

## **MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS**

At a Meeting of the March Sixth District Drainage Commissioners  
held at the Middle Level Offices, March on Tuesday the 21<sup>st</sup> June 2016

### **PRESENT**

Miss E Alerton (Vice Chairman) M Arnold Esq  
T E Alerton Esq M Cornwell Esq  
M J Mottram Esq

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

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In the absence of the Chairman, the Vice Chairman took the Chair

Miss Ablett introduced Thomas Gregory who, as part of his work experience with the Middle Level Commissioners, would be sitting in on this meeting.

### **Apology for absence**

An apology for absence was received from D G West Esq.

### **C.816 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 of them.

### **C.817 Confirmation of Minutes**

### **RESOLVED**

That the Minutes of the Meeting of the Commissioners held on the 23<sup>rd</sup> June 2015 are recorded correctly and that they be confirmed and signed.

### **C.818 Contingency plans in the event of pump failure**

Further to minute C.815, Mr Mottram again queried whether the Commissioners had a contingency plan in the event of a pump failure. This was discussed at length and Mr Mottram advised that the Members should know who to contact, what pump capacity would be required, costs involved etc.

Mr Alerton advised that he was aware that some Members on other Boards have pumps, which may be available if required.

The Vice Chairman stated that such a report should be part of the Commissioners' risk management plans to show that the Commissioners were being responsible and that the report should be presented at the next meeting.

## RESOLVED

That the Consulting Engineers be requested to provide an emergency response procedure in the event of a pump/power failure or extreme weather conditions as experienced in 1998.

### C.819 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.820 Appointment of Chairman

## RESOLVED

That D G West Esq be appointed Chairman of the Commissioners.

### C.821 Appointment of Vice Chairman

## RESOLVED

That Miss E Alerton be appointed Vice Chairman of the Commissioners.

### C.822 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 Councillor Keane was not re-appointed.

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The Vice Chairman welcomed Mr Cornwell.

## RESOLVED

That the Commissioners' appreciation of the services rendered to the District by Councillor Keane be recorded in the minutes and conveyed to him.

### C.823 Water Framework Directive

Further to minute C.787, 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. She reported that the Clerk 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 which is classed as heavily modified. Miss Ablett confirmed that the River Basin Management Plan had been confirmed by Government.

#### C.824 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.

Miss Ablett 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.825 Large heap of spoil on the brink of a District drain between points 15 and 16

Further to minute C.788(a), Mr Alterton confirmed that the heap of spoil had been removed and a gate had not been erected.

#### C.826 Water Retention on the Weedscreen Deck

Further to minute C.792(iii), Mr Alterton reported that during routine maintenance an inspection of the weedscreen had taken place which identified that three drainage holes and a groove in the concrete were the cause of the water retention on the weedscreen deck. Mr Alterton advised that the holes had been rodded and the groove cleared, which appeared to have resolved the problem, and he would continue to monitor the situation.

#### C.827 Tunnel under the railway

Further to minute C.814, Mr Alterton reported that during programmed machine cleansing works an inspection of the sill had been carried out and no obstruction had been identified. The sill was completely clear, probably due to it being self-cleaning as a result of the flow of water during pumping operations.

#### C.828 Consulting Engineers' Report

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

## **March Sixth D.D.C.**

### **Consulting Engineers Report – June 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.

Roundup herbicide applications were made to the Commissioner's drains included within last year's machine cleansing programme, and to other District drains where it was required to control dense stands of reed and emergent aquatic vegetation.

A recent joint inspection of the Commissioners' District drains has been undertaken with the District Officer, revealing that the majority are in a generally satisfactory condition and being maintained to a good standard. The inspection indicates that many of the District drains that fall within this year's machine cleansing programme will only require light machine cleansing to return them to good status.

#### **Drains to the West of the Prison**

The district drains to the west of the prison are generally in a good condition. The inspection did highlight aquatic vegetation throughout the western area, notably the EEDA drains to the south of the division dam at Point 6a. It is recommended that the affected reaches are treated with a Roundup application following harvest this year (see plan on following page).



EEDA Drain, reach 19-20

#### **Drains to the East of the Prison**

The district drains to the east of the prison remain in a generally satisfactory condition, however the inspection revealed sporadic stands of reed and emergent aquatic weed growth throughout the drains around Norwood Farm and Whitemoor Prison. The affected reaches fall within this year's phased programme of machine cleansing works and will be addressed following harvest of the adjacent crops. It is recommended that the emergent weed mass is treated with a Roundup application prior to the cleansing works commencing.

