

THE RIVER STOUR (KENT) INTERNAL DRAINAGE BOARD

Minutes of the Meeting of the Board held at 14:00 on Thursday 3 August 2017 at Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL

PRESENT

Mr M J G Tapp (Chairman), Mr A D Linfoot OBE (Vice Chairman), Councillor M J Burgess, Councillor M D Conolly, Mr P S Dunn, Mr P E Dyas, Councillor A Hicks, Mr P N Howard, Councillor M Martin, Councillor D Smith, Mr J F E Smith, Mr G R Steed, Councillor H Stummer-Schmertzing, Mr M P Wilkinson, Mr P Williams and Mrs G Wyant.

IN ATTENDANCE

Mr P Dowling (Clerk & Engineer to the Board) and Ms A Eastwood (Finance & Rating Officer).

WELCOME

The Chairman welcomed to the meeting Ms Alice Pinfold (EA Main River Rationalisation Project Lead), Ms S Gannon (EA), Ms D Thompson (previously McNamara, EA Incident Response Team Leader – Upper & Lower Stour Area) and Mr I Nunn (EA, FCRM Operations Manager for KSL).

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr D M Botting, Councillor M Ovenden, Councillor P J F Sims, Councillor S Walker and Mr J Dilnot (Assistant Engineer).

MINUTES OF THE MEETING OF THE BOARD HELD ON THURSDAY 25 MAY 2017

The Minutes of the Board held on Thursday 25 May 2017 were received. It was proposed by Mr Dyas, seconded by Mr Steed and resolved that the minutes be confirmed and signed by the Chairman as a true record of the proceedings at that meeting.

MATTERS ARISING FROM THE MINUTES

Ref: W15

Applications for Consent

16-ST-02 Alterations to an existing culvert in South Poulders Main Stream (IDB170) at Sandwich (Retrospective)

Mr Dyas asked if there had been any further developments with this Consent. The Clerk & Engineer reported that the Board served notice on Mr Smith advising him that works needed to be corrected in accordance with the issued consent or completely removed by 30 June. The Clerk & Engineer stated that he tried to contact Mr Smith on 30 June and was advised that he was unwell but the works will be done as soon as possible. The Clerk & Engineer stated that this ongoing problem needs to be resolved before the winter.

MINUTES OF THE MEETING OF THE FINANCE, GENERAL PURPOSES & WORKS COMMITTEE
HELD ON MONDAY 17 JULY 2017

The Minutes of the Meeting of the Finance, General Purposes & Works Committee held on Monday 17 July 2017 were received. It was proposed by Cllr Hicks, seconded by the Vice Chairman and resolved that the minutes be received.

MATTERS ARISING FROM THE MINUTES

Merger of East Kent Local Authorities

Cllr Conolly reported that the proposed Merger of East Kent Local Authorities is not going ahead and it is clear that nothing will happen before the next Council elections. There may be more Joint Working but a full Merger is now most unlikely.

Ref: W7 IDB Programme of Works

Weedcutting

The Chairman asked if there have been any problems with the levels of dissolved oxygen in relation to water temperature. The Clerk & Engineer reported that readings are being collected and some have been low but still within acceptable levels to be able to continue with the work. He further added that the EA's local Fisheries Officer, Steve Smith, has been very helpful.

Cllr Smith stated that one of the residents alongside Waterbrook Dyke (IDB27) in South Willesborough has written in expressing her appreciation for the ongoing work carried out by the Board.

Ref: W7G Environment Agency

Work Activities

The Clerk & Engineer reported that the works have started on the Upper Penfield Stop and that this was being delivered via a 3-way arrangement between the EA, IDB and the East Kent Engineering Partnership. Ms Thompson reported that these works are going well and should be completed next week.

Staff

The Chairman asked the EA staff in attendance to pass on the Board's thanks to Mr Simon Beal for his cooperation and to wish him good luck in his new posting in the Romney area. Ms Pinfold stated that Mr Beal will continue to work in the Stour catchment two days a week until his successor is found.

