

## MARCH THIRD DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March Third District Drainage Commissioners  
held at the Middle Level Offices, March on Thursday the 5<sup>th</sup> May 2016

### PRESENT

R F Manchett Esq (Chairman)      D W Dunham Esq  
S R Court Esq                              Mrs G A M Siggee  
M A Wilkinson Esq

Miss Samantha Ablett (representing the Clerk to the Commissioners) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance.

### C.944 Declarations of Interest

Miss Ablett reminded the Commissioners of the importance of declaring an interest in any matter included in today's agenda that involved or was likely to affect any one of them.

### C.945 Confirmation of Minutes

### RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 7<sup>th</sup> May 2015 are recorded correctly and that they be confirmed and signed.

### C.946 Clerk to the Commissioners

Miss Ablett informed the Commissioners that Mr Iain Smith intended to stand down from the office of Clerk of the Commissioners at the end of 2016, that the Middle Level Commissioners would be taking appropriate steps to appoint his replacement and that the Clerk would keep the Commissioners informed.

### C.947 Appointment of Chairman

### RESOLVED

That R F Manchett Esq be appointed Chairman of the Commissioners.

### C.948 Land Drainage Act 1991 Fenland District Council

Miss Ablett reported that Fenland District Council had appointed Councillor S R Court and re-appointed Councillor M Cornwell to be Commissioners under the provisions of the Land Drainage Act 1991.

Miss Ablett also reported that Councillors Keane and Quince were not re-appointed.

The Chairman welcomed Mr Court.

#### C.949 Amalgamation

Further to minute C.915, the Chairman enquired whether, in view of its' low membership, the Commissioners should consider their future viability and reconsider amalgamation. The Commissioners discussed in detail which Boards would be more suitable to amalgamate with, based on size, number of pumping stations, amount of rate and number of members.

Miss Ablett advised that a differential rating order could be requested for a period of 5 years.

#### RESOLVED

That the Clerk be requested to approach March Fifth DDC, on behalf of the Commissioners, to make enquiries regarding their views of a potential amalgamation.

#### C.950 Water Framework Directive

Further to minute C.918, Miss Ablett reported that the Anglian River Basin Liaison Panel of which the Clerk 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.

Miss Ablett advised that the Clerk 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.

Miss Ablett reported that the Clerk 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 with is classed as heavily modified. Miss Ablett confirmed that the River Basin Management Plan had been confirmed by Government.

#### C.951 Water Transfer Licences

Miss Ablett 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.

Miss Ablett 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 the Clerk 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. The Clerk 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.

Miss Ablett 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. The Commissioners 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.

Miss Ablett 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.

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

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

#### C.952 Consulting Engineers' Report

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

## March Third D.D.C.

### Consulting Engineers Report – April 2016

#### Weed Control and Drain Maintenance

The maintenance works carried out last year generally accorded with the recommendations approved by the Commissioners' at their last annual meeting.

A Roundup herbicide application was made to reaches in advance of the programmed machine cleansing works, and to other district drains to control dense reed stands and emergent aquatic vegetation where necessary.

The Commissioners' flail mowing requirements were undertaken by Messrs G Ashman last year. They have indicated that they are available to undertake the Commissioners' flail mowing requirements again this year. A sum has therefore been included within the estimated costs for flail mowing of district drains to be undertaken this year.

A recent joint inspection with the District Officer has been undertaken. The inspection has revealed that the majority of drains are being maintained to a good standard and are in a generally satisfactory condition.

#### Drains to the West of the Bypass

The inspection highlighted that the drains to the west of the bypass are in a satisfactory condition. At this early time in the growing season there is some evidence of *filamentous algae* (cott) growth along Pillards Corner drain, reach 12-13. Further inspections will be carried out later in the year to identify any areas that may require machine cleansing following the harvest of the adjacent crops. Historically, late occurring algal blooms have been problematic and required clearing from the Commissioners' drains to the west of the bypass later in the season. A provisional sum has been included within the estimated costs to allow for any cott cleansing work that may be required.

The inspection highlighted that the profile of the northern bank of Burrowmoor Drain, along reach 2-9, is particularly steep and showing signs of subsidence. It is recommended that the steep sided bank be trimmed to reduce bank surcharge and the likelihood of further bank slippage. A provisional sum has been included in this year's estimate to allow for this work to be undertaken.



**Bank slips along reach 2-9**



**Reach 11-12**

The inspection also revealed sporadic stands of common reed and *typha* (bulrush) distributed throughout the Commissioners' drains to the west of the bypass. The affected reaches will require an application of Roundup following harvest this year. A sum has been included within the estimated costs to undertake this work.

It was also noted during the inspection that a stand of bulrushes had colonised the channel downstream of the A141 Isle of Ely Way/Burrowmoor Road culvert at Point 21. It is recommended that this reach is treated with an application of Roundup herbicide, followed by machine cleansing to remove the emergent vegetation from the water channel.



**Downstream of Point 21**

### **Drains to the East of the Bypass**



**Reach 31-32**

The district drains to the east of the bypass remain in a satisfactory condition. However, as in previous years, an early season infestation of watercress is evident along the semi-dry Gaul Road drains, reaches 21-22-23-24-31-32 and 24-25. It is recommended that both reaches are treated with an application of Roundup to control the emergent weed growth throughout the warmer summer months.

A small area of bank subsidence was noted along Gaul Road, reach 26-27, adjacent to the development site. It is recommended that the affected banks are reinstated with timber piles and toe boarding, returning the side slope to its original profile. A provisional sum has been included in this year's estimate to allow for this work to be undertaken.



**Bank Slips along reach 26-27**



**Tree on eastern bank reach 26-27**

Following the continued development of residential properties adjacent to the Board's watercourses to the east of Gaul Road, reach 26-27, it has been noted that plant and machinery access along the eastern bank of the watercourse has been significantly reduced due to the presence of a maturing tree within the 9m byelaw strip. Following previous discussions with the developers on-site, it was agreed that they would remove the

tree as part of the conditions for consent to erect the wooden boundary fencing. Failure to remove the tree will now prevent contractor's plant and machinery from passing around the landward side of the tree, as was possible prior to the erection of the fence. A letter has recently been sent on the Commissioner's behalf, but the Commissioners may wish to take the opportunity to discuss how they wish to proceed with this matter should a positive reply not be forthcoming from the developers.

A further provisional sum has also been included to allow for any emergency bank repair, culvert clearance or debris removal and disposal works that may be necessary later in the year.

