

## SAWTRY INTERNAL DRAINAGE BOARD

At a Meeting of the Sawtry Internal Drainage Board  
held at the Old School Hall, Green End Road, Sawtry on Wednesday the 8th June 2016

### PRESENT

A G Darby Esq (Chairman)  
M J Broughton Esq  
S J Custance Esq  
D R Elmore Esq

S R Juggins Esq  
S T Raby Esq  
R G Tuplin Esq  
Ms C Weightman

The Clerk to the Board and Mr R Laxton (District Officer) were in attendance.

The Chairman welcomed Members to today's meeting.

### Apologies for absence

Apologies for absence were received from Mrs D Riddle and C J Allen Esq.

The Clerk reported that Mr Allen would be leaving Huntingdonshire District Council at the end of the year. He also reported that it appeared that the Council would be looking to appoint Councillors only from this year.

The Board expressed thanks to Mr Allen for his services.

### RESOLVED

That the Board's appreciation of the services rendered to the District by Mr Allen be recorded in the Minutes and conveyed to him together with their best wishes for the future.

### B.1023 Declarations of Interest

The Clerk reminded Members of the importance of declaring an interest in any matter included in today's agenda that involved or was likely to affect any individual on the Board.

### B.1024 Confirmation of Minutes

### RESOLVED

That the Minutes of the Meeting of the Board held on the 3rd June 2015 are recorded correctly and that they be confirmed and signed.

### B.1025 East Coast Main Line Level Crossing Closure Programme

Ms Weightman wondered if Network Rail's National Level Crossing proposals affected the Board.

The Clerk advised that no further information had been heard locally from Network Rail

#### B.1026 Clerk to the Board

The Clerk informed the Board that he intended to stand down from the office of Clerk of the Board at the end of 2016, that the Middle Level Commissioners would be taking appropriate steps to appoint his replacement and that he would keep the Board informed.

The Chairman expressed thanks to Mr Smith.

#### RESOLVED

That the Board's appreciation of the services rendered to the District by Mr Smith be recorded in the Minutes.

#### B. 1027 Chairman of the Board

The Chairman informed the Board that he would be standing down at the end of the meeting. The Board commented appreciatively of Mr Darby's services to the Board.

#### RESOLVED

- a) That the Board's appreciation of the services rendered to the District by Mr Darby be recorded in the Minutes.
- b) That Mr S J Custance be appointed Chairman from the conclusion of the meeting.

#### B.1028 Bank mandate

#### RESOLVED

That, in addition to Mr S J Custance, Mr D Elmore be authorised to sign cheques and authorise payments on behalf of the Board.

#### B.1029 Election of Board Members

The Clerk reported that the term of office of the Members of the Board will expire on the 31<sup>st</sup> October 2016. He submitted the proposed register of electors which is applicable to the 2016 election which was approved.

#### B.1030 Land Drainage Act 1991 Huntingdonshire District Council

The Clerk reported that Huntingdonshire District Council had re-appointed Mrs D Riddle, Mr C J Allen and Councillors DM Tysoe and R G Tuplin to be Members of the Board under the provisions of the Land Drainage Act 1991.

Mr Tuplin queried whether Cambridgeshire County Council as Local Lead Flood Authority should have appointees to the Board. The Clerk explained that District Council appointees were on the Board to represent Special Levy payees and that the County Council did not have this involvement.

### B.1031 Great Fen Project

Further to minute B.999, Ms Weightman reported that work was progressing and referred to the 'reservoir' water holding works at Engine Farm. Water had been held at Rhymes Reed bed with had seen a number of short eared owls.

She advised that the last of the "Meres Trails" footpaths had been opened and considerations were being given to a car park north of Holme Fen.

She added that the Woodwalton Fen Water Level Management Plan was being reviewed and proposals for water storage were being considered. Water quality was still of concern.

Jackson Bridge was being assessed.

Mr Raby enquired as to land acquisition. Ms Weightman advised graziers were in place but some land, though owned, was still subject to tenancies. Match funding was still an issue.

Ms Weightman referred to the Memorial Service for the Spitfire Pilot to be held in September.

A community open day would be held on 24<sup>th</sup> July. Ms Weightman advised that Philippa Crooke was now Senior Reserve Manager and Katie Smith was day to day on site at Woodwalton.

The Chairman felt that the reservoir proposal would be of interest and needed to take account of evaporation.

### B.1032 Water Framework Directive

Further to minute B.1001, the Clerk reported that the Anglian River Basin Liaison Panel of which he was a member have considered the draft updated River Basin Management Plan revision and the regional programme of projects funded by Defra for WFD. He reported that he had also been advised that the statutory Plan to be sent to Ministers would be a "high level" generalised document and not contain the list of local "measures" which appeared in the many schedules to the 2009 Plan. Whilst this made the 2009 Plan rather cumbersome, it did at least set out the measures expected in relation to a water body, whereas the present framework leaves the relevant measures to be discussed locally. Part of the ongoing work is to settle what "mitigation measures" are appropriate to the artificial and heavily modified water bodies of the Fens to ensure that they satisfy the requirement to reach Good Ecological Potential. The Middle Level Commissioners' Environmental Officer, Cliff Carson, is a member of a Group, looking at reasonable mitigation measures for such bodies, which are likely in fact to correspond with what was already in our Biodiversity Action Plans and therefore require, as previously advised, little additional work.

The Clerk advised that he had commented on the revised plan but had to date received no feedback on either this or on the earlier flood risk management plans despite promises from the Environment Agency that this would occur.

The Clerk reported that he had, however, continued discussions with the Environment Agency's local Water Framework Directive teams. For IDBs in the MLC area, it has been accepted that the Middle Level area will be designated as one water body for the purposes of the 2015 Plan and that, with the exception of Bury Brook, the whole of the "water body" will be designated as artificial; the exception being Bury Brook which is classed as heavily modified. The Clerk confirmed that the River Basin Management Plan had been confirmed by Government.