Ref: W15 Applications for Consent

The Chairman ran through the consents listed in the F&GP Committee minutes.

17-ST-03 Installation of a drainage outlet in an ordinary watercourse east of Blackwell Road, Willesborough.

Cllr Smith asked if there has been any further information regarding this consent. The Clerk & Engineer stated that despite chasing the developer he has had no further response other than to say that discussions are continuing with ABC to agree the details of the SuDS. He further stated that he would chase this up.

17-ST-04 Culverting and damming of ordinary watercourses at Finberry Village, Ashford.

The Clerk & Engineer stated that this refers to another case where work was carried out prior to approval and they have been informed what they need to do to conform. This is part of a wider development and the developer intends to alter the rest of the development and apply for consent when all of the relevant information is assembled.

ADMINISTRATIONIssues Raised by the Internal Auditor and the Internal Control Group Reports for the year ended 31 March 2017i. Attendance at meetings & possible appointment of a Substitute, especially for Appointed Members

The Chairman reported that this was discussed at length at the F&GP meeting and he invited any suggestions or concerns about the timing of the meetings which might affect attendance levels. He further stated that last year's attendance was good and hopefully we can maintain this. The Chairman reported that the possibility of appointing substitutes was also discussed and it was generally felt that substitutes for F&GP Committee meetings and any Sub-Committee meetings could quite usefully be appointed from Board Members but the idea of appointing another Appointed or Elected Member from outside current Membership would be extremely difficult and potentially problematic. The Chairman stated that having other Board Members put forward as substitutes for the committees would not be a problem if that is what the Board votes for and he welcomed other Members' comments.

Cllr Martin stated that she favours the appointment of substitutes within the Board Members as she is confident that Members are united in their resolve when looking at the issues addressed by the Board. Cllr Smith reaffirmed the fact that it would be difficult to arrange for substitutes from outside the Board's Membership but fully supports the appointment of substitutes from within.

Cllr Stummer-Schmertzling also agreed with this option and he stated that the minutes provided are very comprehensive and keep Members informed and up to date with all issues discussed by the Board in the event of non-attendance.

Mr Steed asked if the substitution should be like for like, in terms of Elected or Appointed Members. The Vice Chairman stated that this is a good point and added that he is in favour of keeping the balance between Appointed and Elected Members if possible. The Chairman replied that he can see this point but if a Member is happy to appoint their substitute the Board should accept his/her decision.

Cllr Burgess asked if there is a legal requirement for the balance to be kept between Appointed and Elected Members. The Chairman stated that the Membership of the Board must be plus-one in favour of Appointed Membership but there is no specific requirement for Committees. The Vice Chairman added that in practice it would seem preferable and more likely that Members would choose a like-Member as their substitute.

It was proposed by Cllr Martin, seconded by Cllr Hicks and resolved that Members of the Finance, General Purposes & Works Committee and other Sub-Committees can be substituted by other Board Members.

Mr Dyas stated that both Appointed and Elected Members represent the Board's interests and opinions and aims are shared equally. The Vice Chairman supported this point because the general legal rule is

that when appointed to a body you must act in the interests of that body, not the appointing body. The Clerk & Engineer agreed but in the interest of good governance and accountability suggested that it would be sensible for the substitutes to be like for like.

Cllr Burgess asked who the onus is on to arrange a substitute and inform the Board. The Chairman replied that the Member who is unable to attend a meeting must arrange for a substitute and must also inform the office of the arrangement. Cllr Conolly stated that there will be practical difficulties because he would never be able to replace Cllr Ovenden on the F&GP Committee as he is unavailable on Mondays.

Cllr Smith suggested that a substitute needn't be from the same authority and could be an Appointed Member from a different Local Authority who would be fully briefed on the matters being discussed and this would make it viable for Authorities who have less representatives, such as Thanet District Council with only one representative. The Vice Chairman agreed that this would be helpful.

