

1. Minutes of the Meeting held 7 December 2012

Present:

Paul Burtwistle (PB)
Roni Chapman (RC)
Chris Goodall (CG)
Sue Wilkinson (SW)
John Hoare (JH)
Peter Horne (PH)
Jeff Bloor (JB1)
Roger Mitchell (RM)
Fred Paling (FP)

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

Ian Benn (Clerk)
Alison Briggs (Environmental Officer)
Kieran Sheehan (Project Manager)

Also in attendance:

Richard Ward (Doncaster MBC)
Julian Small (Natural England)
Helen Kirk (Thorne & Hatfield Moors Conservation Forum)

- 2012.1.** Jeff Bloor asked members to note he had been requested to Chair the meeting by the Board Chairman and asked if all present were in agreement. All present confirmed.
- 2012.2.** SW raised a point of order asking whether PB had a pecuniary interest in the WLMP and whether he should be attending the meeting. AB confirmed PB had no pecuniary interest in the plan
- 2012.3.** JB outlined the reason for the meeting which was to agree the role of this Board in the plan for the future, and how governance of that plan can be managed. He confirmed a presentation was to be given by KS as Project Manager, by JS from NE and by HK from Thorne & Hatfield Moors Conservation Forum. He asked members to note the history of the plan is that the Stakeholder Group had not been successful.
- 2012.4.** JS outlined the importance of Thorne Moors and discussed restoration work done by NE to date. He confirmed the site history is one of peat extraction but in more recent times peat milling representing mechanical peat extraction. This extraction ceased in 2004 and Defra bought the site. It is estimated 9 billion tonnes of peat has been extracted from the site. The site is of national and international importance as a lowland raised mire, to illustrate its importance he likened it to the uniqueness of York Minster to Yorkshire. He confirmed the importance of the Moor is not confined to nature but it impacts on people and their identification of landscapes. Members were informed peat contains layers of history and work on the moor has identified the third oldest road in Europe from Neolithic times. Restoration of the site has importance for carbon sequestration. In order to restore the mire it is essential for the water table to be close to ground level throughout the site in order to provide conditions in which *Sphagnum* moss will grow; an essential component of peat. Some parts of the site are currently too wet, others too dry. Most of the milled area is 1.4m below sea level. The parts which are too wet require the pumping of excess water into the Swinefleet Warming Drain. The plan needs to cover the whole SAC not just the part owned by Natural England. He confirmed it essential to look holistically at the site and work with the surrounding drainage systems. It is intended following work on the WLMP that any water leaving the moor will be released more slowly than at present. He concluded by saying Natural England commended the project to the Board
- 2012.5.** KS informed Members that both he and Alex Jones, hydrologist from Saltaire had written the Investigative Studies Report jointly that followed on from the original WLMP. The aim of the plan is to retain water on the bog, not allow it to run off. He confirmed 6 IDB districts surround the moor; he became associated with the plan under the section worded "to undertake various research and investigations as identified in the original plan". The objective of the plan was to bring the site into target condition by 2010. The original plan made recommendations for control of water levels and this was agreed by the Partnership in 2008. The Investigate Study was to ascertain how the required water levels could be achieved. He asked Members to note restoration of the Moor was the job of Natural England, understanding and controlling water levels is his. He confirmed the investigative works followed initial work undertaken by NE some time ago and has included additional dipwells and gagueboards as it is essential to understand how water moves through the moor. KS illustrated the water level classification within the site as it now stands, confirming as investigative work is being done, the plan becomes more refined. KS presentation included a slide of the schedule of costs included in the bid that went to the EA for funding which was in excess of the original cost, standing at £3.7 millions. He asked members to note the £0.9 million requested for scrub clearance on part of the site had not received funding. He asked Members to note the aim of the plan was to keep as much water on the bog as possible. He confirmed the bog expands in winter as it retains water and shrinks in summer as it loses water mainly through evapotranspiration. [Note: evapotranspiration is water loss from site evaporated through plant stomata during respiration]. The plan is to stop water draining off the bog, it should save money in reduced electricity costs of pumping and save the embedded carbon of electricity consumption, but also retain carbon on site through sequestration and prevent further emissions from peat oxidation. [Note: sequestration is the process by which carbon from carbon dioxide is retained in biomass as a plant grows which is not broken down through processes of decomposition because of the water logged and cold conditions in the mire]. Introduction of a telemetry system on the moor will give a real time response to rainfall events and will tie in with the current Board telemetry system. Water at present discharges into a Reedness & Swinefleet Board drain through manual operation. The estimated reduction in

pumping based on work carried out so far is at 40%. The position of a new pump if required is likely to be on Blackwater Dyke. KS asked members to note that the position of the new weir on Southern Boundary Drain should be accorded the highest priority; it is currently holding back a body of water that is classified as a reservoir under the Reservoirs Act and is in need of maintenance and repair. Should it fail, it will cause a severe flooding problem for surrounding land and would be known as a bog burst.

