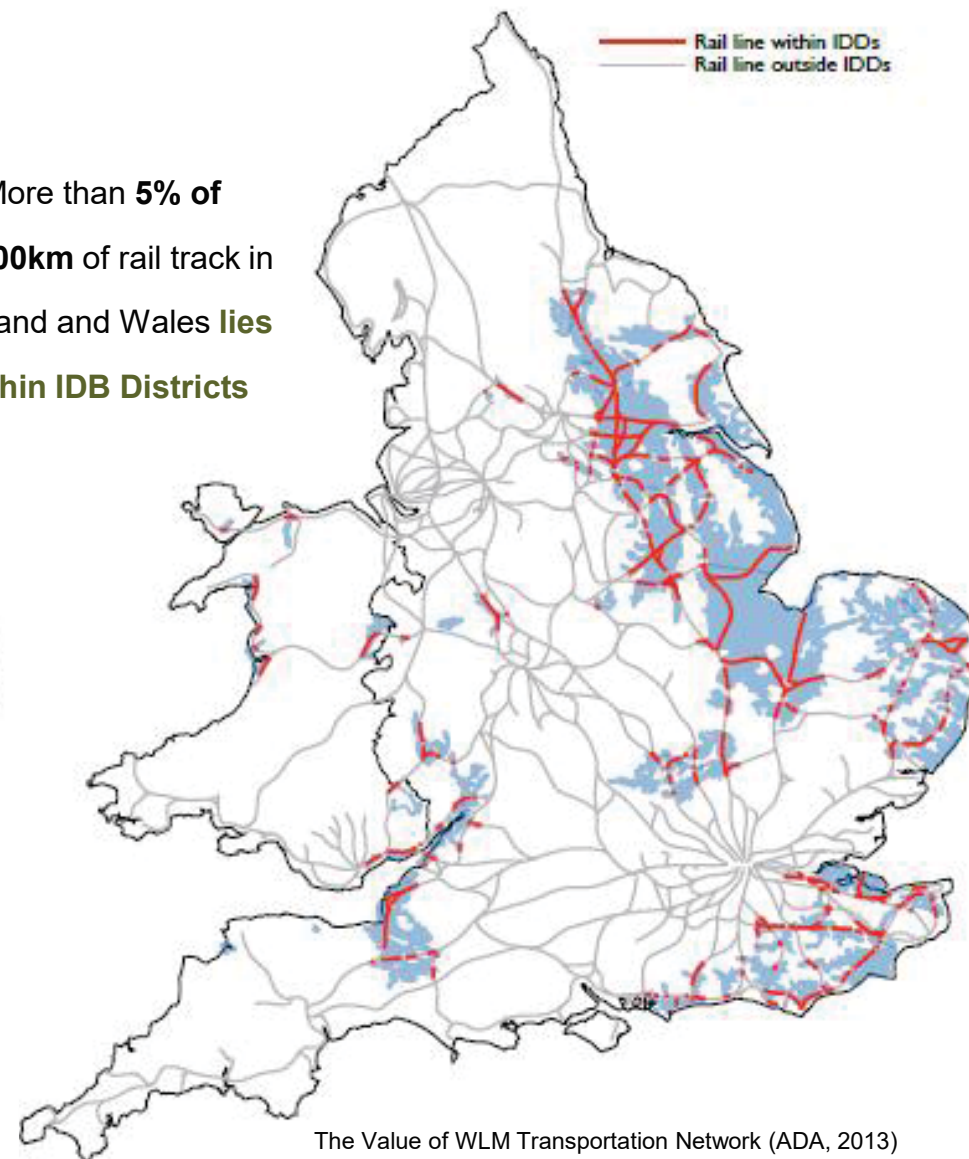
- 
- **19 yrs** working with owner occupiers in IDBs
 - **8 yrs** of riparian enforcement with Landowners, Residents, Developers, Councils, Infrastructure Companies, Power Stations resulting in action by owners in the region of **£3k - £4.5 million per case**
 - **Enforcement Activities** included:
 - Obstructions within 9 metres of ordinary watercourse
 - Obstructions within an ordinary watercourse
 - Cleansing of ordinary watercourses
 - Removal of detrimental substances
 - Contraventions of Byelaws and Consents
 - **Small Claims** Court
 - Advising owners of **Upper Land Tribunal** rights & responsibilities
 - Raising Awareness of responsibilities with Hydraulic Flume at **Public Shows** since 2014
 - **Raising awareness** of responsibilities through presentations to Parish Councils, Flood Warden Groups, Community Engagement Forums, Canal & River Trust, Highways England and Network Rail
 - **Experience** of legislation, case law, historical cases
 - **Land Drainage Law Training Course**
Presenter

