

1. Governance

1.1 Declaration of Interest

Board Members are advised to declare a pecuniary or non-pecuniary interest on any item in the Agenda.

1.2 Apologies for Absence

1.3 Chair's Announcements

1.4 Public Forum

1.5 Minutes of the meeting held on 15 January 2025

Members Present	25.01.2023	28.06.2023	29.11.2023	14.02.2024	26.06.2024	27.11.2024	15.01.2025
Elissa Swinglehurst Chair	√	√	√	√	√	√	√
Charles Pudge Vice Chair	√	√	√	√	√	√	√
John Cawley JC (Retired 31-10-2023)	-	√					
Zita Chilman ZC	√	A	√	√	√	√	√
Richard Corbett RC	√	A	√	√	A	A	A
Malcolm Davies MD	√	√	A	√	√	√	A
Noorissa Davies ND	A	√	A	√	A	A	A
Nic Eynon NE	A	√	-	√	-	-	-
James Hereford Jhe (Retired 31/10/2023)	√	A					
James Makin DM	√	A	√	√	√	√	√
Thomas Cawley TC			√	A	√	A	A
Andrew Owens AO						√	A
Yvonne Thomas YT						√	√
Cllr Graham Biggs GB		-	-	-	-	-	-
Cllr Toni Fagan TF		√	A	A	A	A	A
Cllr Peter Hamblin PH		-	A	√	-	-	-
Cllr Dan Hurcomb DH		-	-	√	√	√	A
Cllr Robert Highfield RH		√	√	A	A	-	-
Roger Phillips RP	A	A	√	√	-	A	A
Cllr John Stone JS	-	-	√	A	A	-	A
Cllr Mark Woodall MW		A	√	√	-	√	√
Tom Jolley TJ Wye & Usk Foundation		A	-	-	-	A	A
Rebecca Tully RB							√
Jamie Audsley JA		-	-	A	A	-	-
*Jenny Bashford JB Wye & Usk Foundation					√	A	A

*Attends if TJ cannot

In attendance on behalf of JBA Consulting

Officers:	Craig Benson	Clerk
	Anne-Clare Landolt	Engineer
	David Blake	Finance Officer

Also in Attendance

Phil Chandler	Health and Safety Advisor
Will Watson	Environmental Advisor

Members of the Public

None.

Declaration of Interest

2025.1 None.

Apologies for Absence

2025.2 Apologies were received from Thomas Cawley, Richard Corbett, Noorissa Davies, John Stone, Roger Phillips, Malcolm Davies, Andrew Owens, Toni Fagan, Tom Jolley, Dan Hurcomb and Hermes Carlyon from Environment Agency.

Chair's Announcements

2025.3 The Chair welcomed Councillor Rebecca Tully to the meeting and advised members that she would be replacing Toni Fagan. RT introduced herself to members.

2025.4 A response was received from ADA surrounding issue with EA assets and who owns and who responsible. It is a National Issue and ADA are going to take forwards and investigate further.

2025.5 The Government are running a consultation on Flood Management and Resilience and the Chair confirmed she had recently issued a response.

Public Forum/Question's

2025.6 There were no members of the public present.

Minutes of meeting held on 27 November 2024

2025.7 Minutes of the meeting held on 27 November 2024 were considered. **DM proposed, MW seconded, and members approved as a true and correct record.**

Matters arising not discussed elsewhere on Agenda

2025.8 With regard to Item 2024.84 MW advised he had contacted the business where the attenuation fields were constructed on the other side of the River Arrow. The environmental consultants are RFK and are supposed to be advising on an appropriate solution to pollution during construction of an attenuation field. Discussions took place with MW stating he had advised residents who had complained to him to report the issue to the EA and asked if the Eng would like sight of the consultant report. Eng confirmed the Board's area of concern was the discharge into the watercourse but that she could assist by submitting a report to the EA regarding the issue on behalf of the Board. Chair agreed this should be done.

2024.90 Chair mentioned the Wharton Court works and how the process of encouraging more landowners to carry out similar works. Nick Helme had identified around ten landowners who were interested in carry out maintenance on main river. Eng advised members that it had been discussed that an evening meeting would be arranged where the EA, Natural England and landowners could discuss the merits of the works as well as the process to achieve this. Chair suggested that the IDB should try and arrange the meeting.

Complaints/FOI/EIR requests

2025.9 There had been no complaints received since the last meeting.

CLERK REPORT

Clerk advised his report was for note with the following additions.