It was proposed by the Vice Chairman, seconded by Mr Steed and resolved that substitutes be appointed from the same designation, i.e. Appointed by Appointed, Elected by Elected.

All Members were in agreement with the above decisions.

ii. Succession and Resilience Planning – Chairman and Vice Chairman roles and the possibility of appointing a Deputy Vice Chairman

The Chairman stated that the Internal Auditor had recommended that the Board give some thought to appointing a Deputy Vice Chairman. The Chairman asked the Board to consider this matter and the Board agreed it to be a sensible proposal.

It was proposed by the Chairman, seconded by the Vice Chairman and resolved that a Deputy Vice Chairman be appointed. The Chairman asked for nominations.

Cllr Smith proposed Mr G Steed for Deputy Vice Chairman if he was willing. Mr Steed thanked Cllr Smith and confirmed that he would be willing. Mr Dyas proposed Mr M P Wilkinson for Deputy Vice Chairman, Mr Wilkinson thanked him for the nomination but declined due to other commitments and lack of time. Cllr Hicks seconded the proposal for Mr G Steed to be appointed as Deputy Vice Chairman. All Members were in agreement and it was resolved that Mr G Steed be appointed as Deputy Vice Chairman with immediate effect. The Chairman congratulated Mr Steed on his appointment.

iii. Internal Auditor Appointment or Reappointment

The Chairman reported that it will be 5 years in November since Mr D Griffiths was appointed as the Board's Internal Auditor and therefore the Board needs to decide whether to appoint a new Internal Auditor or reappoint Mr Griffiths at the AGM in November. The Chairman stated that Mr Griffiths is a very good auditor and he would have no objection for his term to be extended, especially as the Board is currently extremely busy with the Main River Rationalisation Project.

The Chairman reported that the recommendation from the F&GP Committee is to extend Mr Griffiths' term by a further two years and he asked if there were any comments or other suggestions. Cllr Hicks stated that the F&GP Committee discussed this at length and she thought it would be wise to continue with the same Internal Auditor until Tranche 1 of the MRR Project has been completed. All Members agreed and it was therefore proposed by the Chairman, seconded by Cllr Hicks and resolved that Mr

Griffiths be re-appointed as the Board's Internal Auditor for a further two years at the Board's AGM in November.

The Chairman asked the Clerk & Engineer to contact Mr Griffiths to enquire if he is willing to continue as the Board's Internal Auditor for a further 2 years.

iv. Financial Reserves Target Assessment

The Chairman stated that the Board's Reserves Target was set at £250,000 at the Board meeting on 4 February 2016 and the reserves have increased over the last accounting year to around £216,000 (both of these figures include the Thrustbore Reserve which now stands at £35,000 rising to £50,000 by the end of this financial year).

After some discussion, it was agreed that the Board's Reserves Target should be increased. It was proposed by Cllr Smith, seconded by the Vice Chairman and resolved that a new Financial Reserves Target be set at £350,000 with a view to it being reviewed annually.

v. Review of Premises following the recent settlement of the Long-Term Loan with the Public Works Loan Board

The Chairman stated that as the Board's premises are now fully owned by the Board, and following on from the Internal Auditor's recommendations, the F&GP Committee discussed the future of its premises. The Chairman stated that whilst he feels that the building is adequate for the Board's activities, it was suggested that enquiries be made regarding the potential development value of the site.

The Chairman stated that once this information has been obtained, future options should be developed and assessed; whether to sell and if so how to invest the sale proceedings which could possibly be on a new office location with better meeting and parking facilities.

Meeting Paperwork Distribution

The Chairman reported that a suggestion had been made that meeting paperwork be issued by email to reduce printing and postage costs. Mr Steed and Cllr Burgess opted for their paperwork to be issued via email. Due to the substantial amount of information contained in the paperwork other Members opted to continue receiving their paperwork by post.