It is also recommended that the main Norwood Pumping Drain, reach 1-2-10, is included within this year's phased machine cleansing programme, historically this has proven to be an effective method of reducing the weed mass at the manually cleansed weedscreen during winter pumping periods.



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ORDNANCE SURVEY MAP WITH THE SANCTION  
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RATEABLE AREA 329ha.

NORWOOD PUMPING  
STATION

GRAVITY  
OUTFALL

**KEY**

- RATEABLE BOUNDARY
- BOARDS DRAINS/  
DIRECTION OF FLOW
- HIGHLAND CATCHMENT
- PUMPING STATIONS
- OTHER STRUCTURES

**KEY**

- PROPOSED MACHINE CLEANSING  
WORKS 2016
- ADDITIONAL HERBICIDE  
APPLICATION 2016
- SAPLINGS TO BE TREATED WITH  
HERBICIDE

MARCH SIXTH D.D.C.

Scale 1:15000



Saplings at reach 15-16

It was also noted during the inspection the self-sown saplings along the north bank of reach 15-16, near Norwood Farm, are progressively spreading along its length. It is recommended they are treated with an application of Roundup herbicide followed up by flail mowing to prevent any further invasion of the watercourse.

A sum has been allocated within the Commissioners' estimate to allow for the Roundup application to be made, and for flail mowing of the District drains to be undertaken this year.

A provisional sum has also been included within the estimate for any other emergency machine cleansing, culvert clearance or cott removal works that may be deemed necessary later in the year.

The estimated costs of this year's recommended drain maintenance works are as follows:

**Phased Machine Cleansing Programme**

<b>1. Drains to East of the Prison</b>			
(i) Reach 10-11-11a-12	1100 m @	1.20	1320.00
(ii) Reach 13-12-14-15-16	1050 m @	1.20	1260.00
<b>2. Machine cleanse Norwood Pump Drain</b>			
	160 m @	1.00	160.00
<b>3. Allow sum for Roundup application to control Japanese Knotweed at Norwood Pumping Station, if required, self-sown saplings and emergent aquatic weed within the Commissioners' drains</b>			
	Item	Sum	600.00
<b>4. Allow sum for flail mowing</b>			
	Item	Sum	950.00
<b>5. <u>Provisional Item</u> Allow sum for emergency machine cleansing or cott removal work</b>			
	Item	Sum	700.00
<b>6. Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of herbicide applications and maintenance works</b>			
	Item	Sum	550.00
<b>TOTAL</b>			<b>£ 5540.00</b>

Orders for the application of herbicides by the Middle Level Commissioners are accepted on condition that they are weather dependant and they will not be held responsible for the efficacy or failure of any treatment.



## **Pumping Station**

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

The pump bearing lubrication pump, which had a very low winding insulation resistance, has been replaced.

At their last meeting the Commissioners requested a review of vulnerability of having one pumping unit and contingency plans for possible loss of operation of this single pump. Several IDBs have, in the past, installed dual drive gearboxes between the drive motor and the pump enabling it to be driven by a tractor PTO. However this only covers an electrical failure, ie motor, control equipment or mains supply. A backup generator would only cover the latter two scenarios.

As the capacity of this station is quite small it is considered that the best option would be to hire in a suitable temporary portable overpump as and when required; it could be either electric or diesel powered, depending on the nature of the failure.

### Weedscreen/deck drainage

The problem of water retention on the weedscreen deck discussed at the Commissioners' last meeting was investigated and appears to be due to the drainage channels being blocked by debris, see photo below:



Periodic clearing of the channels through the deck and regular removal of collected debris from the deck should alleviate the problem.



The condition of the weedscreen has been assessed. As can be seen in the photo below it is in a poor condition, the worst area being at its top fixing. The screen will therefore need replacing in the short term. Should the Commissioners be planning to install weedscreen cleaning equipment in the near future it would be more practical to install a new screen at that time. In the meantime the screen could have a temporary repair carried out by welding in a new steel plate across the top of the bars.