2012.6. HK confirmed her presence on behalf of the Thorne & Hatfield Moors Conservation Forum was as an independent and to give an objective perspective. She acknowledged the site had been a political battleground over past decades. HK confirmed to members of the Board that, if the WLMP project failed, the UK Government would face a complaint to Europe. The WLMP is about hydrology, not restoration which fell within the remit of NE, not the Board. HK confirmed she had not seen the evidence for procrastination that was putting this project at risk and was concerned the current suggestion of using PRINCE2 as a means of governance would increase project administration costs.

PB asked HK to explain PRINCE2. HK confirmed it was not her responsibility to explain project management to the Board.

IB confirmed he was happy to provide the explanation; HK preferred to continue with the presentation suggesting questions be asked at the end.

JB confirmed an explanation of PRINCE2 was necessary and IB confirmed it as being a recognised method of project management that had been suggested as an aid to moving the currently stalling plan forward.

HK continued to confirm there was a socio economic value to this site and acknowledged its importance to the public's health and well being.

2012.7. JB confirmed there was no doubt as to the importance of the site.

2012.8. JH asked why the hold up and delay in plan implementation

2012.9. JB confirmed the WLMP set out the system of accountability in the form of a Stakeholder group which included the Boards surrounding the moor, Natural England and the Environment Agency, the group had to report back to the Board.

JB said the Board had 2 roles in the WLMP: 1. Funding for the plan passed through the Board accounts, and 2. Appropriate governance of the plan

He noted the Administrator had indicated disquiet and disharmony amongst the stakeholder group and the Minutes of Meeting from February 2012 indicate that.

He suggested Doncaster East wishes to take this plan very seriously because it is the right thing to do; failures so far have come from the stakeholder group. If Doncaster East decides it is committed to the project, it must be subject to proper governance, the Board requires the stakeholder group to move forward in a constructive way.

2012.10. PH asked if the Board were bound by the decisions of the Tween Bridge Board. The Administrator confirmed that Statutory Instrument Order 2012 transferred to the new board all assets and liabilities relating to the 7 amalgamating Boards.

2012.11. CG suggested the legal opinion obtained by the Board had said otherwise. IB confirmed the question asked of the lawyers was "what would be the consequences of walking away from implementation of the plan? It had been confirmed there was no existing case law upon which to base an opinion therefore the repercussion of walking away was difficult to ascertain.

2012.12. CG felt the concern of the Board should be that we take rates from landowners to be used in land drainage. If in the future flooding occurs as a result of the WLMP implemented by the Board, this would not only be an issue for the Board, but it may be held accountable. IB responded that this Board was implementing other WLMPs within its District and no questions from Members had been raised on those. He declared an interest in the WLMP currently being implemented by JBA Consulting but suggested CG might also register an interest as he represents a number of landowners in the area through his business.

2012.13. CG asked what the level of risk to surrounding landowners was if the WLMP continued to be implemented.

RM confirmed the point that the design of the WLMP will make it safer, the area will be subject to less flooding, however, we cannot be certain there will be no flooding particularly in view of more frequent and extreme rainfall events.

CG again asked if the plan increased or decreased the risk of flooding to the surrounding land.

SW responded the answer was in the presentation, the aim of the plan was to keep more water on the moor.

PB confirmed the plan was to increase water levels on the Moors, not to stop flooding elsewhere. He was aware dams have burst in the past and the lesson from history is that this happened the last time such a plan was attempted, in other words it failed.

RM indicated this was on a different scale of operation and of intervention.

HK confirmed she took part in the Steering Group and felt there was a deliberate will to frustrate the progress of the plan. Governance ideas had been offered, but not been adopted by the Group.

JS confirmed it was the intention of NE to take ownership of any structures and liabilities in connection with their owned land. He asked Members to note that his predecessors were not able to call on the expertise that it now has from JBA staff.

PB confirmed KS had struggled with the Steering Group, the IDBs surrounding the Moors were concerned the plan would increase the risk of flooding. He also asked Members to note that HK was not an independent observer as had been claimed but that the Thorne & Hatfield Moors Conservation Forum had undertaken work on the Moor and been paid for it.

JB asked members to note that the Board should look to avoid recrimination. The surrounding landowners and Boards want to ensure their interests are taken into account but this Board must recognise it has a responsibility both nationally and internationally.

KS confirmed the Forum had submitted invoices for work carried out on Inkle Moor as part of the IDB Grant scheme which was bid for jointly by the Partnership, NE and T&HMCF. This was a separate pot of money from the WLMP.