Ref: W1-39 MAIN RIVER RATIONALISATION PROJECT

The Clerk & Engineer stated that the Board will need to decide 'in Principle' regarding Tranche 1 and he circulated the updated pre-transfer information sheets and the proposed Conditions for Transfer.

The Chairman asked if the transfer figures for the assets have been finalised. The Clerk & Engineer stated that Ms Pinfold has provided further information but he has not gone through it in detail as yet. Ms Pinfold stated that a meeting is to be arranged between Mr Beal, Mr Phillips (EA Catchment Engineer), the Clerk & Engineer and herself or her successor to work through the figures so that detailed information is relayed and agreed prior to final transfer.

The Clerk & Engineer ran through a brief summary presentation on the details of Tranche 1 of the Main River Rationalisation as detailed on the Finance, General Purposes & Works Meeting Minutes and the MRR Sub-Committee Minutes (7 July 2017).

Following his presentation, the Clerk & Engineer reported that the MRR Sub-Committee and the Finance, General Purposes & Works Committee had recommended that the Board accepts the Transfer of Watercourses and Structures within Tranche 1 of the Main River Rationalisation Project subject to the Conditions below:

**Main River Rationalisation – Conditions for Transfer
(for recommendation to the Board)**

1. The Board accepts the proposed transfers in Tranche 1, from Main Rivers to IDB adopted watercourses, on the understanding that the EA has agreed to adjust its annual Precept on the IDB by 80% of the estimated costs of annual maintenance (80% = £42.9k). This will create a new base-level for the Precept for future years (a permanent adjustment).
2. The Board will only accept future responsibility for EA assets specifically highlighted and agreed for transfer. All other assets will remain under current riparian ownership and responsibility, which is not and cannot be accepted by the Board. Any future claims, should they arise, will therefore be addressed by the EA (not accepted by or transferred to the Board). Agreed – a letter will be provided to clearly state this.
3. The EA has agreed to provide a legal opinion, in writing, confirming its position in relation to private assets and any future claims (to absolve the Board of future liabilities and to avoid the potential of ‘inheriting’ responsibilities should a case be made). The Board will seek a second opinion from ADA before confirming its position.
4. The Board is aware of potential disputes in relation to the ownership and responsibilities for some bridge structures, and will therefore require satisfactory clarification of the situation, in relation to assets already known to be in dispute and also other assets not yet specifically identified.
5. The EA has agreed to provide a position statement regarding its current involvement in the management and operation of private mill structures, and to confirm its current approach to potential enforcement issues (e.g. if the structures were to be operated inappropriately or to fail and cause flooding or environmental damage). The Board must assess the risks associated with private assets such as mill structures, which may extend beyond current routine involvement, and is seeking assurance from the EA regarding its wider remit and potential liabilities prior to making its final decision.
6. The details of proposed transfer funding still need to be reviewed, following site surveys and after detailed condition assessments and costings have been provided by the EA (only sums have been provided to date).
7. The following watercourses are to be designated as Upland Watercourses: Hogwell Sewer, Shelvingford Stream, North & South Streams (Hacklinge), Lampen Stream, Great Stour (Upper Reach).
8. The following watercourses are to be designated as Lowland Watercourses: Richborough Stream, Minster Stream, Gosshall Stream, General Valley Dyke, Great Stour (Sparrow’s Bridge).

The Chairman stated that all Members would have an interest in the proposals in some way but enquired if there were any direct interests in the Main Rivers proposed for transfer. Mr P S Dunn, Mr P E Dyas and Mr G Steed declared an interest in the Richborough Stream, Minster Stream and North & South Streams respectively.

Ms Pinfold reported that the timeline for the project has changed:

- Informal Consultation which was going to take place in September has now been pushed back to October 2017.

- Formal Consultation is now to take place during December 2017 and January 2018 for 6 weeks rather than the 4 weeks in November 2017.

Ms Pinfold reported that they need to advertise the public drop-in sessions in September and are already putting all these details together.