Infrastructure Benefit from IDB activity

129 miles of
motorway in England
and Wales **lies within**
IDB Districts, almost
6% of the 39,000km
of motorway and trunk
road



More than **5%** of
26,000km of rail track in
England and Wales **lies**
within IDB Districts



from *managing assets*
to **Asset Management**



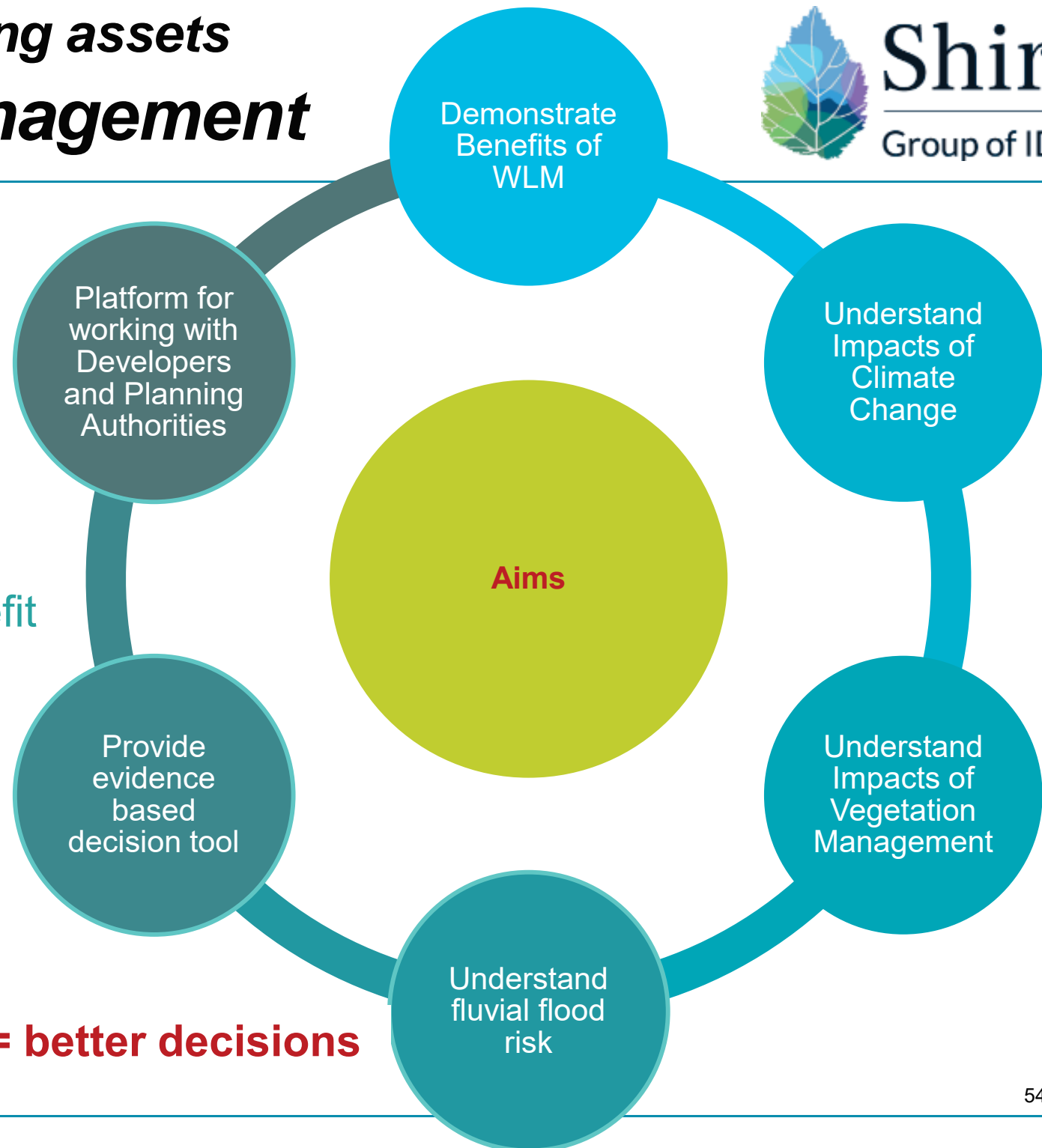
Shire
Group of IDBs

Understand the
value of our
catchments

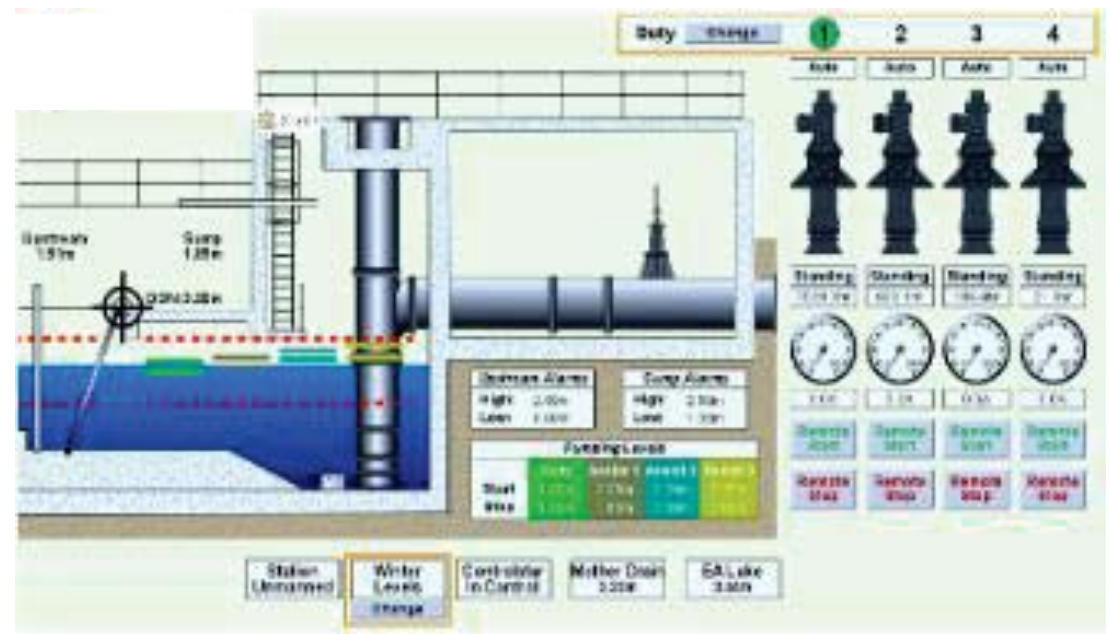
Value = Stakeholder
Expectations + Benefit

Benefit determined
from hydraulic
modelling

better information = better decisions



Incident Response



Engagement & Education



Working in Partnership

and raising awareness of riparian responsibilities



**Staffordshire
Wildlife Trust**





Sow & Penk

Internal Drainage Board



Shire

Group of IDBs

Managing Water from a Catchment Perspective

further information from www.shiregroup-idbs.gov.uk

You Tube : What is an Internal Drainage Board?