## B.1033 Water Transfer Licences

The Clerk reported that Defra have advised that they propose to bring into force the changes to the water abstraction licensing system, which were outlined and enacted in the Water Act 2003. Successive proposed implementation dates have, however, come and gone. Most significant amongst these changes is the requirement that abstractions simply transferring water from one watercourse to another by IDBs become subject to licensing.

The Clerk reported that the Environment Agency have however also now consulted on a proposed charging regime for transfer licences. This following correspondence with Rory Stewart MP, the Parliamentary Under Secretary of State, appears to be a "one off" charge of £1,500 imposed to "recover the Agency's costs of considering the grant of the Transfer Licence", rather than an annual charge but he had continued to object to it on the basis that, since water is transferred to serve licences granted to end user abstractors by the Agency, the costs of administering such licences should already be met. He had also taken the opportunity to raise this matter during the Ministerial Visit to Denver, as did representatives of the Downham and Ely IDB Groups. It was also pleasing to report that ADA, after inaction on the matter, appeared at last to be taking this up with Defra.

The Clerk reported that the Defra consultation appeared in December but was then withdrawn hours later. It was however, formally reissued in January with a period for responding lasting until 8<sup>th</sup> April. Despite what had previously been stated, the consultation proposes that Transfer Licences may well have a volumetric quantity based on what has been taken in the previous 4 years. Members will be aware that the water transferred into IDBs in this area is mainly to serve irrigation licences granted by the Environment Agency and the costs in relation to which have already been recovered by the Environment Agency.

The Clerk reported that it also appears from Defra that their longer term aim, as part of the Water Abstraction Review, would be for IDBs to be given the power to take over water resources management within their catchments, from the Environment Agency. This was an interesting concept and discussion proposals, which would enable IDBs to deliver the abstraction licensing system and recover costs, were awaited. Defra are therefore keen that nothing in this present consultation will prejudice such an outcome and may well be willing to discuss more fully, the effect of the Transfer Licence proposal.

The Clerk reported that where a Board had more than one inlet, a separate licence would be required at a proposed "one off" charge of £1,500 imposed to recover the Agency's costs of considering the grant of the Transfer Licence, rather than an annual charge, where the abstraction took place from different watercourses.

The Clerk reported that within the proposals was an exemption for ports abstracting below the tidal limit and that he had queried why this was not also an exemption for IDBs.

Following discussions with Defra, he felt it possible that this exemption could also be granted to IDBs.

## B.1034 Consulting Engineers' Report

The Board considered the Report of the Consulting Engineers, viz:-

## Sutton & Mepal I.D.B.

### Consulting Engineers Report – May 2016

#### Pumping Station

At the time of writing this report the station including pumps, cleaner etc has run without issues over the period.

#### ***Northern Area Pump***

The new 3 phase actuator was installed in January and to date has worked faultlessly. Although the threaded rising spindle (not replaced) is worn it should last at least 15 years. It was also possible to retain all the functionality of the old single phase actuator despite needing additional cores to power the unit.

#### ***Pumping hours***

*(note pumping hours are a close estimate derived from available data to show comparable pumping hrs for like periods)*

**Total Hours Run No 1 - May 15 to April 16 = 773** (May 14 to April 15= 1065)

**Total Hours Run No 2 - May 15 to April 16= 762** (May 14 to April 15= 1146)

**Total Hours Run No 3 - May 15 to April 16= 668** (May 14 to April 15= 1110)

**Total Hours Run No 4 - May 15 to April 16= 1** (May 14 to April 15= 28)

#### Eel Regulations

Since the last meeting a further Environment Agency (EA) and IDB liaison meeting has been attended by the Middle Level Commissioners' Chief Engineer. At the meeting clarification was sought on the latest position. Particular areas of interest were the next steps and timings and interpretation of the position statements which have been issued (both previous and proposed). It was pleasing to have it reaffirmed at the meeting that the EA and defra wish to work with IDBs to define appropriate actions. It was also confirmed that the EA is currently only looking at high priority sites and will not presently seek to act on any low or medium priority sites. This is why where exemptions are issued they are only for the high priority sites. As there is a legal requirement to act, unless an exemption is in place on sites, it will be necessary to consider when it may be possible to instigate an eel passage solution. To do this, key maintenance and asset replacement should be estimated and what solutions might be possible looked at, along with their cost and affordability. This will align with the issued statement that no works on a flood risk management asset will be required purely for eel passage, but that they must be considered as part of any maintenance or replacement works. A proportionality test should also be applied when works are considered to ensure that the balance of investment remains firmly weighted in favour of managing flood risk. Questions that remain unclear include what might be considered as proportionate, who makes the final decisions and what would be the trigger for the eel works in

terms of maintenance activities, eg would it include simple pump refurbishment? No further action is required immediately but members should keep it in mind that a plan of action will need to be drawn up once the picture is fully crystallised.

### **Agitation Dredging Group**

There is no update on this, other than to advise that an IDB/EA meeting is planned for the afternoon of 18 May 2016.

### **Cranbrook Drain**

A meeting was held in December 2015 with the EA to look at ways to resolve the problems along the Cranbrook Drain. One suggestion was that by quantifying the flow through the Cranbrook Drain embankments into the Board's drainage system, it would be possible to calculate the cost to the Board of pumping 'Environment Agency water' and use the cost to justify works to eliminate this inflow. To try to quantify the amount of water, discussions have taken place with companies who supply flow measurement devices and budget costs obtained. The total cost of installing this type of equipment would be in excess of £15-20,000.