The Chairman stated that one of the important aspects to remember is that the EA will be ceasing maintenance on these watercourses and he asked if the EA have a date of when maintenance will be cease. Mr Nunn replied that the EA will be looking to cease this maintenance next Summer if the transfers go through but if the transfers were not to happen it will effectively be in 3 years' time.

The Chairman stated that through the work carried out by the Clerk & Engineer and the Sub-Committee, the Board has worked out a way to continue maintenance on these watercourses, albeit with a negative effect on some of the current IDB watercourses which would be impeded anyway were maintenance not carried out on the Main Rivers. The Chairman invited comments.

The Clerk & Engineer stated that we require a general approval from the Board for accepting Tranche 1 subject to any changes on the above conditions and the results from the consultations. Mr Nunn stated that approval today will not commit the Board as the final decision can only be made when the consultations have been completed but obviously the EA requires the Board's position to enable them to steer the consultations. The Vice Chairman stated that it would be fair to describe today's decision as a Statement of Intent.

Cllr Martin stated that the MRR Sub-Committee and the F&GP Committee have done an extremely thorough job and the Board is almost there but she would like to know more about the consultations' contents and she would also like an assurance that the EA is to cover all its costs. Ms Pinfold replied that the EA will cover the costs of the consultations and whoever is in post at the time will be leading the consultation (Ms Pinfold will be on maternity leave from 15 September). Ms Pinfold reported that herself and Ms Gannon are currently preparing all the materials for consultation, led by the EA's National Team as there are four other areas going through the same process and consistency of messages is important. Ms Pinfold added that all this work is being carried out in consultation with the MRR Sub-Committee and will be available to the Board prior to the consultation going ahead. Ms Pinfold stated that attendance at these events will also be important and the EA will ensure representation from the project leader as well as from other areas such as the Fisheries and Biodiversity and Asset Performance Teams.

The Chairman asked Mr Williams if he felt that there would be any environmental problems, complaints or negative observations that would affect the Board's decision. Mr Williams stated that he does not think that this will affect the management of the North and South Stream and he further stated that he has already indicated to Ms Pinfold that he supports this proposal. Mr Williams stated that his only concern is what will occur with the other Tranches and he sought confirmation that the decision made with regards to Tranche 1 is completely independent from the other Tranches and will not in any way create an obligation on the Board towards further transfers. The Chairman re-affirmed that the decision on Tranche 1 is totally independent of any future proposals. Ms Pinfold agreed that this is the case.

Mr Williams asked if the EA will also stop the maintenance on the watercourses listed for transfer within the other Tranches. Mr Nunn replied that will be a possibility. The Clerk & Engineer added that the Board will need to assess the importance of any further proposed demainments against current IDB maintained watercourses as it has done with Tranche 1. Mr Nunn stated that this is a pilot project being trialled in 5 different locations and Defra has had varied interest in this process due to Ministerial changes. Ms Pinfold stated that Defra is keen to demonstrate good governance, environmental management, community involvement and engagement in this process. The EA has not looked at the Main River network in such a scale

before and this project will highlight issues and ways of working that will help to get a process in place for the future.

Mr Nunn stated that once Tranche 1 is completed there will be a review of the whole process and conclusions will be drawn from it and he thinks that as a group of stakeholders in the environment we will want to continuously review whether there is more demaining to be done in the future. Mr Nunn further stated that he does not think that the EA will ever be in a position to demand that another body take responsibility for watercourses or assets but it will need to continuously review what maintenance is able to carry out, in line with national priorities and Government funding.

Cllr Conolly asked if the reduced maintenance on the current IDB watercourses to accommodate for the maintenance on the watercourses to be adopted will have a negative effect on the former. He further stated that landowners will have an interest in specific maintenance plans but the general public's main concern will be regarding local flood risks to properties. The Clerk & Engineer replied that the IDB watercourses identified for reduced maintenance are considered to be less important than the Main Rivers to be adopted and largely within the same area. He added that there will inevitably be some negative impacts on the drainage network if there is an overall reduction in maintenance, so the Board will need to decide how to minimise these. He added that on a more positive note there may be some environmental gains as a result, although this will also need to be monitored.

