

Agenda

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1. Governance

1.1 Apologies

1.2 Declaration of Interest

1.3 Complaints and FOI

1.4 Minutes of Meeting 17 November 2021

| | | |
|----------------|-----------------|----|
| Present | Ray Sutherland | RS |
| | Len Bates | LB |
| | Andrew Harp | AH |
| | Angela Loughran | AL |
| | Phil Bates | PB |
| | Frances Beatty | FB |
| | Ralph Cooke | RC |
| | Tim Williams | TW |

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

| | |
|----------------|-----------------|
| Craig Benson | Clerk |
| Paul Jones | Engineer |
| David Blake | Finance Officer |
| Janette Parker | Rating Officer |

RS welcomed new member Tim Williams to his first meeting.

Apologies for Absence

2021.44 Apologies were received from Tony Parrott, Neil Brown, Brendan McKeown, Mark Winnington & Jeff Sims.

Declaration of Interest

2021.45 None.

Complaints and Freedom of Information Requests

2021.46 None.

Minutes of the Last Meeting

2021.47 Minutes of the last meeting held were considered, proposed as a true record by AL and seconded AH.

Matters Arising

2021.48 LB referred to Item 2021.28 and response from David Williams regarding the flooding on Acton Hill Road and stated very disappointed that he doesn't indicate when work will be done and asked if Board could go back and ask for reply to points raised. RS requested response be sent to David Williams thanking him for response but requesting timescales regarding works. Clerk agreed to arrange.

2021.49 LB then referred to **Item 2021.37** and situation with flooding to Penkridge and requested update. Eng. advised Environment Agency were currently calibrating their model and that an update was being sought. LB stated it was important to get a response as soon as possible as would have impact on South Staffordshire Local Plan. TW then raised concerns over sewage dispensed into main river from Severn Trent and queried with the proposed increase in housing if the system could cope without an increase in polluting to the main river. RS suggested he make a comment in the consultation for the Local Plan. TW confirmed he would be doing so. Eng advised that nationally there was to be a tightening up of regulations regarding overflows from foul systems to restrict how much they were able to discharge. AL asked why Board not making comments to planning departments when new housing is added onto existing systems. Eng. advised that the Board act under the Land Drainage Act so only comment on works to watercourses or on the discharge rate into those watercourses which relates to surface water and not foul so as to ensure no increase in run off. FB added that a large part of the Plan was surface water run-off and suspected there would be a huge amount of change over the next few years with more controls over what developers can do to build green housing and that it was up to all members of the council to comment on plan consultation. TW said he looked after a section of river which had originally contained fish but over the last few years they had disappeared and if looking after the environment should the Board not be putting more pressure on water companies. Eng advised that the appropriate route in terms of a pollution incident was to report this to the EA. TW stated that a recent incident had been reported but the EA took 48 hours to respond. RS asked Eng to contact Board's EA contact and advise of points raised. Eng agreed to forward comments.

CLERK'S REPORT

2021.50 Policy – Clerk advised that DEFRA had made minor changes which needed approval by the Board. **AH proposed approval of and PB seconded.**

2021.51 Legislation – Clerk confirmed that from the recent ADA conference it was unlikely that IDBs would be granted an exemption with regard Red Diesel. This would mean an increase in costs moving forwards but advised that proposals would be brought to the next meeting for the Board to consider.

2021.52 Environment Agency – Draft Flood Risk Management Plans – Clerk referred members to the link in the meeting papers and suggested they may wish to make comments adding that Officers would be commenting on behalf of the Board.

2021.53 ADA – Information noted.

2021.54 Co-Option of Board Member – Clerk advised they had been approached by Mr Paul Edwards to become a member and referred to details provided in the papers. AL asked how he knew to apply and where was it advertised. Clerk confirmed it hadn't been advertised but there was mention of the vacancy on the Board's website. He added that discussions had taken place at the last few meetings in order to fill the vacancies and requested Board approval to appoint. **RS asked for members to confirm they were happy for him to be invited to the next meeting – All in favour.**

FINANCIAL REPORT

2021.55 Rating Report – FO confirmed the second instalment of the levy had been paid by Stafford Borough Council, so the outstanding balance was now £1,467. He confirmed that 88% of rates had been collected to date and that Solicitors letters would be issued to 10 ratepayers which should reduce the balance further.

2021.56 Schedule of Payments – AL asked if anything could be done regarding bank fees paid to Lloyds. FO advised costs were for charges for the account and those in connection with the card payment account but that would investigate possibility of reductions and report at the next meeting. **Approval of schedule proposed by AH and seconded LB.**

2021.57 External Audit – Information noted.



- 2021.58** Internal Audit Review Meeting – Information noted and RS confirmed he would be in attendance.
- 2021.59** Budget Comparison for the Year Ending 31 March 2022 – FO took members through the report advising income was in line with budgeted proposals whilst there were positive variances with regards expenditure due to the Flood Defence Levy and no current spend on either the BAP or County Show. RS queried the situation with Red Diesel. FO advised that this had not affected the costs to date but had potential to do so in next financial year if Board undertake existing maintenance plan but that proposals would be brought to the next meeting.
- 2021.60** Five Year Budget Estimate – FO took members through the report, again confirming that the effects of Red Diesel would not be added until members had decided on a course of action at the next meeting. RS queried how inflation was affecting the costs. FO confirmed that this had been calculated at the current rate for the first few years but that from years three to five this had been increased for a possible 2.5 to 3% increase.