### **Changes to Planning Procedures Update**

- a) In respect of the Development Control and Consent "Surgery" the acceptance of this service has been limited. However, the discussions that have been held have helped to improve consent applications and thus ensure that they meet our minimum requirements and can be processed smoothly and quickly.
- b) A number of enquirers have undertaken the soakaway certification and checking service.
- c) Following an initial surge in requests for the "Acceptability of Surface Water and Sewage Effluent Discharge" procedure demand has recently slowed. We have had to advise some enquirers that this is not a consent document nor does it confirm agreement that a water level/flood risk management strategy has been agreed.

The responses from these procedures have been positive and will continue for the foreseeable future and reviewed at a later date.

### **Responses to Planning Applications**

Following the decision to "stand back" from the planning process standard letters are currently being sent to applicants to remind them of their responsibilities and duties under the Land Drainage Act and associated Byelaws.

Following several years of working closely with Peterborough City Council (PCC), Fenland District Council's (FDC) planning team have, from January 2016, provided a service to share resources

and enable the delivery of an improved and more cost-effective service that will, reportedly, save Fenland £137,000 a year and a total of £446,000 by the end of the 2018/19 period.

In addition, PCC will be providing FDC with a consultancy service to meet its requirements under the Floods and Water Management Act. Whilst this will cover ‘major’ planning applications, informal concerns have been expressed within Fenland and the potential adverse impacts on meeting its “growth” targets given that much of the development is self-build and/or “minor” developments.

### **Planning Applications**

In addition to matters concerning previous applications, the following 6 new development related matters have been received and, where appropriate, dealt with since the last meeting:

<b>MLC Ref.</b>	<b>Council Ref.</b>	<b>Applicant</b>	<b>Type of Development</b>	<b>Location</b>
266	F/YR16/0014/F	Mr & Mrs Edwards	Residence	Langwood Fen Drove, Chatteris
267	E/16/00138/FUN	Mr N Griffin	Assembly/leisure	The Gault, Sutton
268	H16/00387/CLED	Mr K Peacock	Storage	Colnefields, Somersham
269	F/YR16/0204/CERTP	Mr D Duxbury	Residence	Tithe Road, Chatteris
270	Provision of Flood Risk information Request	Client of JPT Design Consultants	Residence	Chatteris Road, Somersham
271	F/YR16/0225/F	Mr B Baxter	Residence	Tithe Road, Chatteris

From the information provided it is understood that all the developments propose to discharge surface water disposal to soakaways, or similar infiltration systems.

*Waste transfer station and skip storage area – Mick George (Haulage) Ltd (MLC Ref No 156) & Variation of condition 1 of planning permission E/3015/07/CM & F/02010/07/CM to allow the importation of stable non-reactive hazardous waste – Mick George Ltd (MLC Ref No 207) & Extension to soils and mineral processing at Witcham Meadlands Quarry, Block Fen, Mepal/Chatteris – Mick George Ltd (MLC Ref Nos 211 & 213)*

No further correspondence has been received from the applicant or the applicant’s agent concerning this development and no further action has been taken in respect of the Board’s interests.

*Mixed Use Development on land south east of London Road, Chatteris - Hallam Land Management Ltd (MLC Ref Nos 160,184 & 190)*

No further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Board's interests.

*Extension to Mepal Quarry at Block Fen Drove, Nr Chatteris – Aggregate Industries UK Limited (MLC Ref No 171)*

No further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Board's interests.

*Proposed extraction and processing of sand and gravel and construction of access onto Chatteris Road (B1050), in connection with the construction of agricultural reservoirs on land at Bridge Farm, Holme Fen Drove, Colne - R Latta (Farms) Ltd (MLC Ref Nos 179, 188, 199 & 258)*

No further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Board's interests.

Issues and concerns, relating to both byelaw and discharge consents, are outstanding.

*Extraction of sand and gravel with restoration to agricultural use both at low level and existing level using waste silt and imported inert waste at land off Block Fen Drove, Mepal – Redland Aggregates Ltd (MLC Ref No 350/8) & First periodic review of mineral permissions F/01467/89 and F/00781/91 (as amended) at Block Fen Quarry, Block Fen Drove, Chatteris – LaFarge Aggregates Ltd (MLC Ref No 196)*

With the exception of item (a) in the General Advice, below, no further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Board's interests.

*Extraction and Processing of Sand and Gravel and Restoration to Agricultural use at Low Level and Block Fen, Langwood Drove, Chatteris - Hanson Quarry Products Europe Ltd (MLC Ref Nos 350/9A, 218 & 242)*

No further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Board's interests.

*Restoration of land at Colne Fen using imported inert waste to create conservation habitats at Colne Fen Quarry, Chatteris Road, Colne Fen – Mr D Newman (MLC Ref Nos 220 & 242)*

Further discussions, as part of a post-application discussion procedure, continue to enable the dewatering of the site to undertake the works.

*Erection of an Anaerobic Digester (AD) plant with maize clamps involving the construction of a new access, and the formation of a surface water reservoir land east of Greys Farm, Iretons Way, Chatteris – Pretoria Energy Ltd (MLC Ref Nos 227, 231 & 240) & Installation of a Biomethane Injection pipeline (to inject into the National Grid) at Gas pipeline for anaerobic digester plant at Iretons Way, Chatteris - Little Green Consulting Ltd (MLC Ref No 245) & Pretoria Energy Ltd (MLC Ref No 246)*

No further correspondence has been received from the applicants or the applicants' agents concerning this development and no further action has been taken in respect of the Board's interests.

In the absence of any recent correspondence, there are concerns relating to consent issues for both the AD Plant and associated pipeline. In order to resolve this situation the Board may require an advisory notice to be issued in the hope that this would conclude the matter.

*Erection of an agricultural crop store for potatoes at Lees Packhouse, The Gault, Sutton – P J Lee & Sons (MLC Ref Nos 236 & 237)*

No further correspondence has been received from the applicant or the applicant's agents concerning this development and no further action has been taken in respect of the Board's interests.