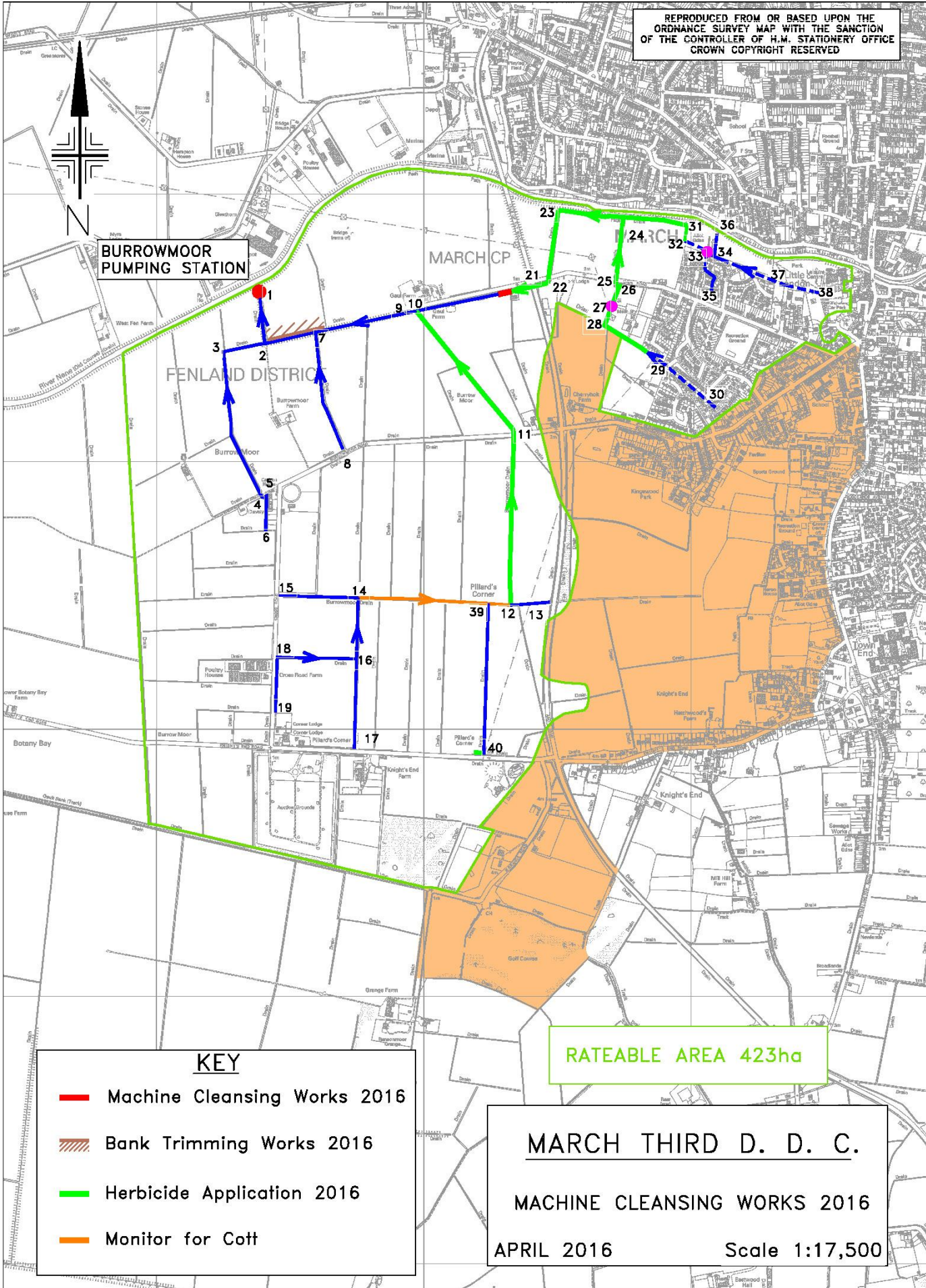
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BURROWMOOR  
PUMPING STATION

MARCH CP

FENLAND DISTRICT



**KEY**

- Machine Cleansing Works 2016
- Bank Trimming Works 2016
- Herbicide Application 2016
- Monitor for Cott

RATEABLE AREA 423ha

MARCH THIRD D. D. C.  
MACHINE CLEANSING WORKS 2016  
APRIL 2016 Scale 1:17,500

The estimated cost of this year's recommended Weed Control and Drain Maintenance works is as follows. Please refer to the site plan on the previous page for locations.

1. <b><u>Provisional Item</u></b> Allow sum for cott clearance or emergency machine cleansing works	Item	Sum	2000.00
2. Bank trimming works Burrowmoor Drain Reach 2-9	Item	Sum	1500.00
3. Machine cleansing works A141 Isle of Ely Way/Burrowmoor Road Downstream Point 21	Item	Sum	150.00
4. Bank Revetment works Gaul Road Reach 26-27	Item	Sum	700.00
5. Flail mowing district drains	Item	Sum	2000.00
6. <b><u>Provisional Sum</u></b> Allowance for emergency bank repair, culvert cleansing works or debris removal/disposal works	Item	Sum	750.00
7. Allow sum for Roundup application to reed and emergent weed	Item	Sum	500.00
8. Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of chemical applications and maintenance works	Item	Sum	850.00
<b>TOTAL</b>			<b>£ 8,450.00</b>

Orders for the application of herbicides by the MLC are accepted on condition that they are weather dependant and will not be held responsible for the efficacy of any treatments applied.

### Pumping Station

Other than the matters described below, only routine maintenance has been carried out since the last meeting and the pumping plant is mechanically and electrically in a satisfactory condition.

### Telemetry options

At their last meeting the Commissioners asked for budget estimates for the provision of telemetry at Burrowmoor Pumping Station that would notify the District Officer in the event of pumping station failures.



Suitable units could be provided by Xylem or Oriel Systems (who are currently the Middle Level telemetry provider). The Xylem outstation could be used as a standalone system and send text alarms direct to the operator's mobile.

The Oriel equipment could not operate as a standalone system and would need to be incorporated into the MLC system in order to forward status and alarms.

The Xylem unit is not currently compatible with the MLC masterstation and therefore could not offer control and voice alarms without their masterstation software being installed on a suitable hardware platform. The cost of using this system would be in the region of £6-7k.

The Oriel unit could, of course, be integrated into the MLC system and provide remote control functions, voice alarms and status. Access to a web viewer on a PC, Tablet or a Smartphone could also be made available. The budget cost to provide these functions together with piping alarms to the pump attendant's phone would be around £7k.

### **Pumping Hours**

No 1 Hours Run April 2015-April 2016 = 140

No 2 Hours Run April 2015-April 2016 = 127

No 1 Hours Run April 2014-April 2015 = 113

No 2 Hours Run April 2014-April 2015 = 505

No 1 Hours Run March 2013-April 2014 = 235

No 2 Hours Run March 2013-April 2014 = 173

### **March Flood Investigation and Town Council reports**

The Middle Level Commissioners' Planning Engineer has represented the Middle Level Commissioners and respective March Boards/Commissioners at a Cambridgeshire County Council organised meeting in September, and will do so again at another meeting due to take place in April. He also provides Fenland District Council with updates in respect of certain issues associated with water level/flood risk management problems within the Town Council's area.