The Clerk & Engineer stated that the Board could continue to maintain all IDB watercourses as well as the Main Rivers for transfer but this would result in an increase to Rates and Levies. The reductions were proposed to ensure that we stay within existing budgetary limits (less than 2% annual increase). The majority of the watercourses chosen to receive biannual maintenance are the smaller tributaries which drain to Main River. To minimise the impacts the Board will need to remain flexible in the future and may need to vary its works programme.

The Chairman stated that there wouldn't be any reason why landowners could not carry out or arrange for their own cut in alternate years. The Clerk & Engineer added that this would be okay providing it was done to an acceptable standard.

The Clerk & Engineer stated that with regards to the Consultation we are planning to offer meetings to all the District Councils and include the relevant IDB Members and then have some drop-in sessions for Parish Councils that are affected. The Clerk & Engineer further stated that it is important to not just focus on the landowners of the land directly affected as we need to address the wider communities as well. Cllr Conolly stated that this is an opportunity for the IDB to make its presence known. All Members agreed.

Cllr Martin stated that she still has concerns about what effects are going to be felt from not carrying out maintenance on certain watercourses and she understands that this stems from government and the EA's changing role and funding restrictions but this process must also have some benefit for the Board. Cllr Martin further stated that the Consultation must be explicit and clear from the start and it must clearly depict the Board's role and responsibilities.

The Clerk & Engineer reported that environmental risk was an issue highlighted at the De-maining Technical Working Group meeting with Defra and the EA. It will therefore be important for people to understand that this Board's working standards are the same as the EA's standards. The Chairman added that the work the Board has done and continues to do regarding biodiversity needs to be highlighted throughout the Consultation.

Cllr Conolly asked when Board Members would have a chance to see the paperwork for the Consultation. Ms Pinfold replied that they are hoping to have all the information on the watercourses finalised soon, the national team are working on letters for landowners, information to go on websites, paper copies to go to council offices

and parish councils. Ms Pinfold stated that she is hoping to go to informal consultation on the first week of October so she will inform the Clerk & Engineer of some dates of when she thinks all the materials will be ready. Mr Nunn suggested that the EA hold a pre-consultation display at their offices for the Members to visit and comment on. The Members thought this would be very good.

Mr Dyas stated that he was surprised that the EA had reportedly approached another Board for this pilot project which was subsequently considered to be not up to standard. Ms Pinfold replied that some IDBs approached the EA to take on some watercourses and others were approached by the EA so there is a mixture of where IDBs are in terms of their governance and environmental considerations and that is why there may be some disparity. Ms Pinfold stated that they are working with the Board in question to bring it up to standard.

The Chairman reported that the Finance, General Purposes and Works Committee recommended that the Board makes a Statement of Intent to accept the Transfer of Watercourses and EA Structures within Tranche 1 of the Main River Rationalisation Project subject to the 8 Conditions specified above and subject to the Consultations.

The Chairman ran through all the 8 conditions in detail:

Condition 1 – the Clerk & Engineer reported that the reduction of the IDB Precept by 80% of the estimated costs of annual maintenance on the transferred watercourses has been formally agreed. Mr Nunn agreed with this and confirmed that he will arrange for a formal letter to be issued to the Board. He added however that this percentage figure would not necessarily be appropriate for future tranches, as each case will need to be considered on merit.

Condition 2 – the Chairman stated that this condition and the requested EA letter is intended to clearly absolve the Board of future liabilities where asset ownership is questionable and to make it clear that the Board is only accepting the EA assets specifically detailed and agreed in the final Agreement. This will need to be put into legal terms which will stand up in court if necessary.