*Change of use to Insect/reptile breeding centre, including new access arrangements, erection of storage buildings, reptile/insect breeding buildings, staff hostel, office/mess rooms, biomass boiler, solar panels plus refurbishment of residential dwellings and buildings at Arthur Rickwoods Farm, Iretons Way, Mepal – Monkfield Nutrition (MLC Ref Nos 249 & 261)*

Further to the last meeting planning permission was approved by East Cambridgeshire District Council subject to the imposition of conditions including those related to surface and foul water disposal.

No further correspondence has been received from the applicant or the applicant's agents concerning this development and no further action has been taken in respect of the Board's interests.

Further involvement will be required as development of the proposal is progressed. The Board's consent may also be required.

### **East Cambridgeshire District Council (ECDC) Local Development Framework (LDF)**

No further correspondence has been received from ECDC concerning issues within the Board's area and no further action has been taken in respect of the Board's/Commissioners' interests.

### **East Cambs Water Cycle Strategy (WCS) & Strategic Flood Risk Assessment (SFRA)**

#### **Updates**

In order to meet the currently ever changing local planning requirements ECDC has employed JBA Consulting to updating the Council's WCS and SFRA documents which were adopted in December 2010 and February 2011 respectively.

A Data Request & Inception Meeting has been held and relevant information including GIS shape files have been sent to JBA for its use in preparing the documents.

In the response provided JBA was also advised that:

1. With the exception of mineral and waste facilities, any development is unlikely within the Board's area but the adverse impacts placed upon it from upstream development ie Somersham, St Ives, St Neots, Huntingdon, Alconbury, Bedford etc is a concern.
2. Previous WCS documents predominantly refer solely to potable water supply but as the study area is likely to remain primarily agriculturally based for the foreseeable future, and will create employment and contribute to the economy, other water resource issues should also be considered; for example, agricultural use, navigation, amenity, biodiversity, particularly if drought conditions, like those recently experienced become more regular or if the impact of climate change becomes a reality. The failure to consider this could have severe economic and environmental effects on the area.

JBA anticipate that draft discussion documents will be issued in August.

NOTE: A WCS is a voluntary study that helps organisations work together to plan for sustainable growth. It uses water and planning evidence and the expertise of partners to understand environmental and infrastructure capacity. It can identify joined up and cost effective solutions, that are resilient to climate change for the lifetime of the development.

A SFRA is a study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of [climate change](#), and to assess the impact that land use changes and development in the area will have on flood risk.

The study provides evidence for [Local Plans](#) and sustainability appraisals and is ideally done at an early stage of plan-making. Local authorities (or groups of local authorities) usually lead water cycle studies, as a chief aim is to provide evidence for sound Local Plans but other partners often include the Environment Agency and water companies.

### **Huntingdonshire District Council (HDC) Local Development Scheme (LDS)**

No further correspondence has been received from HDC concerning the LDS and no further action has been taken in respect of the Board's/Commissioners' interests.

### **Huntingdonshire SFRA Update**

The Commissioners have been contacted by JBA Consulting concerning an Update to the current SFRA.

A response was made by the Commissioners on behalf of itself and the respective Boards within the District Council's area. It is understood that this response, which included concerns previously raised with the District Council in regard to the current SFRA, are being considered.

### **Fenland District Council (FDC) Neighbourhood Strategy**

Responses were made to the District Council, on the Commissioners' behalf, in respect of:

(a) ***Fenland Infrastructure Delivery Plan (IDP) Draft Update October 2015 – Public Consultation***

The IDP provides support to the District Council's Policy LP13 – Supporting and Managing the Impact of a Growing District of the Fenland Local Plan 2014 and also complements its adopted SPD on Developer Contributions.

The IDP has been reviewed following the Council's decision in November 2014 not to introduce a Community Infrastructure Levy (CIL) for the time being and the Government's regulations regarding pooling restrictions for S106 contributions for new developments. All Parish and Town Councils and statutory and other providers were asked to identify their needs for the area earlier this year and these are set out in the Schedule to the IDP.

Generic responses were submitted to the Council relating to water supply (specifically water resources), waste water, Flood Risk Management Provision, Infrastructure Schedule (largely associated with the Towns) and Utilities and Flood Risk.

Following the public consultation the comments received were considered and reviewed. The subsequent “Changes made to the IDP following consultation” report was issued in early 2016.

Many of the comments submitted by the Middle Level Commissioners were advisory and, therefore, no changes were made. However, text was amended or added in the final document in respect of Utilities – both surface and waste water, Flood Risk Management Provision and potential schemes to serve southern Wisbech and the Gaul Road area in March.

The final report was considered and adopted by Full Council on 25 February.

(b) ***Fenland District Council (FDC) District Wide Level 2 SFRA***

Following concerns raised by local developers and agents in respect of Planning Inspectorate decisions concerning development within flood zones 2 and 3, shown on the Environment Agency’s Flood Mapping, the Council is considering whether to embark on a Level 2 SFRA for the whole district, with the exception of Wisbech for which one was prepared in 2012.

The key reason for the production of a Level 2 SFRA is to allow FDC to undertake further analysis that provides an evidence base to determine the Sequential and Exception Tests across its District. It will focus on areas where there are potential development pressures in zones of medium (Flood Zone 2) to high (Flood Zone 3) flood risk and where there are no other suitable reasonably available development sites at lower flood risk after applying the Sequential Test. Completion of the Level 2 SFRA will provide the Council with the necessary level of information for a better understanding of flood risk at the local level and give better consideration of flood risk issues when making planning decisions in accordance with both National and Local planning policies.

In the absence of funding no further progress has occurred with this project.