Relevant entries in the current draft March Town Council report, for April, were as follows:

<b>The Chase</b>	<b>February 16 update:</b> Investigations are being undertaken following a resident reporting waterlogging affecting their property  <b>March 2016:</b> Investigation undertaken and found that outfall pipework was full of silt. Silt now been cleared, however SW system in Gaul Road is suspected to be silted thus not allowing free flow from The Chase. CCC to undertake investigation and clearance if/where required.
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<b>Birchwood Avenue (Brewin Avenue to Butt Avenue) March.</b>	<b>October 15 update:</b> Propose to link drainage solution to nearby Kingswood Road development site which sits between existing system and potential outfall.
<b>Gaul Road/Burrowmoor Road</b>  <b>Gaul Road/Burrowmoor Road</b> continued	<b>October 15 update:</b> Sewers from Gaul Road to Creek Road pumping station cleared. 16 tonnes of silt and rubbish removed. Final leg to be cleared in conjunction with next routine wet well cleaning.  Last week September gullies to be installed o/s 59 and 63.
<b>Strategic Flood Risk Management</b>	<b>October 15 update:</b> Cambridgeshire’s Strategy for Flood Risk Management approved by Economy and Environment Committee on 8 September 2015. FDC Cabinet to be asked to endorse Strategy at its October meeting.  <b>November 15:</b> FDC Cabinet endorsed the updated Cambridgeshire Flood Risk Management Strategy at its October meeting.  <b>March 2016:</b> Following public consultation last year the County-wide Flood and Water SPD is being revised to take into account the comments received. This includes a section on the provision of Sustainable Drainage Systems (SuDS) in new developments. It is likely the SPD will be considered for adoption by all Cambridgeshire authorities during May and June 2016. It will then become a material consideration when considering major planning applications with drainage implications.
<b>Planning Policy</b>	<b>December 15 update:</b> Lots of work is going on between the County, FDC and the local IDBs to find efficient and effective ways forward for drainage in new developments. This works seeks to take into account both the long successful history and efficient maintenance of IDB systems around March and the statutory requirement for new build and regeneration sites to consider sustainable drainage systems (incorporating measures to both reduce the impact of sudden intense rainstorms on life and property, and improve the quality of the water reaching our rivers).

### **Changes to Planning Procedures**

Further to the introduction of the previously discussed pre-/post-application discussion process other procedures have been introduced, currently on a trial basis. These include, where relevant, a fixed fee basis for some services which has arisen from discussions and agreement with applicants, agents and engineering consultants.

These include the following:

- (a) In respect of relatively simple enquiries the Commissioners are currently offering a free Development Control and Consent “Surgery” on the third Tuesday of the month. Appointments are limited to 15 minutes during which applicants are able to discuss their proposals and at which it can be determined whether pre-/post-application discussion is required for Discharge/Byelaw Consent issues.

To date the up take has been limited, but the service has helped to improve consent applications and thus ensure that they can be processed smoothly and quickly.

- (b) A soakaway certification and checking service has been introduced. A number of enquirers have undertaken this service to ensure the acceptability of soakaways/infiltration devices in compliance with the Land Drainage Act and the Commissioners'/Boards' byelaws where it can properly be shown to attenuate flows/volumes.
- (c) Completing the "Acceptability of Surface Water and Sewage Effluent Discharge" form. This is a simple form where responses are made to four questions related to surface water/treated effluent disposal.

Following an initial surge in requests for this 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, to be reviewed at a later date.

Initial internal discussions concerning the introduction of fixed fees for some types and sizes of development covered by the pre-application procedure have commenced.

### **Responses to Planning Applications**

One of the complaints aimed at the Commissioners relates to the failure to provide responses to planning applications in a timely manner. The main reason for this is because some LPAs, not only the Kings Lynn & West Norfolk Borough Council and/or Fenland District Council, add planning applications to validation lists in week four or later. Unfortunately, the Middle Level Commissioners do not have the resources to check all the lists on a weekly basis (a potential total of 64 lists per week). Therefore, to maximise the number of planning applications captured the week 4 list is normally used.

Members will be aware that neither the Middle Level Commissioners nor the Commissioners are statutory consultees and, therefore, do not actually have to provide a response to the planning authority, and receive no external funding to do so. The main reason for supplying responses is to protect the Commissioners' district and ensure that any byelaw consents are sought.

More timely responses would be of benefit to all parties and discussions have been held with the leading Planning Authorities including the County Council and Fenland District Council but none are prepared to contribute to funding to improve resources. The now former Head of Planning at Fenland District Council advised in a letter dated 7 December that ".....the Council is not in a position to consider providing additional resourcing .....". As a result, the Middle Level Commissioners' Planning Engineer has been instructed to concentrate on responding to pre-/post-

application related issues and resultant planning applications as a priority with responses to other planning applications being dealt with when time permits, with greater reliance being placed upon our “Standing Advice”. This particular document may require further strengthening if this arrangement is to continue over the long term.

However, the Council’s letter does advise that it “will continue to encourage applicants and agents to engage directly with yourselves at pre-application stage which clearly has benefits of providing at an early stage greater certainty to developers of your requirements”. Whilst there has been an increase in enquiries concerning prior discussion these have, to date, primarily been just prior to or just following the submission of a formal planning application.

Despite the Planning Authorities’ position the Middle Level Commissioners are requested to respond to planning applications that may potentially be contentious and informal requests have been received from Fenland’s Planning Officers to reinstate the weekly surgery session that occurred between late 2009 and late 2013. However, as the Commissioners are not a statutory consultee it is considered that whilst the comments provided by the Middle Level Commissioners on the Commissioners’ behalf would be of benefit to the Planning Authorities in making informed decisions, this request is not followed up.

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 planning team will, from January 2016, be providing a shared 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 both Fenland District Council and the Borough Council 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 28 new applications have been received and 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>
275	F/YR14/0992/F	Mr J Leeman	Residence	Brewin Avenue, March
276	F/YR14/3140/COND	Wisbech Homes Ltd	Residential (4 plots)	The Chase, off Gaul Road, March *
277	F/YR15/0057/F	Mr & Mrs A Brewer	Residence	Knights End Road, March
278	F/YR15/0055/F	Mr & Mrs Bayes	Agricultural	Burrowmoor Road, March
279	Pre-app	Client of THDA Ltd Consulting Engineers	Residential development	Gaul Road, March *
280	F/YR15/0184/F	Ms Tewari	Residence	The Chase, March
281	F/YR15/0193/F	Mr & Mrs I Morton	Workshop	Burrowmoor Road, March
282	F/YR15/0278/O	Mr R Ambler	Residence	Knights End Road, March *
283	F/YR15/0387/F	Construct Reason Ltd	Residential (6 plots)	Gaul Road March *
284	F/YR15/0458/F	Mr & Mrs A Revell	Residence	Steeple View, March
285	F/YR15/0475/F	Mr & Mrs Bayes	Agricultural	Burrowmoor Road, March
286	F/YR15/0517/F	Mr & Mrs G Harradine	Residence	The Avenue, March
287	F/YR15/0564/RM	M J S Developments	Residence	Kingswood Road, March
288	F/YR15/0550/F	G & C Lombardo	Workshop	Burrowmoor Road March
289	F/YR15/3059/COND	M J S Developments	Residence	Kingswood Road, March
290	F/YR15/0600/F	Mr & Mrs T Fink	Residence	Kingswood Road, March
291	Discharge questions trial	Construct Reason Ltd	Residential (34 plots)	Knights End Road, March
292	F/YR15/0646/O	Mr P Beldom	Residence	Birchwood Avenue, March
293	F/YR15/0826/F	Mrs P Young	Residential (2 plots)	Gas Road, March
294	F/YR15/0857/F	Mr L Russell	Residence	Knights End Road, March
295	F/YR15/0962/F	Mr R Munden	Residence	Richmond Avenue, March
296	F/YR15/0991/O	Cannon Kirk (UK) Ltd	Residential (90 plots max)	east and west of Isle of Ely Way/south of River Nene, Gaul Road, March*
297	F/YR15/1016/F	March Town Bowls Club	Residence	The Causeway, March
298	F/YR15/1008/F	Mr R Tunley	Residence	Burrowmoor Road, March
299	F/YR15/1088/F	Greene King	Residence	Acre Road, March
300	F/YR16/0088/O	Charbel Properties	Residence	Gaul Road, March
301	F/YR16/0073/O	Mr & Mrs P Skeels	Residence	Causeway Gardens, March
302	F/YR16/0104/F	Mr A Boyraz	Car Wash	High Street, March

***Planning applications ending 'COND' relate to the discharge of relevant planning conditions  
Planning applications ending 'RM' relate to reserved matters***

Developments that propose direct discharge to the Commissioners' system are indicated with an asterisk. The remainder propose, where applicable and where known, surface water disposal to soakaways/infiltration systems or sustainable drainage systems.