SW asked Members to note that this plan has already been signed off; funding available for use has been drawn down. The work will reduce flooding; a bog acts as a sponge and parts of the Moor not maintained for some considerable period of time are acting as a reservoir in imminent danger of failure unless work progresses; she asked what the Board were messing around at.

JB proposed that Doncaster East IDB commits to proceeding with the WLMP.

PH felt the Board had no option.

JB the proposal: "Doncaster East IDB commits to development and implementation of the WLMP". 6 in favour, 3 against.

JB felt the Board was seeing reassurance from NE and JBA Consulting that implementation of the plan will not adversely affect ratepayers surrounding the Moor.

CG suggested "on balance" implementation of the plan should not have a negative effect on ratepayers.

FP thought this was a matter at which the full Board should respond.

JB confirmed that was incorrect, this was a properly convened Board meeting and attending Member numbers meant it was quorate.

CG wanted assurance that this Board would not abrogate its responsibility to the ratepayers indicating that if the plan goes wrong the Board should be able to hold someone to account.

JB the proposal: "This Board fully supports and commits itself to the implementation of the WLMP subject to the protection of ratepayers in surrounding areas". 8 in favour 1 against.

2012.14. JB asked for suggestions on moving forward; who would sit on the Steering Group, suggesting the Board Chairman.

PB confirmed the Steering Group had not been successful.

JB asked NE view on governance

JS suggested NE had two roles: 1. As landowner, and 2. As regulator of SSSIs. They would not put any installations on their site that would place any adjoining landowners at risk but for him to discuss governance would not be appropriate.

JB confirmed the WLMP sets out what the group should be. THE WLMP also confirms that this Board will ratify its decisions. He also asked members to note that all work undertaken as part of the plan has to be to the satisfaction of NE.

PB commented JBA Consulting were doing the work and its all funded but the rest of the world see it is the IDB undertaking the work and the Engineering work of this plan has not been put out to tender.

JB asked Members to remember they had collective responsibility for implementing the WLMP and there was a need to progress the plan, he did not want any bickering.

SW suggested the plan implementation fell within the remit of EU Procurement. JBA Consulting had been taken on to implement the plan before this Board took over, asking if the plan went through the proper procedures before amalgamation.

JB confirmed procuring your own arrangements for engineering and other services have disadvantages.

IB confirmed the cost of administration of implementing the scheme is not the same as the scheme itself

JB felt the Board was right to procure services for implementation of this plan; other Boards had not been in a position to have the WLMP. It should be noted the Grant in Aid has all been approved by the EA and in place for drawdown, he proposed JBA should continue to implement the plan on behalf of the Board and go out to tender for work where it proves necessary.

PB referred to any new tender document for the proposed weir might be funded but the Board doesn't want to be left a legacy with anything that requires ongoing cost. How can any tender document be signed when nothing has been finalised with NE. He also referred to access to the site over his private land.

PH suggested as Doncaster East is signing cheques spending the funding, any steering group should include someone from the Finance Committee

JB suggested this Board handles the finance and is representing the drainage board.

HK suggested the meeting needed to move forward today, not rehash old events

JB confirmed the steering group needs proper terms of reference and instruction

RM suggested because of the large sums of money involved, the Board needed to ensure it received value for money when engaging a project manager indicating the Board could not necessarily use JBA as project manager as they are issuing the work schemes.

JB reiterated the Board has final say and all financial matters are audited; there is a proper system in place for controlling money. These systems are ratified by the main Board therefore it is essential to ensure there is a proper system in place for reporting to the finance committee.

PB suggested it is essential the steering group oversee JBA and a strong chairman of the steering group would ensure that happened.

JB proposed Ken Knight to be this Board representative on the steering group

IB confirmed it was a good idea for representatives on the group and wondered if the Engineer would be required to comment on works being undertaken, he added although we (JBA) provide services of Clerk and Engineer, we (personal) are employed by JBA and therefore have a conflict of interest. He felt the difficulty with the previous steering group was they had seen huge amounts of money going into the project and thought that could be split between the Boards; not appreciating this funding was specifically for the WLM project

CG asked members to note the original cost of the plan costings produced for Tween Bridge was miniscule in comparison to the current plan inherited by this Board, considerably more work had been identified and he felt all surrounding Boards should support the project.

JB proposal: "The system of accountability should be via the Finance Committee which shall then keep the main Board up to date". All voted in favour.

JH asked the project manager to provide a report at the next main Board meeting to confirm that matters have moved forward.

JS suggested Board Members should have a visit out to Thorne Moors to see implementation of the plan in reality.

Meeting closed.