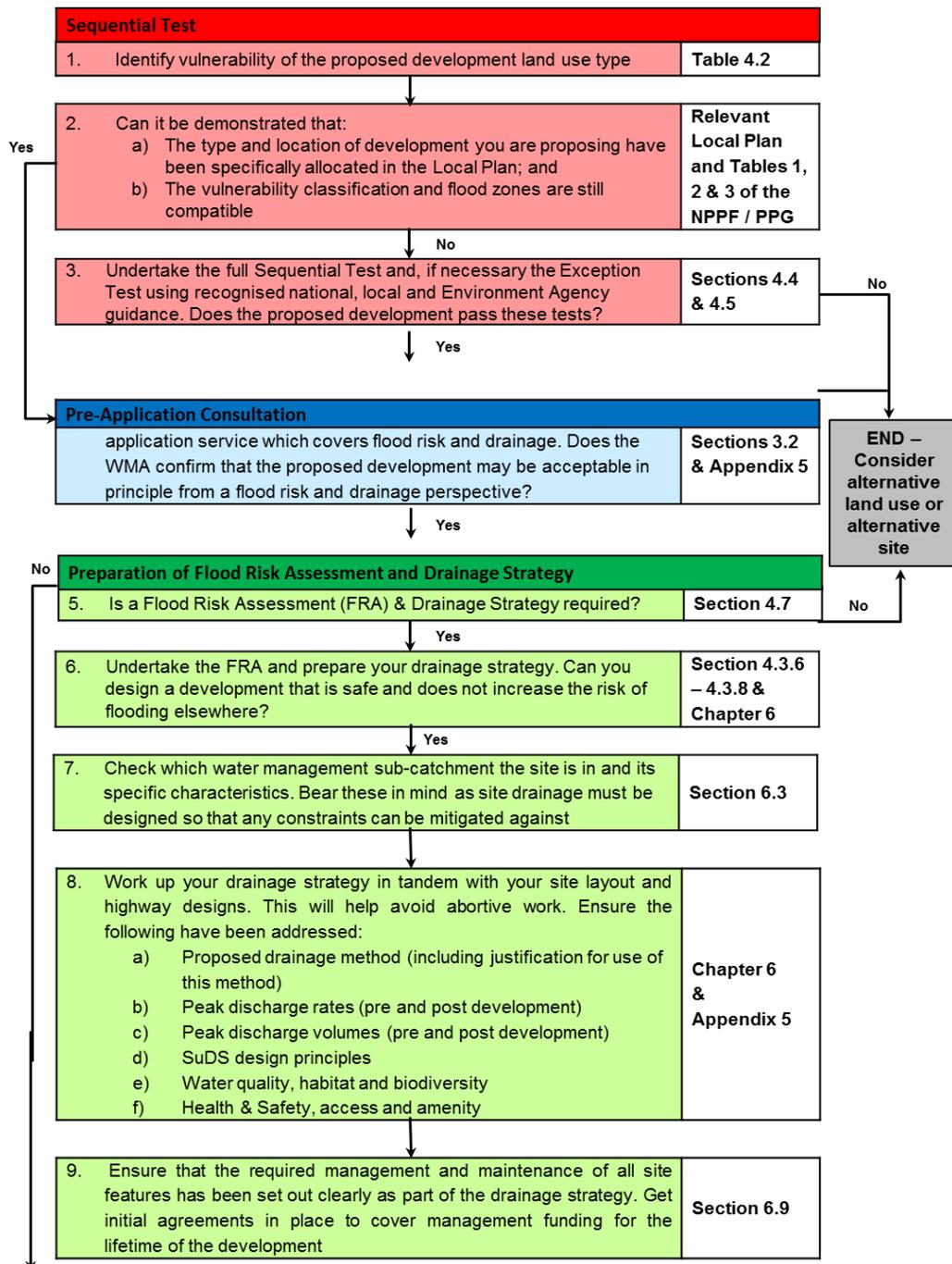
**Cambridgeshire Flood and Water Supplementary Planning Document (SPD)**

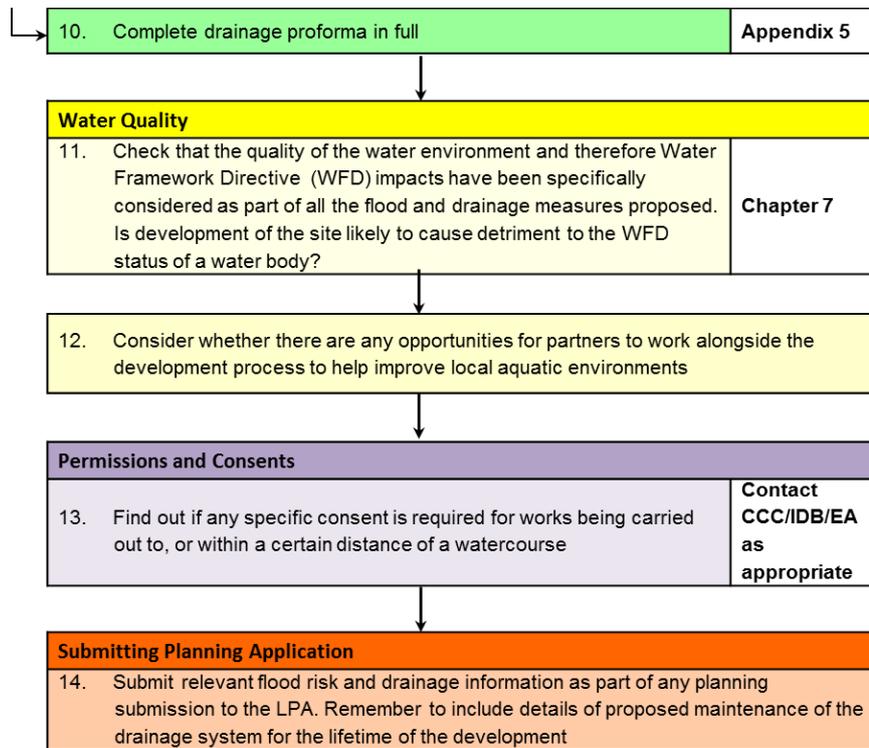
**Note.** *A Supplementary Planning Document (SPD) is a document that provides further details and/or guidance with reference to policies and proposals contained in a Development Plan Document (DPD) or Local Plan.*

The responses received during the consultation were analysed and reviewed and a Steering Group meeting held in December to discuss the main issues raised.