The following sites are either partly or wholly within the St Thomas' Cut catchment:

- (a) Mr & Mrs A Brewer (MLC Ref No 277)
- (b) Mr & Mrs Morton (MLC Ref No 281)
- (c) Mr R Ambler (MLC Ref No 282)
- (d) Mr & Mrs R Revell (MLC Ref No 284)
- (e) Mr & Mrs C Harradine (MLC Ref No 286)
- (f) Mrs P Young (MLC Ref No 293)
- (g) Mr L Russell (MLC Ref No 294)
- (h) Mr R Lunden (MLC Ref No 295)
- (i) March Town Bowls Club (MLC Ref No 297)

- (j) Mr R Tunley (MLC Ref No 298)
- (k) Charbel Properties (MLC Ref No 300)
- (l) Mr & Mrs P Skeels (MLC Ref No 301)
- (m) Mr A Boyraz (MLC Ref No 302)

*Change of use of agricultural land to Riverside Park including pedestrian/cycle bridge, ponds, anglers' car park and landscaping on land south of River Nene, Gaul Road, March – Cannon Kirk UK Ltd (MLC Ref No 124) and residential development on land west of Old Council Depot, Gaul Road, March – Cannon Kirk UK Ltd (MLC Ref Nos 139, 193 & 296)*

Further to the last annual meeting, a meeting of the respective parties was held in June to discuss further amendments for the layout of Phase V, primarily the need to retain the high voltage overhead cables that cross the site, and establish a way forward in respect of the submission of a planning application.

This planning application was validated in November. There was some concern that with the introduction of the LLFA there may be issues about what had previously been agreed with the Commissioners. However, in the response to the District Council it advised that:

*“The applicant has demonstrated that surface water can be dealt with on site by using a combination of drainage ditches and a lagoon with a proposed runoff rate of 5 l/s. In addition, the volume of runoff is shown to be no greater than existing.”*

At the time of writing, Fenland District Council's Public Access web page advises that a decision is currently 'pending consideration'. In addition to the issues concerning surface water disposal, development in Flood Zone 3, project viability and highway matters are of concern to the District Council in making its decision. It is understood that extension of time request was agreed in February.

*Proposed re-development of the former Old Dairy Buildings, Grange Road, March - HR Property Development (MLC Ref Nos 156 & 165); Mr B Sutton (MLC Ref Nos 170 & 178); Mr G Harradine (MLC Ref Nos 209 & 221) & Mr M Reynolds (MLC Ref Nos 251 & 253)*

Further to previous reports, pre-application discussions, which were initially undertaken in mid-2013, re-commenced in the New Year and an amicable position was reached with the applicant's agent, Craig Brand Architectural Design Services.

As a result it has been agreed that following some channel improvements both surface water and treated effluent will be discharged into the Commissioners' system via the adjacent private watercourse.

Applications for consent to discharge have yet to be sought from the Commissioners but a contribution fee of approximately £9,050.00 is expected.

Consent for replacement access culverts has been sought from the County Council in its capacity as the LLFA.

*Residential development involving the demolition of existing outbuildings and sheds on land north of 33 Gaul Road fronting Oxbow Crescent, March - Mr F Grounds (MLC Ref Nos 168, 183 & 214), Gaul Developments LLP (MLC Ref No 240), Construct Reason Ltd (MLC Ref No 256) and Wisbech Homes (MLC Ref Nos 270 & 276)*

Following the decision made at the Commissioners' last meeting further discussion occurred with the developer. Needless to say the developer's wishes did not accord with the Commissioners'.

An application for byelaw consent was received but subsequently returned at the developer's request. No subsequent application has been received and the developer has recently been reminded of his duties.

*Residential development at 125 Burrowmoor Road, March – Mrs H Butler (MLC Ref No 200) & Mason Homes (March) Ltd (MLC Ref Nos 242 & 245)*

Following the last annual meeting and further discussion with the Clerk to the Commissioners, it was considered that the pursuance of a development of this size may not be economically justifiable. As a result no further action has been taken in respect of the Commissioners' interests.

*Residential development on land west of 12 Knights End Road, March - Cannon Kirk Homes Ltd (MLC Ref Nos 204, 207 & 252) and Construct Reason (MLC Ref No 291)*

The site was the subject of an "Acceptability of Surface Water and Sewage Effluent Discharges" enquiry from Construct Reason Ltd during the summer.

*Residential development to the north-west of Turnbull Road, off Gaul Road, March – Ashley King Developments (MLC Ref Nos 211, 226, 256 & 266)*

Following further discussion, primarily with the applicant's agent, Studio 11 Architecture, but also the applicant's engineering consultant, Banners Gate Ltd, the byelaw and discharge consent applications were recommended for approval.

During May/June representation was received from an "interested person" and Councillor French who were concerned that the site could not be occupied because they had been advised that the Commissioners had not issued the necessary approvals. Both parties were advised of the actual position ie that the developer had failed to meet the appropriate minimum requirements concerning the respective discharge consent applications. Once appropriate applications had been received a recommendation to approve consent was passed to the Clerk to the Commissioners.

Works on the roadside watercourse and the formation of the access culverts off Gaul Road are currently being undertaken. It has been noted, in passing, that the previously agreed metal bow topped fence and hedge have been replaced by a high close boarded timber fence. The developer has been advised that the Commissioners will not be responsible for the re-erection of the fence panels and posts, should they become wind damaged or decayed, or for any damage caused to the fence during the undertaking of their statutory functions. They have also been advised that the deposition of excess spoil from the site within the Commissioners' maintenance access strip does not have the Commissioners' consent and should be removed.



***View of the access culvert from Gaul Road adjacent to Point 26 showing both the close boarded fence and deposited spoil within the Commissioners' maintenance access strip***

It is understood that the substantial delay to this project is having an impact on the re-development of the former Kingswood Park Care Home site, see later in report.



*Erection of 8 dwellings comprising: 4 x 3-bed terraced houses and 2 x 3-bed semi-detached houses and 2 x 1-bed apartments with associated parking, bin stores and landscaping including 1.3m high (max) wall and railings fronting The Causeway involving demolition of existing workshop (Renewal of planning permission F/YR08/0460/F) at the site of 43 to 47 The Causeway fronting Gas Road, March – Anglian Regional Co-Op Society (MLC Ref No 227) & Erection of a single-storey building comprising of 2 no units for retail (A1) and retail (A1)/financial and professional services (A2), including installation of 4 no air conditioning units, ATM, formation of a new vehicular access and associated works, involving demolition of existing building at site of 43 to 47 The Causeway, March - GCC Investments (UK) Ltd (MLC Ref No 261)*

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 Commissioners' interests.