### **Pumping Hours**

	Total hours run May 12 - May 13	Total hours run May 13 – May 14	Total hours run May 14 – May 15	Total hours run May 15 – May 16
Norwood Pumping Station	(6058) - (6549) 491	(6549) - ( 6789) 240	(6789) - (7177) 388	(7177)-(7364) 187

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

Further to the flooding experienced on 8 August 2014, the County Council, in its role as the LLFA, has undertaken an investigation. The Commissioners' Planning Engineer has represented the Commissioners and respective March Boards at meetings held in September and April, and advised on a report on the event that is currently being finalised by the LLFA.

Updates are also provided to Fenland District Council in respect of certain issues associated with water level/flood risk management problems within the Town Council's area.

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

<b>Strategic Flood Risk Management</b>	<p><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.</p> <p><b>November 15:</b> FDC Cabinet endorsed the updated Cambridgeshire Flood Risk Management Strategy at its October meeting</p> <p><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.</p>
<b>Planning Policy</b>	<p><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).</p>

## **Planning Applications**

In addition to matters concerning previous applications, the following 8 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>
132	F/YR15/0034/F	Network Rail	Wind turbines	Hundred Road March*
133	Discharge Enquiry	Client of MTC Engineering (Cambridge) Ltd	Commercial	Thorby Avenue, March*
134	F/YR15/3047/COND	Mr & Mrs A Fink	Commercial (13 Units)	Thorby Avenue, March*
135	F/YR15/0641/F	J F Jupp Utility Contractor Ltd	Office	Longhill Road, March
136	F/YR15/0658/F	Cube 6	Solar panels	Thorby Avenue, March
137	F/YR15/0726/F	Almaren Ltd	Residential (9 plots)	Creek Road/Lambs Place, March
138	F/YR15/1106/F	Mr & Mrs K Ellis	Residence	Wisbech Road, Westry
139	Pre-app	Client of MTC Engineering (Cambridge) Ltd	Industrial	Hostmoor Avenue, March*

***Planning applications ending "COND" relate to Discharge of Conditions***

Developments that propose direct discharge are indicated with an asterisk. The remainder propose, where applicable and where known, disposal to soakaways, infiltration devices and/or Sustainable Drainage Systems (SuDS).

*Erection of 2 x 85.0 metre high max (hub height) wind turbines with associated infrastructure including a construction compound, access tracks and control building at March Landfill Site, Hundred Road, March – Waste Recycling Group (MLC Ref No 116)*

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 Commissioners' interests.

*Residential development at Phoenix House, Wisbech Road, March – Mrs C Dean (MLC Ref Nos 117, 119 & 124)*

Since the last Board report an application for the discharge of surface and foul water into the Commissioners' system, via the riparian drain system, has been made. The application was received in October 2015 but due to the lack of required documents the application was not validated until December 2015, after this the application progressed smoothly and was granted approval at the end of 2015.

Beyond this no further correspondence has been received regarding this site.

*Variation of conditions 3, 10, 16 and 18 of planning permission F/00174/90/CW (as amended by planning permission F/00152/01/CW) at March Landfill site, Hundred Road, March - FCC Environment (MLC Ref No 125)*

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 Commissioners' interests.

*Extension to existing switches and crossings building and erection of lean to to enclosure house jet wash equipment at Whitemoor Yard, Hundred Road, March – Network Rail (MLC Ref No 126)*

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 Commissioners' interests.

*Erection of 13no business units for B1, B2 and B8 plus non-food retail warehouse with associated parking and erection of 1.8 (min) metre high security fence at land east of 33 Thorby Avenue, March – Mr & Mrs Fink (MLC Ref Nos 128 & 134) & Client of MTC Engineering (Cambridge) Ltd (MLC Ref No 133)*

Correspondence was received from the applicants' engineering consultant, MTC Engineering (Cambridge) Ltd, in April 2015 concerning the provision of a discharge consent but to date no consent has been received.

It was recently noted, in passing, that work had commenced on this development. In order to ensure that its requirements are met the Board may require an advisory notice to be issued in the hope that this will conclude the matter.

*Re-development of the former Brimur Packaging Ltd and Agrihold facilities at 1-3 Hostmoor Avenue and 1 Martin Avenue, March – Client of MTC Engineering (Cambridge) Ltd (MLC Ref No 139)*

This proposal has recently been the subject of the pre-application discussion process with engineering consultant, MTC Engineering (Cambridge) Ltd.