Following the meeting a flow chart illustrating the process that it is considered that developers will need to complete when making a planning application. This flow chart is considered to be

overcomplicated but more importantly from the Board’s perspective the first contact with the RMA, that is likely to receive the discharge concerned, is in step 13 just prior to the submission of the planning application. The refusal by a Board to issue consent for either byelaw or discharge can, in the correct circumstances, be an obstacle to further progress. In addition, some of the answers required to complete steps 5-10 will require the RMAs involvement. Therefore, in order to ensure that the Board is involved at an early stage it is considered that any initial consultation with an RMA should be at least at step 4.





Sections of a revised draft document have been issued to the Steering Group for further consideration and comment and these are currently being considered.

In respect of SuDS the content disappointingly conforms to the generic contents of the NPPF rather than realising that this does not accommodate the special circumstances that occur within the Fenland situation.

In addition, emphasis is made to reducing flood risk but fails to consider other issues such as viability, sustainability, carbon footprint, land use, water resources etc all of which should also be considered. Failure to do so could have adverse impacts and actually reduce “growth” in the area.

The County Council currently hopes that the SPD will go before the County Committee on 9 June and subsequently be adopted by each of the Cambridgeshire local planning authorities.

Both the Middle Level Commissioners’ Planning Engineer and Assistant Engineer have and will continue to represent both the Middle Level Commissioners’ and associated Boards’/Commissioners’ interests by attending meetings and considering the various draft documents.

**General Advice**

Assistance has been given, on the Board’s behalf, in respect of the following:

(a) Aggregate Industries Ltd – A culvert at Point 18 had been extended using plastic pipes as part of a road widening scheme to improve access into an aggregate plant at Block Fen without the Board's consent. Further to the Board's instruction at its January 2016 meeting, Aggregate Industries Ltd was instructed to remove the plastic pipes and use concrete pipes, to match the existing pipes. An application for consent has been received and recommended for approval. The concrete pipes and concrete bagged headwall have now been installed.

A handwritten signature in blue ink, appearing to read 'A. Thomas', with a long horizontal flourish underneath.

Consulting Engineer

17 May 2016

S&M(350)\Reports\May 2016

The Chairman confirmed that the Catchwater South Drain inlet had been dealt with and a new headwall put on. He advised that the cost of the works had been apportioned 2/3<sup>rd</sup> to AgReserves, 1/3<sup>rd</sup> to the Board and that it had involved more work than originally anticipated.

With regard to the development off Gidding Road, Sawtry by Star Homes Builders Ltd, Mr Tuplin confirmed that Huntingdonshire District Council had more control here as it was not an Inspector's decision.

With regard to the development south of Marshall Bros Garage on Gidding Road, Sawtry, Mr Raby referred to problems with the balancing area which was not being maintained. Mr Tuplin advised that Huntingdonshire District Council were looking into it. Mr Juggins asked who would take over the management of the pond. Mr Tuplin thought that this would be a management company. The development had however been passed by the Planning Inspector.

The Board discussed balancing issues. Mr Custance raised the question of contaminated waste. The Clerk advised that the Board had monies, if needed, to do work in connection with the A1(M) but not at present to take over other areas. The Board stressed the importance of proper balancing and maintenance arrangements being made.

In response to Mr Juggins, the District Officer advised that Sawtry Parish Council were aware of surveys which might lead to the refurbishment of the Redwings Lodge Motel at Sawtry, however the planning permission for the adjoining sex shop had affected this.

#### RESOLVED

That the Report and the actions taken regarding Catchwater South Drain Inlet be approved.

#### B.1035 Structures in Sawtry Brook

The Board considered the report of the Consulting Engineer.

The District Officer reported that the structures had been in place for many years.

He noted the height of the water in the photograph which he had drawn to the attention of the Parish Council. The Chairman referred to the deeds of neighbouring properties which contained clauses, he was sure, giving the Board a specific right of access. He also queried the age of the structure in the photograph, which he felt was much more recent. Mr Raby queried how the Brook would be maintained. Mr Elmore felt that the structure should be removed, which Mr Juggins agreed with. The Clerk advised that the byelaws came into force in 1987 but that structures in a watercourse had required consent since 1930. However, the Board should not delay any action for too long.

The Board discussed the issue. Mr Juggins felt that the Board needed to confirm its purpose. Mr Tuplin felt that a letter should be sent to householders advising that the structure had to be removed and if not the Board would do so. He also felt that a note should be placed on the Local Land Register stating that the structure was illegal.

Mr Tuplin proposed that the Brook be inspected and a letter be sent. The Chairman wondered about a general letter which the Clerk advised was not appropriate as it would have to relate to structures. The Board discussed the options.

## RESOLVED

- i) That the Consulting Engineers advise which properties had structures in the channel of the watercourse.
- ii) That a formal letter be sent to those householders advising that these structures had been erected without consent and must be removed, failing which the Board would take the necessary action to have them removed at their expense, and that a Land Charge note would be placed on the Register regarding these structures.
- iii) That a letter be sent to other householders warning them not to place structures in Sawtry Brook.
- iv) That the Chairman be authorised to take whatever action he considers to be appropriate.

### B.1036 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

## RESOLVED

That the Capital Programme be approved in principle and kept under review.

### B.1037 District Officer's Report

The Board considered the Report of the District Officer.