*Planning Application for Affordable Rent and Shared Ownership at the site of the former Kingswood Park Care Home, Kingswood Road, March - Sanctuary Group (MLC Ref Nos 244, 249 & 259)*

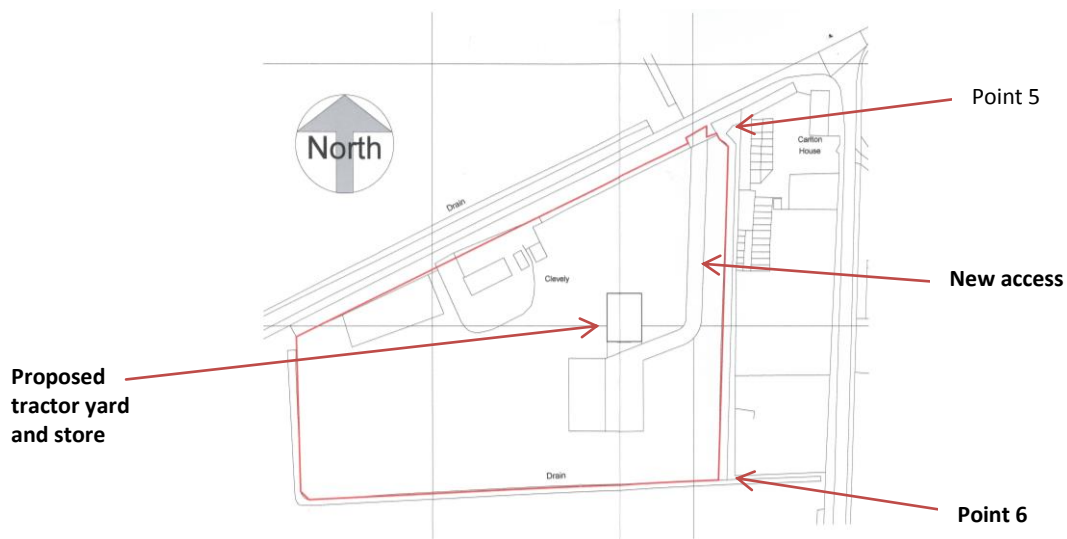
With the exception of providing generic advice to the applicant and the applicant's engineering consultant concerning the pre-application discussion process, no further correspondence has been received from the applicant or the applicant's agents concerning this development and no further action has been taken in respect of the Commissioners' interests.

*Erection of an agricultural building to house cattle at land south east of Clevely, Burrowmoor Road, March – Mr & Mrs Bayes (MLC Ref Nos 278 & 285)*

Byelaw consent has been sought for an access track adjacent to the Commissioners' drain at reach 5 – 6. Unfortunately the access was built before byelaw consent was sought.

A member of the Operations Department made a site visit after the Commissioners were informed of the infringement. While on the site visit the third party responsible was advised that byelaw consent will need to be sought for the access roadway. Subsequently a byelaw consent application was received from him, but this was not to meet the minimum standard required and further information had to be requested to be able to further process the application. The applicant then attended a planning surgery to help resolve the issues with the application.

The application was for an access roadway in the maintenance strip of the Commissioners' drain, constructed of brick bats that have been compacted. This leaves the road fairly permeable and allows surface water to drain through it. The layout of the roadway can be seen in the following extract.

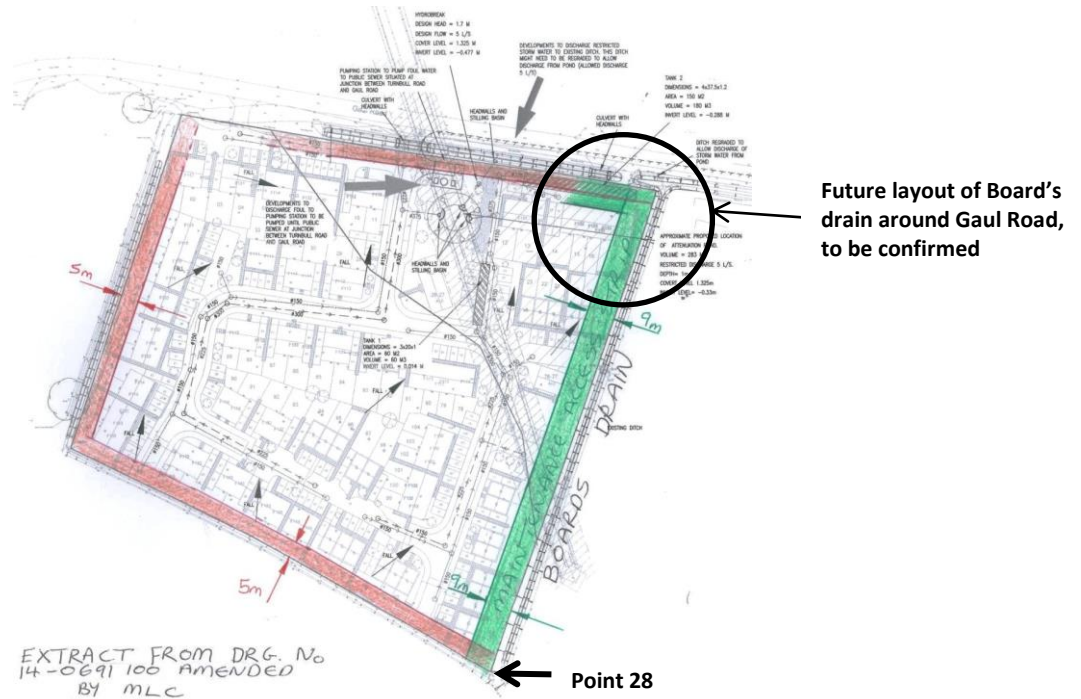


Byelaw consent was granted in January 2016 and no further contact regarding this application has been made. It should be noted that a planning application for a tractor store building has been submitted to Fenland District Council and this building has surface water implications.

*Residential development on the southern side of Gaul Road to the east of York Lodge and west of the Board's Drain 25-26-27-28 – Partner Construction (MLC Ref No 279)*

A pre-application discussion request and associated documents have been received and discussion undertaken with THDA Ltd, acting on behalf of its client, Partner Construction, in respect of the site to the north west of the Ashley King Developments' site, see previously in report, and adjacent to the Commissioners' Drain between points 25-26-27-28. A detailed pre-application response was made on 9 July.

Further discussion is ongoing and it is understood that a Flood Risk Assessment, presumably associated with a planning submission, is currently being prepared.



Amended extract showing the extent of the required 9.0m wide maintenance access strip beside the Board's Drain and suggested 5.0m wide maintenance access strips beside the adjacent private watercourses

### **Development Contributions**

Contributions received in respect of discharge consent will be reported under the Agenda Item – 'Contributions from Developers.'

### **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.

**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.*

Further to the last meeting report, the draft Cambridgeshire Flood and Water SPD was the subject of a public consultation from Friday 4 September to Friday 16 October 2015.