2025.10 Hydraulic Model – Clerk advised that a contractor had now been appointed and that the required standstill period had now expired. He stated the successful contractors were Eden Vale Young Associates based in Bristol and their price for the works was £376,500. He reminded members that the grant received for the works was £400,000 so currently have sufficient funds to cover the model and some management time. He advised that may potentially have to advise the EA that if there are delays or the scope of works needs to change then the Board may need to seek an increase in the grant although if that not possible then may have to utilise the Board's reserves. Clerk added that contact had been made with Eden Vale Young to arrange a meeting for next week to confirm the program and hopefully they can then start the works as soon as possible. The Chair queried obtaining different scenarios from the model and if they were doing any infiltration testing regarding the functions of the river. Clerk believed some testing was being undertaken but this may be considered as further options once the model was complete. Further discussions took place and it was requested that any progress updates could be given in a manner the Board could understand. Clerk confirmed this was priced up as part of the tender with a plan included to attend three board meetings to update members.

2025.11 ADA – Storm Recovery and Asset Improvement Funding – Clerk confirmed that bids for the Tranche 2B funding recently announced had to be submitted by 31st January 2025, adding that he and the Eng had a meeting planned with the EA to discuss why the previous bids were unsuccessful and what need to submit moving forwards. Members discussed a number of possibilities.

FINANCIAL REPORT

2025.12 Rating Report – FO advised the balance outstanding was £7,225. £800 is currently with solicitors, reduced from £3,300 advised at the last meeting. He added that there were also three Liability Orders outstanding at a total of £5,000, two of which are being pursued and issues with the bailiff and firearms regarding the third case was discussed at the last meeting. He advised that Land Registry had been checked regarding this and a first registration was pending. Vice Chair said he did investigate further as stated at the last meeting and was advised that this was a civil matter. Clerk added that this would be pursued further once Land Registry completed the registration.

2025.13 Rate Removal – FO advised the Board the amount of £6.87 related to arrears and that the land concerned had been transferred from agriculture to special levy. **DM proposed removal, seconded by MW.**

2025.14 Internal Audit – Information noted with FO adding that the Auditor had requested that Boards look at their reserve policies. FO added that this Board should have a reserve balance of 122% at the end of the financial year with the target at 50% so the Board is meeting the criteria.

2025.15 Risk Register – **FO took members through with Chair proposing approval of and CP seconding.**

2025.16 Budget Comparison for the Year Ending 31 March 2026 – FO took members through the report confirming that whilst a budget had been set with a deficit for the year it was anticipated that a surplus of around £27,000 would be made by the end of the current financial year. The main reason for this was due to the lower spend on drains maintenance and would result in a carry forward balance of £284,000 and a significant reserve balance of 122%. Members were advised that the Flood Defence Levy was paid to the EA as a contribution towards the expenses of the EA. This payment is compulsory. FO added that this was offset by the Foreign Water contribution and the Clerk advised this was one of the few Boards where that happened. Foreign Water or Highland Water was water which the IDB district receives from lands at a higher level outside of the IDB district. He added that this payment was discretionary. MW raised the issue with the underspend on maintenance and the irony that when there was too much flooding the Board can't do maintenance and was concerned that it will be an ongoing trend and asked what can be done to mitigate this moving forwards. Eng. agreed the situation was reducing the time when works could be carried out as due to bird nesting season this already meant that works could not start until August and the rain starting in October means that they need to have all works programmed well in advance and ensure the contractor has sufficient resources to undertake the works when able to. Further discussions on the matter took place. FO then advised members of the proposed budget for the new year stating that the projection for drains and additional maintenance was significantly reduced to £130,000 so was more realistic. Chair asked if a section could be added for special project work so that some money was available if needed. FO advised that as a result of the model the intention was to create a New Work & Plant Account so there was the option to transfer a certain amount to this for these works. The FO concluded by proposing there be no increase to the rate, generating a slight deficit of around £4,000 at year end. **Discussions took place with Chair proposing the rate stays the same at 8.5pence and seconded by CP.** Vice Chair added that it was important when the Rate Demands were issued that the Chair writes a note to say in practice we have reduced your rates by 4% as there has been no increase. The Clerk confirmed the rate had been the same since 2022 and pointed out that in the Five Year Forecast it was proposed to stay at the same rate. Chair asked for this to be added to the Leaflet and Clerk confirmed it would be sorted.

2025.17 Estimates Rates and Special Levy for the Year Ending 31 March 2026 – The Board considered an Estimate of Income and Expenditure for the year ending 31st March 2026, copies of which had been previously circulated to members.

In accordance with Section 37 of the Land Drainage Act, the Board determined that aggregate annual value of chargeable properties in the district on the aggregate value of all other land in the district as at 31st December 2024 for the financial year beginning 1st April 2025 as follows: -

a) Aggregate annual value of chargeable properties	£ 1,652,107
b) Aggregate value of all other land	£ 1,071,789

It was agreed that for the purpose of defraying costs, charges and expenses etc. incurred by the Board under the Land Drainage Act 1991 for the period 1st April 2025

to 31st March 2026, and in pursuance of the Internal Drainage Board (Finance) Regulations 1992, that the Board make a drainage rate for their district in respect of agricultural land and agricultural buildings and a Special Levy as follows:-

The amount of the Board's expenses to be met by drainage rates was £91,102 by way of an Occupier's rate of 8.5p in the £ on the basis of the annual value of agricultural land and agricultural buildings in the district.