With regard to the outlet from the sewage farm, the Chairman reported that, due to the lack of gabions, part of the outlet had washed away. The District Officer felt that the Middle Level Commissioners did the original works. The Chairman felt that it ought to be netted and gabioned.

Mr Juggins reported a structure in the bottom of the drain by the sewage farm at Point 72 which was beginning to hold up water. The Clerk agreed to check the deeds.

The District Officer reported difficulties last year with Robin Ashman but felt that Paul Davies did a good job. The Board wondered if the Middle Level Commissioners could carry out the work where a long reach machine was required.

## RESOLVED

- i) That the Report and the actions referred to therein be approved and that the Officer be thanked for his services over the preceding year.
- ii) That the District Officer be authorised to arrange for flail mowing as he felt appropriate.

### B.1038 Proposed Works to South Barrier Bank – Nene Washes

Further to minute B.972, the Clerk referred to the latest Environment Agency newsletter dated September 2015 and reported that the scheme was reaching a conclusion.

### B.1039 Environmental Officer's Press Releases and BAP Report

The Clerk referred to the Environmental Officer's Press Releases dated December 2015 and April 2016, previously circulated to Members.

Members considered and approved the most recent BAP report.

### B.1040 District Officer's Fee and Pumping Station duties

- a) Further to minute B.1008(iii), the Clerk reported that Messrs Broughton, Darby and Laxton had duly signed the agreements.
- a) The Board gave consideration to the District Officer's fee for 2016/17.
- b) The Board gave consideration to the payment in respect of pumping station duties for 2016/17.

### RESOLVED

- i) That the Board agree that the sum of £3,140 be allowed for the services of the District Officer for 2016/2017.
- ii) That the Board agree that the sum of £859 be allowed for the provision of pumping station duties for 2016/2017.
- iii) That, in future years, with the agreement of the District Officer and Pump Attendants, an increase in accordance with the Middle Level Commissioners' pay award be made to the District Officer and Pump Attendants.

(NB) – The Chairman and Mr Broughton declared an interest when this item was discussed.

### B.1041 State-aided Schemes

Consideration was given to the desirability of undertaking further State-aided Schemes in the District and whether any future proposals should be included in the capital forecasts provided to the Environment Agency.

### RESOLVED

That no proposals be formulated at the present time.

### B.1042 Application for byelaw consent

The Clerk reported that the following application for consent to undertaken works in and around watercourses has been approved and granted since the last general meeting of the Board:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date Consent Granted</u>
QTS Group Ltd	The installation of dams to enable a railway culvert to be dewatered and desilted for a structural integrity inspection using CCTV equipment - Crease Road, Sawtry	18 <sup>th</sup> March 2016

## RESOLVED

That the action taken be approved.

### B.1043 Environment Agency – Precepts

- a) The Clerk reported that the precept for 2016/2017 would remain unchanged at £5,850.
- b) Local Choices Update

Further to minute B.1010, the Clerk referred to the Environment Agency's newsletter dated April 2016 and reported that because of the appeals against the precept lodged some two years ago by the Board (and other Boards) the Agency had introduced a Local Choices Precept Programme which involved a far greater input from IDBs and IDBs being much more able to influence the Agency on the works on which the precept would be spent.

The Clerk updated the Board on the recent Environment Agency/IDB Strategic Meeting.

### B.1044 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) The Clerk reported that the sum of £3,481.01 (inclusive of supervision) had been received from the Environment Agency (£4,035.26 representing 80% of the Board's estimated expenditure for the financial year 2015/2016 less £554.25 overpaid in respect of the financial year 2014/2015).
- (b) Further to minute B.1011(b), the Clerk referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

## RESOLVED

That the position be kept under review.

### B.1045 Association of Drainage Authorities

The Clerk reported:-

- a) Annual Conference

That the Annual Conference of the Association of Drainage Authorities would be held in London on Thursday the 17<sup>th</sup> November 2016.

## RESOLVED

That the Clerk be authorised to obtain a ticket for the Annual Conference of the Association if a Member wishes to attend.

b) Annual Conference of the River Great Ouse Branch

On the Annual Conference of the River Great Ouse branch of the Association held in Prickwillow, Ely on Tuesday the 8<sup>th</sup> March 2016.

c) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 5% in 2016, viz:- from £510 to £536. [The increase in 2015 was 4%]

## RESOLVED

That the increased subscription be paid for 2016 but that the Clerk made ADA aware that the Board would not consider further such increases acceptable.

### B.1046 Health and Safety Audits

The Clerk reminded the Board of their need to ensure that working practices were safe, particularly around the pumping stations and reminded the Board of the arrangements with Croner.

### B.1047 Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.1014, the Clerk reported that the main recent items discussed were the County Council's project to install more rain gauges in Cambridgeshire; the impact of the A14 Project; Surface Water Management Plans and the new Supplementary Planning Document on flood risk, which the Middle Level Commissioners' Planning Engineer is involved with. The Clerk advised that the Planning Engineer does not feel that this document is yet in a suitable state commenting in particular, that it is too generic, does not really apply to the special needs of the Fens or properly set out the roles and functions of IDBs.

### B.1048 Information Regarding Asbestos

The Clerk reported that the Board had a duty to provide details of any asbestos in their installations, especially pumping stations, to be recorded in a Register so that these were known and any contractors could be made aware.

## RESOLVED

That the Register record no asbestos present.

### B.1049 Banking Arrangements

a) Changes to the bank mandate

The Clerk reported that due to his impending retirement relevant changes to bank mandates to name his successor would be required in due course.

## RESOLVED

That the Chairman be authorised to make the necessary changes to the Board's bank mandates.

### b) Changes to the National Savings Accounts signatories

The Clerk reported that it was necessary to update the signatories on the National Savings Accounts.