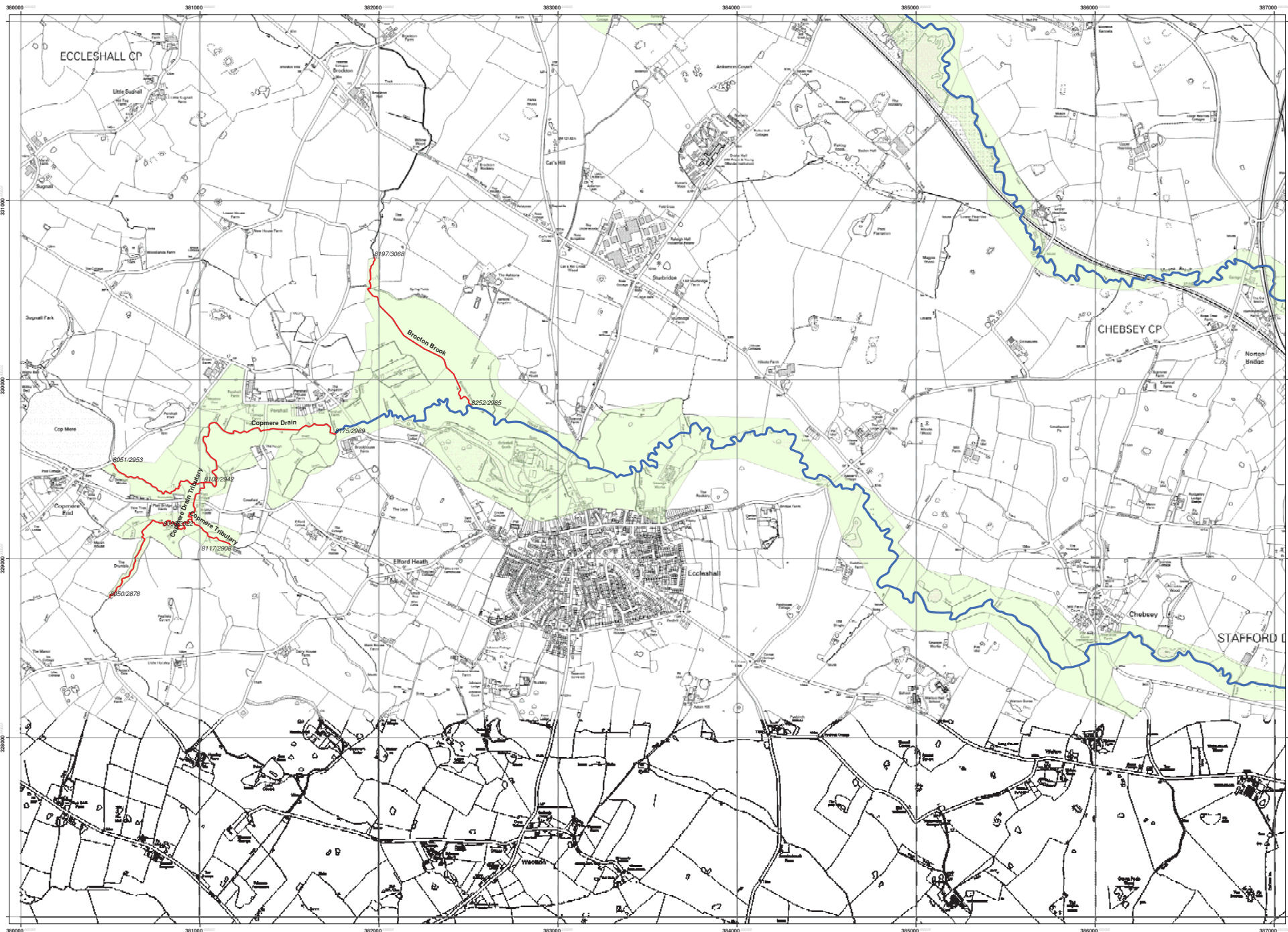
Thank you



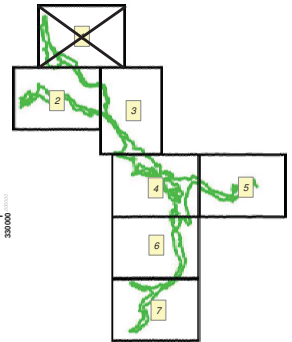
Paul Jones BSc (Hons) MSc (Eng)

Engineer to the Board

paul.jones@shiregroup-idbs.gov.uk



- Legend**
- Sow & Penk IDB Boundary
 - Sow & Penk IDB Watercourses
 - Piped Sections
 - EA Watercourses



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Client: Sow & Penk IDB
Scheme: IDB-4270
Title: Sow & Penk IDB Plan 2

Digital File Name:
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1:10,000

PLAN 2

N
REV.
A

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