The amount of the Board's expenses to be met by Special Levies was: -

Herefordshire Council	£ 140,430
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The Chairman and Clerk were authorised to seal the rate and the Special Levy on the Local Authority in accordance with the Act and the Finance Regulations.

The Clerk, or their representatives, were authorised to negotiate and carry out proceedings for the recovery of any rates unpaid.

2025.18 Five Year Budget – Information noted.

2025.19 Vice Chair asked if the Contractors had requested an increase due to the Government announcement of the changes to National Insurance. Eng confirmed not but advised they had asked for an increase for inflation at the start of the year which they had the right to under the terms of the contract.

2025.20 Schedule of Payments – **The schedule was considered with approval proposed by CP and seconded by MW.**

ENGINEERS REPORT

Eng. confirmed the report was for note with the following added.

2025.21 Eng advised of further flooding issues in January and states that calls to report incidents are increasing. The common locations for reports in the last 6 months are Leominster Compensation Ditch, Wellington, Wellington Marsh (Moreton Lats 1,2 and 3 and Auberrow), Sutton St Nicholas, Withington Marsh (Kymin), a Network Rail ditch on Hay Lane, and Brooms Ditch, Eardisland, Cogwell Brook flooding the A49 Leominster, A4103 at Bishops Frome and Mousenatch ditch at Kingsland. Discussions took place surrounding the issues with the conclusion reached that solutions should be sourced with the relevant responsible party. It was suggested that a log of reports be kept whether they are within the IDB' authority or others so reports do not get lost.

2025.22 Rainfall Data – Eng queried if Members were okay with how the information was now being presented. Chair confirmed the table made the figures stand out more than the graph adding that the more information that was available made for more informed decisions to be taken.

2025.23 Planning Applications – Developer planning 400 houses in Barons Cross, Leominster has applied for consent to discharge into the Ebnall ditch but applied for three times what consent was given for previously about 4 years ago. Eng confirmed has raised several comments and the planners at the Council have agreed to delay a decision until responses are received. The developer has asked that if they reduce the discharge to what was originally consented would that be okay. Eng has confirmed to them it would be ok but it means they now have to redesign the attenuation and make it bigger and that information is still awaited. Eng added that it had been an interesting process as she had received assistance from someone at JBA who had previously

worked at a developer and they knew all the avenues they would try to get planning passed so hopefully this should help with future developments as well. Vice Chair asked who would be undertaking long term maintenance for the attenuation pond. Eng confirmed it would be taken on by Welsh Water. The issue of pollution (silty runoff) from the construction of the Barons Cross attenuation pond was raised again. Eng agreed to report the incident to the EA.

2025.24 Chair asked if a response had been received from the letter sent to the owner of Kingcup. Eng replied not, Chair requested this be chased. Chair also stated well done to Eng for results on Enforcements and wanted to pass on the Boards thanks to her and the contractor for the successful resolution to the issue of the tree blocking in Kymin ditch at Withington Marsh.

2025.25 Maintenance Contract Review – Eng confirmed this was complete but was just awaiting input from an Engineering colleague before issuing it to the contractor. She added that it stated they were performing pretty well on the normal maintenance but they were poor in relation to the extra works requested and there needed to be an improvement. It also reports they are failing on Health & Safety and Environment as they are not providing the Board with their management reports nor are they facilitating site visits by the health and safety adviser.

HEALTH, SAFETY AND WELLBEING

2025.26 There had been no accidents, incidents or near misses reported since the last meeting.

2025.27 The Adviser informed members that he has received no updates from the contractor and was waiting to receive details of where they would be working so he could conduct a site visit. It was hoped that this would be carried out before the next meeting.

ENVIRONMENTAL ADVISER'S REPORT

2025.28 The Environmental Advisor's report, that was circulated with the papers, was noted.

The adviser confirmed that following the works at Wharton Court, two more surveys of the area would be completed to assess the environmental impacts of the works. This was anticipated to be positive.

2025.29 Chair asked if any progress had been made on other measures such as bat and owl boxes. WW said this was still being looked into.

2025.30 Chair asked if any more sites of Black Poplar had been identified. WW advised tree planting was taking place.

Any Other Business

2025.31 Board Land – Vice Chair added that he had found a deed regarding a small section of land near Lugg Bridge. He advised it was not registered but a Solicitor had confirmed the deeds were current and suggested the Board considered submitting a first registration application to the Land Registry. Chair requested Clerk investigate further and advise the Board of the outcome.

Date of Next Meeting

2025.32 Wednesday 25 June 2025 – Venue TBA.