A response to the County, in respect of the SPD, was submitted on behalf of the Middle Level Commissioners and associated Boards/Commissioners and, in addition to advising on some basic errors, identified the following:

- Like the NPPF and PPS/G25, and the associated guidance documents, the SPD is generic and does not appreciate the special circumstances of water level/flood risk management within The Fens. Therefore, it is considered that further guidance is required to assist all parties involved within the planning process of the specific issues that are different to other parts of the Country, and must be considered when making planning decisions.
- The current document is “wordy” and is likely to become ineffective. A set of guidance notes for the target audience would assist and provide a more effective “journey” for users of the document.
- The document fails to readily identify the difference between the Environment Agency and the IDBs, our differing concerns and requirements and even differences between individual IDBs. The overriding impression given is one where the role, function and governance of the IDBs appear not to be clearly understood.
- Whilst the Commissioners and associated Boards/Commissioners appreciate that the use of SuDS does have a place within water level/flood risk management, particularly the discharge into managed watercourses, it is considered that, despite the significant emphasis placed on such facilities, the use of attenuation devices in The Fens is not always the correct or most appropriate solution. Therefore, care needs to be taken to ensure that resources and funds are not wasted by seeking to impose attenuation solutions when a direct discharge is acceptable to the local drainage authorities.
- The water resource issues raised predominantly refer solely to potable water supply but other water resource issues which exist within the study area, for example, agricultural use, navigation, amenity, biodiversity, were not fully considered, particularly if drought conditions, like those recently experienced, become more regular, and if the impact of climate change becomes a reality.

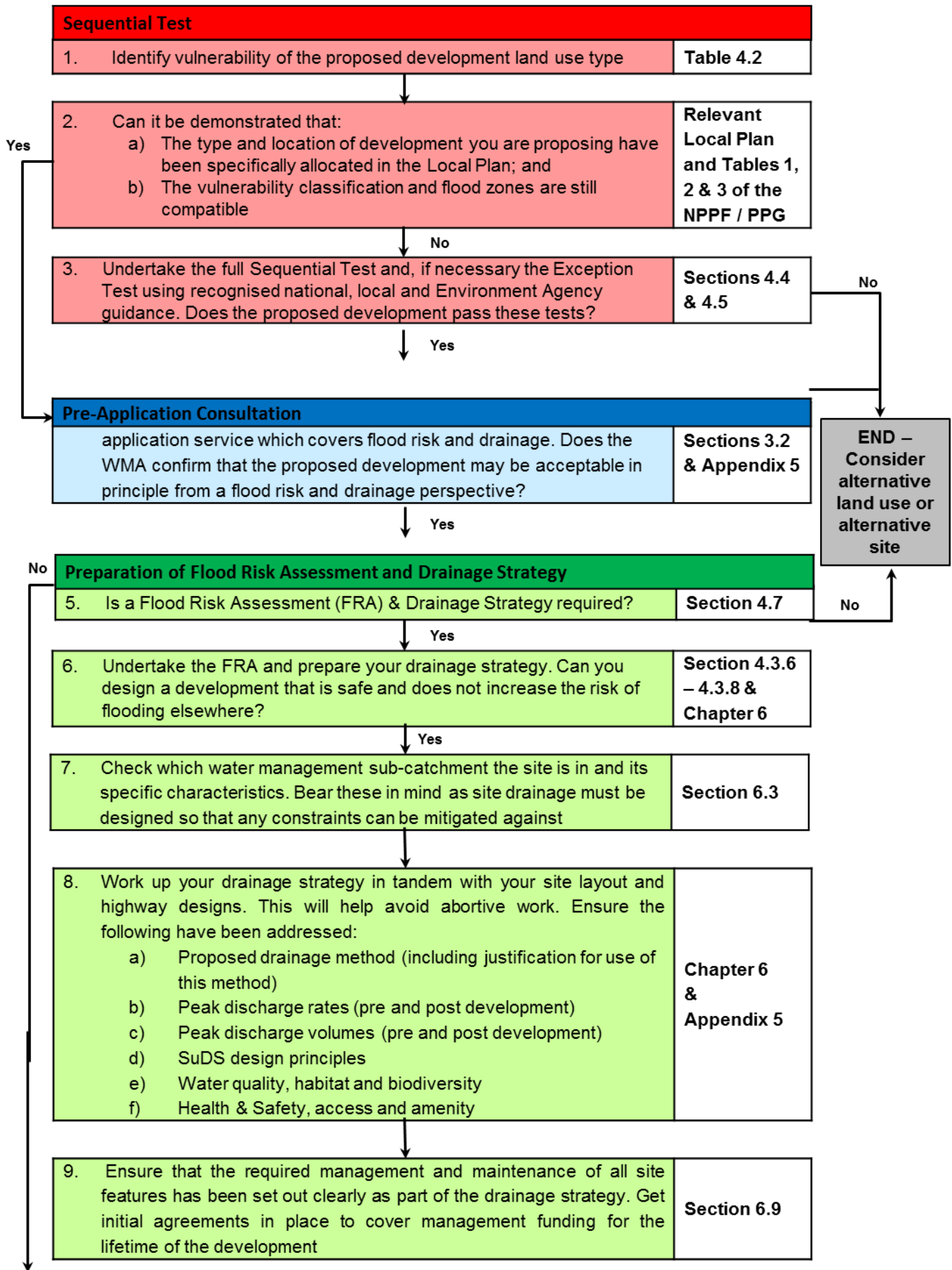
The response advised that IDBs may therefore not be able to accept the principles and policies which accommodate a County wide “broad brush” approach, which are not consistent with the more detailed requirements of their local areas, and went on to advise that:

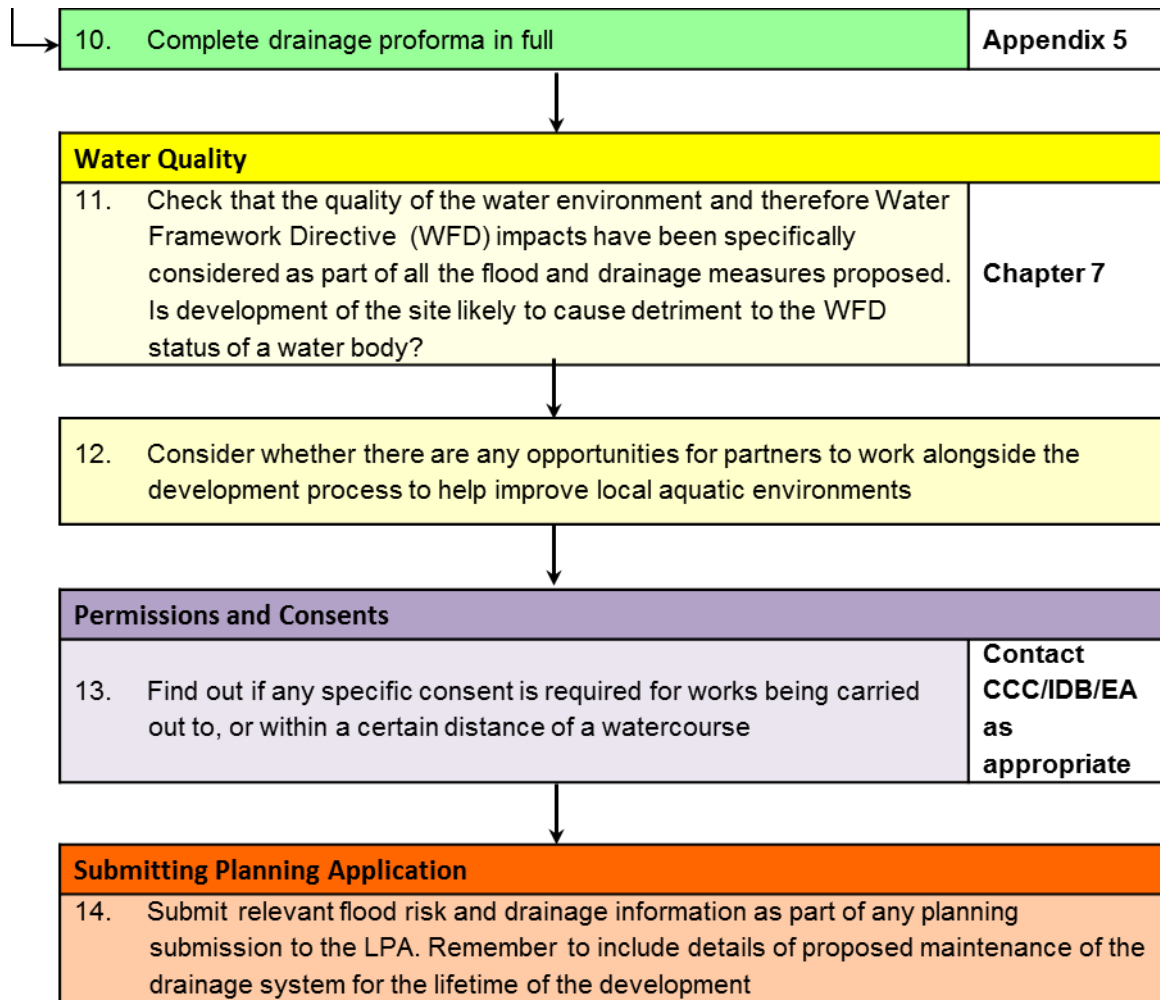
- a. In the flood risk areas managed by IDBs, development proposals are too often granted subject to planning conditions to allow LPAs to reach their targets, without sufficient regard to IDB comments on flood risk.