Condition 3, 4 and 5 – these three conditions are intended to protect the Board against potentially 'inheriting' responsibilities of private assets, bridges and mill structures. The Chairman stated that the EA should hold discussions with bridge and mill owners to clarify their responsibilities before transfer.

Ms Pinfold reported that with regards to conditions 2 and 3 the EA has prepared a letter assuring the IDB's position in respect of third party assets which she will forward to the Clerk & Engineer for amendment and approval. The IDB's position in respect of these third-party assets will also be made clear within the legal Agreement.

Ms Pinfold stated that with regards to condition 4 the EA will address these issues as they come up and will resolve them as quickly as possible.

With regards to condition 5 Mr Nunn stated that the EA have discussed their position and it would be unusual for the EA to carry out any works at a private mill. The expectation is that the Board will take no responsibility for private mills and this needs to be incorporated into the formal Agreement. Ms Pinfold stated that she will contact the mill owners directly without delay.

Condition 6 – the Chairman stated that the Clerk & Engineer will progress this matter over the coming months.

Condition 7 & 8 – the Chairman stated that this specifies the designation of the watercourses as Upland or Lowland as this directly affects finances. However, due to the reduced maintenance of some IDB watercourses, this is expected to balance out (no positive or negative effect).

Cllr Martin asked if these conditions are being legalised by the EA. The Chairman stated that the legal transfer document from the EA will incorporate these conditions and the Board will have them checked possibly by ADA. The Clerk & Engineer agreed that hopefully ADA will be able to provide legal assurance rather than having to engage outside legal services. This would also provide a consistent approach to all pilot IDBs in this project.

Mrs Wyant asked with regards to the position on the mill structures, surely mill owners' roles and responsibilities are incorporated into their deeds. The Chairman replied that that in most cases mills are covered under Acts of Parliament rather than property deeds and mill owners have strong and enforceable rights. He added that it is a question of ensuring they apply their rights and responsibilities correctly.

The Chairman asked the Clerk & Engineer about the De-maining Technical Working Group (DTWG) which he attended on 26 July with EA, ADA, Defra and the other 4 pilot Boards and whether it was mentioned about ADA providing legal advice to all Boards within this project. The Clerk & Engineer reported that he sent a brief out to all Members about said meeting. The Clerk & Engineer replied that this was suggested at the site meeting with ADA and the EA's National team representatives but there was no definite response and it was the same at the DTWG meeting with a general positive feedback but no commitment. The Clerk & Engineer stated that he will contact ADA to state the Board's position and to request legal guidance from them through this process.

Mr Steed referred to the transfer of funds that will be made available for the asset transfers and the Board's intention to ring-fencing this sum for ongoing maintenance of the transferred assets. Mr Steed sought assurance that this sum will be in addition to the Board's Financial Reserves. The Chairman confirmed that this would be the case, the EA's transfer fund will also not be used for river maintenance, it will be used on the maintenance of the transferred assets.

It was proposed by the Chairman, seconded by the Vice Chairman that a Statement of Intent be made by the Board to go ahead with the transfer of watercourses within Tranche 1 subject to the conditions stated and the result of the consultations. All Members agreed to make a formal Statement of Intent to accept the Transfer of Watercourses and Structures within Tranche 1 of the Main River Rationalisation Project subject to the 8 Conditions specified above and subject to the Consultations.

The Vice Chairman, on behalf of the Board, expressed his appreciation for the extremely helpful working relationship the Board has had with the Environment Agency through this process.

ANY OTHER BUSINESS

Mr Dyas asked the EA if the flows in the River Stour are improving. Ms Thompson stated that the levels are still low and under observation due to the continued low rainfall, but as far as she was aware they are not critical. Mr Dyas asked when the restrictions on abstraction will be lifted. Ms Thompson stated that she will check and will advise.

MEETING CLOSED

There being no further business, the Chairman declared the meeting closed and thanked Ashford Borough Council for the use of their premises and the Environment Agency Staff and the Board Members for their attendance.