## RESOLVED

That the Chairman and the Clerk be the authorised signatories on the National Savings Accounts.

### B.1050 Completion of the Annual Accounts and Annual Return of the Board – 2014/2015

- a) The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31<sup>st</sup> March 2015.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2015.

### B.1051 Governance and Accountability for Smaller Authorities in England

The Clerk referred to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1<sup>st</sup> April 2016.

### B.1052 Budgeting

The Clerk referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31<sup>st</sup> March 2016.

### B.1053 Review of Internal Controls

The Board considered and expressed satisfaction with the current system of Internal Controls.

### B.1054 Risk Management Assessment

- a) The Board considered their current Risk Management system.

The Clerk reported that the Board had in place a Risk Management Policy which was last reviewed in 2015.

He reported that the Board had in place operational, financial and governance policies and considered all of their key risks and how to mitigate against them at each scheduled meeting, at which operational and environmental risks were discussed, based upon engineer's

reports, officer reports, budgets and costings covering the short/medium and longer term issues. Budgets were prepared and approved by the Board.

The Clerk reported that insurances were in place that confirmed the cover was appropriate to the business. Budgets/year-end forecasts were reviewed at intervals by the Board. This was deemed adequate for the size of the business and the District system was monitored on a regular basis to identify new/emerging areas of risk.

The Board considered this current policy/strategy to be appropriate in between carrying out more substantial, periodic formalised reviews of risk assessment/management and met the requirements that they were assessed by.

- b) The Board reviewed and approved the insured value of their buildings.

#### B.1055 Appointment of External Auditor

The Clerk reported that, as had been previously mentioned, the recent Local Audit and Accountability Act changes the audit requirements for smaller public bodies including IDBs and such bodies as the MLC and Parish Councils.

The Act abolished the Audit Commission from 1<sup>st</sup> April 2015 and, from that date, responsibility for external auditor appointments has transferred to a new body, Public Sector Audit Appointments Ltd. Most contracts with existing external auditors will however continue until they expire after completion of the 2016/2017 audits.

The Clerk reported that from April 2017, smaller authorities will also be legally responsible for the appointment of their own external auditor and that this appointment must be made before the 31<sup>st</sup> December before the audited year, eg by 31/12/2016 for 2017/2018. The Clerk advised that the Secretary of State can however, appoint a body with power to appoint auditors for such smaller bodies which must then opt out from an appointing body. This has now been proposed, with a body proposed to procure audit services "en bloc" for these bodies. The new body is also supported and being funded by DCLG. The new arrangements will operate for a period of 5 years initially but is likely to run on 5 year cycles. It is likely that the procedures for opting out of this sector led body arrangement and appointing an external auditor individually will not be worthwhile for smaller authorities since this will involve the authority establishing an auditor panel and following a statutory appointment process and it is also likely that audit fees will be higher than under the "en bloc" arrangement.

The Clerk advised that all IDBs had to decide by 31<sup>st</sup> January 2016 whether they were going to opt out of the new sector body arrangements and that the position can be reviewed during the first five year cycle. The Chairman had, in view of this, agreed that the Board would opt in to the Sector Led body.

#### RESOLVED

That the Board approve the actions of the Chairman to join the Sector Led Auditor Appointment body.

#### B.1056 Exercise of Public Rights

The Clerk referred to the publishing of the Notice of Public Rights and publication of unaudited Annual Return, Statement of Accounts, Annual Governance Statement and the Notice of Conclusion of the Audit and right to inspect the Annual Return.

#### B.1057 Annual Governance Statement – 2015/2016

The Board considered and approved the Annual Governance Statement for the year ended on the 31<sup>st</sup> March 2016.

#### RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31<sup>st</sup> March 2016.

#### B.1058 Payments 2015/2016

The Board considered and approved payments amounting to £35,924.88 which had been made during the financial year 2015/2016.

(NB) – Mr Elmore declared an interest in the payment made to Elmore & Sons.

(NB) – Mr Raby declared an interest (as a Member of the Middle Level Board) in the payments made to the Middle Level Commissioners.

#### B.1059 Annual Accounts of the Board – 2015/2016

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31<sup>st</sup> March 2016 as required in the Audit Regulations.

#### RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Board, for the financial year ending 31<sup>st</sup> March 2016.

#### B.1060 Expenditure estimates and special levy and drainage rate requirements 2015/2016

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2016/2017 and were informed by the Clerk that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on Huntingdonshire District Council would be:-

#### Gravity Area – Area 1

Drainage rates	-	15.14%
Special levy	-	84.86%

Gravity Area (Flood Alleviation Scheme) – Area 2

Special levy	-	100%
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Pumped Area (Sawtry Fen) – Area 3

Drainage rates	-	99.89%
Special levy	-	0.11%

Pumped Area (Moat Farm) – Area 4

Drainage rates	-	100%
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RESOLVED

- i) That the estimates be approved, with the addition of the sum of £2000 for District Maintenance work, to make provision for costs incurred in relation to Sawtry Brook.
- ii) That a total sum of £26,576 be raised by drainage rates and special levy.
- iii) That the amounts comprised in the sum referred to in ii) above to be raised by drainage rates and to be met by special levy are £22,230 and £4,346 respectively.
- iv) That drainage rates in the £ be laid and assessed on Agricultural hereditaments in the District as follows:-

AREA 1	-	1.00p
AREA 3	-	26.00p
AREA 4	-	30.00p
- v) That a Special levy of £4,346 be made and issued to Huntingdonshire District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

B.1061 Display of rate notice

RESOLVED

That notice of the rate be affixed within the District in accordance with Section 48(3)(a) of the Land Drainage Act 1991.

B.1062 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on TUESDAY the 6<sup>th</sup> June 2017.

### B.1063 Balancing Ponds

Mr Custance referred to the lack of maintenance of balancing ponds generally, in connection with developments.