- b. LPAs receive fees for dealing with planning applications, IDBs do not; unless the developer chooses to follow an IDB pre-application procedure. Too often our advice is ignored and we are expected to provide a subsidised service for planning authorities to enable them to meet their targets, which the Boards/Commissioners are not prepared to do.
- c. We wish to encourage LPAs to, in turn, encourage developers to adopt the pre-application procedure. In the absence of the developer doing so, we can give no guarantee that, under the present arrangements, we will be able to respond to the Council's request for advice on flood risk.
- d. When dealing with issues related to our byelaws and consent procedures the Middle Level Commissioners and associated/administered Boards/Commissioners will promote and require continued adoption of and compliance with the relevant principles contained within PPS25 and the associated Practice Guide together with the provision of a FRA that meets their own requirements ie detailed assessments on the impacts on the respective water level/flood risk management systems and the provision of adequate evidence to prove that a viable scheme for appropriate water level/flood risk management exists, and that it could be constructed and maintained for the lifetime of the development.

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 was produced. This flow chart is considered to be overcomplicated but more importantly from the Commissioners' 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 the Board/Commissioners 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/Commissioners are 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.

### **Detailed March Surface Water Management Plan (SWMP)**

In response to a comment submitted on the Commissioners’ behalf, the District Council advised in its “Changes made to the IDP following consultation” report, see above, that:



*“The support and encouragement for the March SWMP is welcomed and the document remains a valid consideration when assessing surface water flooding issues in March.”*

However, this does not appear to always be supported by some planning decisions within the town. As a result the Middle Level Commissioners’ continue to encourage the consideration of the contents of the SWMP and implementation of the suggested solutions as part of the planning process.

### **General Advice**

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

A resident from The Chase phoned concerning problems with a surface water pipeline in the area. She was advised that the pipeline did not form part of the Commissioners’ system and was directed to Anglian Water or Fenland District Council. It is understood that a representative from the LLFA inspected the site and, therefore, this may be the item included in the March Flood Investigation and Town Council reports.

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

Chief Engineer

25 April 2016

March Third (313)\Reports\April 2016

Mrs Siggee commented on the amount of slabs and cones on one side of the bank and bags of empty wine bottles on the other side of Knights End Road and that she had contacted Fenland District Council who had advised her to contact the Middle Level Commissioners.

Mr Lakey advised that the Middle Level Commissioners could clear fly tipping in the Commissioners' drains and put it on the side of the bank, which the Council, once informed, usually removed the same day. However, as this was not a Commissioners' drain, they were not responsible for the clearing of any rubbish, Mr Lakey suggested that Mrs Siggee contact Andy Brand, Head of Rapid Response at Fenland District Council, when any rubbish was observed on the side of the banks.

The Chairman advised that the District was in good order which was a result of the work being carried out between the District Officer and the Middle Level Commissioners.

Mr Lakey reported that the problem with a resident in the Oxbow Crescent area having connected a sewerage pipe to the surface water discharge pipe flowing into the Commissioners' drain had now been resolved by Anglian Water and the District Officer confirmed that the water was running clear.

With regards to the Consulting Engineer's estimate of approximately £6,000-£7,000 for the provision of telemetry at Burrowmoor pumping station, the Chairman considered that this should be carried out before any amalgamation took place.

Mr Lakey advised that the Middle Level Commissioners were looking to upgrade their system shortly and the installation of telemetry may work out more cost effective if carried out at the same time.

#### RESOLVED

i) That the Report and the actions referred to therein be approved.

ii) Weed Control and Drain Maintenance

That the recommended maintenance works be undertaken.

iii) Telemetry at Burrowmoor pumping station

That, once the Middle Level Commissioners had obtained details of their new system, the Consulting Engineers provide the Chairman with a quotation for the installation of telemetry and he be authorised to deal with this matter.

#### C.953 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

#### RESOLVED

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

## C.954 District Officer's Report

The District Officer reported that the trailer had been repaired and was now in a satisfactory condition.

The Chairman enquired whether the Commissioners should consider purchasing a replacement trailer. It was agreed that the District Officer should obtain quotations and liaise with the Chairman.

With regards to the Sanctuary Housing site, the District Officer advised that after heavy rainfall the foundations had filled with water causing surface ponding.

The District Officer raised concerns regarding Cannon Kirk's lack of action in relation to the installation of traffic lights and attenuation at Gaul Road. He reported that, together with the Chairman, Messrs Lakey and Moore of the Middle Level Commissioners, he had attended a meeting with Cannon Kirk at which the progress being made at the site and consent applications were discussed. At this meeting, Cannon Kirk confirmed that the traffic lights, attenuation and culvert works would commence in the summer of 2015.

The District Officer advised, however, that these works were still outstanding even though the installation of traffic lights and the upgrading of the road, as it was not wide enough, were conditions of planning approval.

Mr Lakey advised that Cannon Kirk were not required to install traffic lights unless the development was over 50 houses or completion exceeded 2 years and added that although the development was below the threshold of 50 houses, it had been ongoing for more than two years and Fenland District Council had enforced the planning conditions regarding the signalised junction.

Mr Lakey reported that Cannon Kirk had applied to the Council for planning approval for additional housing.

Mr Court commented that much like the Middle Level Commissioners, the Town Council were consultees and could only advise Fenland District Council.

The District Officer explained that should further development take place and the District was to suffer another bad storm and heavy rainfall, the dykes would not be able to deal with the level of surface water discharge.