ENGINEER'S REPORT

- 2021.61** Hydraulic Modelling – Eng. confirmed that Members would be kept up to date with any progress.
- 2021.62** Ordinary Watercourses – Eng. advised that 75% of maintenance was now complete including a section at Radford Bank which had been in partnership with the Borough Council as riparian owner.
- 2021.63** Silkmore Crescent Drain – Eng advised that Board approval was required to add Silkmore Crescent as an ordinary watercourse to the Board's maintenance plan. He added that he had been contacted by the County Councillor, LLFA and the EA to investigate the problems arising in the area reporting that a 120 metre stretch within the district had not been maintained for some time and was contributing to preventing the flow of water but was not the sole cause of flooding in the area. He continued by stating that at a cost of approximately £2,000 the watercourse had been reconditioned to try and alleviate the flood risk to the houses on Silkmore Crescent and was requesting Board approval to add this to the annual maintenance plan at an approx. cost of £150-£200 per year but noted it may not require work every year. He also added that further investigations were needed upstream as it appeared the watercourse had been filled in at some point. **FB proposed approval of and AL seconded.** Eng. then asked if members had any knowledge of the area historically it would be appreciated. AL stated there were a lot of older properties originating from the 1930s but that there had been a lot of new development which again raised the issue of making additions to old drainage systems. RC concurred there had been a lot of development adding that the old pioneer concrete works could have had an impact. TW stated that the Penk flooded down to Radford Bridge and suggested if the side tunnels were cleared this would help to reduce flow which should help with the issues in Rickerscote & Silkmore drains. Eng advised that Radford Bank was riparian responsibility but that the top section through the playground was the responsibility of the Borough Council and that the Board had maintained this section on behalf of the Borough. He added that the issue with the tunnels had been raised with County Highways to include on their jetting programme and that he would raise this with them again. RS asked for copy of this request so he could raise with David Williams.

HEALTH & SAFETY REPORT

- 2021.64** Information noted.
- 2021.65** RS requested Clerk remind Board of situation with regard meetings. Clerk confirmed that Standing Orders had been updated allowing the Board to continue to hold virtual meetings in the future. After discussions with the Chair, it had been agreed that virtual meetings worked well for this Board and that two of the three meetings would be virtual with the summer meeting being in person to coincide with the County Show. RS concurred that this benefited the Board as resulted in a reduction of costs.



ENVIRONMENTAL REPORT

- 2021.66** Doxey & Tillington Marshes SSSI – Clerk advised members that Staffordshire Wildlife Trust had approached the Board for funds to repair a section of footpath confirming that the Board paid £6,000 per year into the account. He referred to the quote in the papers and requested Board approval to use of the funds. **AL proposed and AH seconded.**
- 2021.67** Biodiversity Action Plan – Information noted. Clerk added that Jeff Sims had asked if he could give a brief presentation on the Stafford Brooks project to members at the next meeting. FB agreed that this would be helpful and that authorisation of the project was still awaited from the Highways Agency.

ANY OTHER BUSINESS

- 2021.68** FB asked if the water quality of the watercourses was known. Eng. advised it was difficult as under the Land Drainage Act the Board were not required to monitor water quality. This was carried out by the EA from a pollution perspective although the Board did have an obligation to report any pollution incidents. The Clerk advised that another IDB has similar issues but with phosphates and that they had acquired a number of kits to test the areas where the issue was greatest. He added that it could be investigated for this Board with tests acquired for the Contractor to use to provide a baseline. FB stated would be pleased if this could be taken forward. RS asked PB if this was something the Borough monitored. PB responded not, they only looked at the watercourses that ran through Borough land in terms of maintenance. RS confirmed that members would like to have some feedback on water quality and the Clerk advised research would be undertaken and brought to the next meeting.

DATE OF NEXT MEETINGS

- 2021.69** 9 February 2022, 30 June 2022 and 16 November 2022.

1.5 Matters arising there from not elsewhere on the Agenda

- 2021.48** A request for further information has been sent to Mr D Williams and hopefully this will be received before the meeting.



2. Clerk's Report

Recommendation:

- Members note information contained in the Report

2.1 Policy

There is nothing to report.

2.2 Legislation

2.2.1 Finance Bill

Red Diesel – Discussions have been on going with ADA, IDBs and the Treasury. This has now resulted in a change in the interpretation of the exemption clauses. More information has been supplied to ADA to support the IDBs case that they should have the same or similar exemption as the agricultural industry.

Attached at Appendix A is the latest correspondence that has been received from ADA.

2.3 Environment Agency – Draft River Basin Plans

The Draft River Basin plans are out for consultation until 20 April 2022.

2.4 ADA - AGM & Conference

This year's annual conference was held on Wednesday 10th November 2021 via Microsoft Teams conference platform.

There were 143 in attendance.

OPENING ADDRESS

Robert Caudwell

Chair, ADA

- Environment Bill received Royal Assent yesterday.

OPENING ADDRESS

Rebecca Pow MP

Minister for the Environment, Department for Environment, Food & Rural Affairs

- Video message and unable to attend the conference.
- Net Zero commitment by 2050
- New Environmental Targets consultation next year
- Removing barriers for new IDBs and extending boundaries
- Drainage and Waste Water Management Plans – Requirement for Water Authorities
- Water Companies must reduce the discharge of sewage
- Reforming Abstraction Plan – licensing likely to move into EA Permitting System
- Under-used or harmful abstractions removed without compensation.
- EA developing a new National Guide on riparian responsibilities etc.
- Reviewing Schedule 3 of F&WM Act 2010 SuDS approvals etc.
- **Must improve water environment, Must adapt to climate change, and Must halt biodiversity loss**