### 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 obtain quotations for a replacement trailer and that the Chairman, on behalf of the Commissioners, be authorised to make a decision.
- iii) That the Clerk write to Cannon Kirk and refer to their comments made at the last meeting and the lack of any subsequent action.

C.955 Environmental Officer's Press Releases and BAP Report

Miss Ablett referred to the Environmental Officer's Press Releases dated December 2015 and April 2016, previously circulated to the Commissioners.

The Commissioners considered and approved the most recent BAP report.

C.956 District Officer's Fee

(a) Agreement relating to District Officer's duties

Further to minute C.924(iii), Miss Ablett reported that Mr M Wilkinson had duly signed the agreement.

(b) The Commissioners gave consideration to the District Officer's fee for 2016/2017.

RESOLVED

That the Commissioners agree that the sum of £1,400 be allowed for the services of the District Officer for 2016/2017.

(NB) – The District Officer declared a financial interest when this item was discussed.

C.957 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 new proposals be formulated at the present time.

C.958 Application for byelaw consent

Miss Ablett reported that the following application for consent to undertake works in and around watercourses had been approved and granted since the last general meeting of the Commissioners, viz:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
T Bayes	The construction of a new access roadway approximately 160m in length on the bank of the Watercourse - near the junction of Burrowmoor Road and Cross Road, March	17 <sup>th</sup> February 2016

RESOLVED

That the action taken be approved.

C.959 Environment Agency – Precept

- a) Miss Ablett reported that the precept for 2016/2017 would remain unchanged at £1,196
- b) Local Choices Update

Further to minute C.927, Miss Ablett 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 Commissioners (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.

Miss Ablett updated the Commissioners on the recent Environment Agency/IDB Strategic Meeting.

C.960 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) Miss Ablett reported that the sum of £443.91 (£2,164.65 less £1,730.74 paid on account) (inclusive of supervision) had been received from the Environment Agency based on the Commissioners' actual expenditure on maintenance work for the financial year 2014/2015 together with the sum of £1,530.11 in respect of 80% of the Commissioners' estimated expenditure for the financial year 2015/2016.
- (b) Further to minute C.928(b), Miss Ablett referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

That the position be noted and the situation kept under review.

C.961 Contribution from Developers

With reference to minute C.194(ii), Miss Ablett reported that the following contribution towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume had been received, viz:

<u>Contributor</u>	<u>Amount</u>
Sanctuary Group	£26,943.08 (gross) £24,248.77 (net)

C.962 Maxey, Grounds & Co, Sale Field, Flood Ferry Road

The Commissioners gave consideration to a letter dated 6<sup>th</sup> April 2016 received from Mr F Grounds enquiring whether they would be prepared to clean out a length of dyke that would enable the water from his field to drain into the Commissioners' drain.

The Chairman advised that the dyke ran alongside the Riding School, did not belong to the Commissioners and was therefore not their responsibility.

Miss Ablett advised that should the Commissioners agree to Mr Grounds' request, they could be seen to be setting a precedent, which may cause problems in the future.

#### RESOLVED

That the Clerk write to Mr Grounds advising that, as the Commissioners were not responsible for the dyke, they were unable to agree to his request and suggest that he contacts the Riding School.

#### C.963 Rentals of Pillards Corner, March

Further to minute C.932(b), consideration was given to whether any change was appropriate in the levels of rental obtained for the Commissioners' land.

Miss Ablett referred to an e-mail dated 19<sup>th</sup> April 2016 from Maxey, Grounds & Co.

The District Officer reported of tenancies due for renewal at Pillards Corner and of his concern regarding maize contractors who farmed the land intensively for a 5 year period before leaving. After this 5 year period the land was left in a condition that could result in the Commissioners having to incur costs to reinstate it back to an acceptable condition in order to attract further tenants.

He suggested that tenants only be permitted to grow maize for 1 year and that the Commissioners should inform all rent payers of the above rental terms due to sub-letting.

#### RESOLVED

- i) That the Commissioners wait for a response from Maxey, Grounds & Co and discuss at the next meeting.
- ii) That the terms of contract and sub-letting be discussed with the Clerk.
- iii) That the Chairman and Vice Chairman be authorised to take such action as they see fit.

#### C.964 Association of Drainage Authorities

Miss Ablett 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 of a Commissioner 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.

d) Floodex 2016

That Floodex 2016 will be held at The Peterborough Arena on the 18<sup>th</sup> and 19<sup>th</sup> May 2016.

C.965 Health and Safety Audits

Further to minute C.934, Miss Ablett drew attention to the continuing need to ensure that the Commissioners complied with Health and Safety Requirements and reminded the Commissioners of the arrangements with Croner.

C.966 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.935, Miss Ablett 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. Miss Ablett 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.

C.967 Information regarding Asbestos

Miss Ablett reported that the Commissioners 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 "Unknown".

C.968 Banking Arrangements

a) Changes to the bank mandate

Miss Ablett reported that due to the Clerk's 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 Commissioners' bank mandates.

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

Miss Ablett 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.

### C.969 Completion of the Annual Accounts and Annual Return of the Commissioners – 2014/2015

- a) The Commissioners 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 Commissioners considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2015.

### C.970 Governance and Accountability for Smaller Authorities in England

Miss Ablett 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.

### C.971 Budgeting

Miss Ablett 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.

### C.972 Review of Internal Controls

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

### C.973 Risk Management Assessment

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

Miss Ablett reported that the Commissioners had in place a Risk Management Policy which was last reviewed in 2015.



She reported that the Commissioners had in place operational, financial and governance polices 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 Commissioners.

Miss Ablett 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 Commissioners 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 Commissioners reviewed and approved the insured value of their buildings.

#### C.974 Appointment of the External Auditor

Miss Ablett 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.

Miss Ablett 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. Miss Ablett 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.

Miss Ablett 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 Commissioners would opt in to the Sector Led body.

Miss Ablett also reported that from 2017/2018 smaller public bodies (Boards with income or expenditure less than £25,000) would not be required to undertake a formal audit but would need to have greater publication requirements in place. She advised that it would also be necessary to question the effect of "one off" payments such as development contributions taking the Commissioners above the £25,000 limit, in a particular year.

## RESOLVED

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

### C.975 Exercise of Public Rights

Miss Ablett 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.

### C.976 Annual Governance Statement – 2015/2016

The Commissioners 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 Commissioners, for the financial year ending 31<sup>st</sup> March 2016.

### C.977 Payments

The Commissioners considered and approved payments amounting to £28,874.91 which had been made during the financial year 2015/2016.

(NB) – The District Officer declared an interest in the payment made to him.

### C.978 Annual Accounts of the Commissioners – 2015/2016

The Commissioners 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 Commissioners, for the financial year ending 31<sup>st</sup> March 2016.

### C.979 Expenditure estimates and special levy and drainage rate requirements 2016/2017

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2016/2017 and were informed by Miss Ablett 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 local billing authorities would be respectively 15.96% and 84.04%.

## RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £856 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 £137 and £719 respectively.
- iv) That a rate of 0.25p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £719 be made and issued to Fenland District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Commissioners 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.

### C.980 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.

### C.981 Date of next Meeting

## RESOLVED

That the next Meeting of the Commissioners be held on Thursday the 4<sup>th</sup> May 2017.