Members will be aware that whilst part of the site is shown within the Board's highland catchment, the site effectively discharges to the neighbouring March West and White Fen IDB system via AWSL adopted sewer system and the attenuation pond to the south of Tesco.

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

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

### **1. *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.

## **2. *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.*

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.

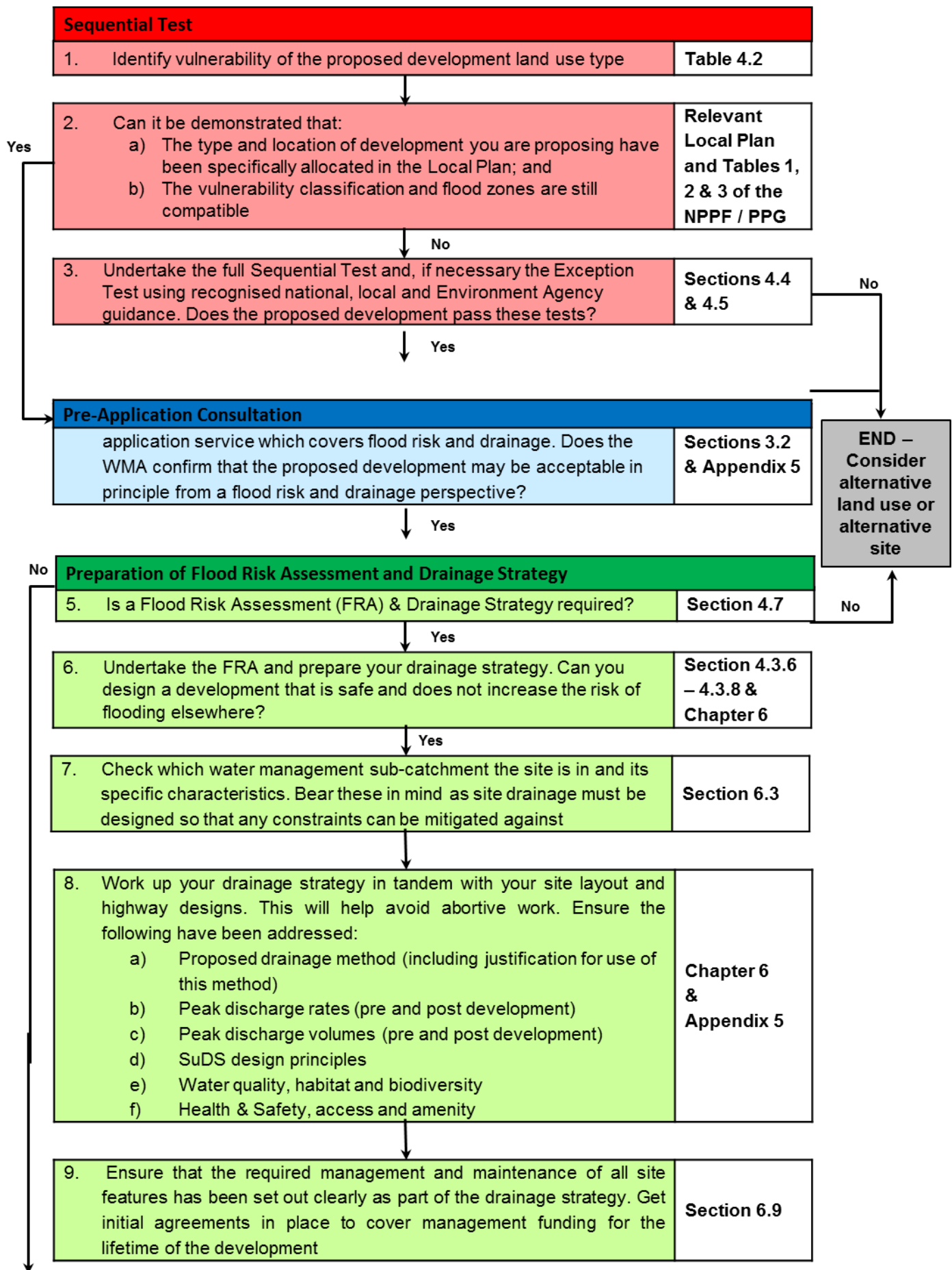
The response advised that IDBs may therefore not be able to accept the principles and policies which accommodate a County wide “broad brush” approach, which are not consistent with the more detailed requirements of their local areas, and went on to advise that:

- 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.

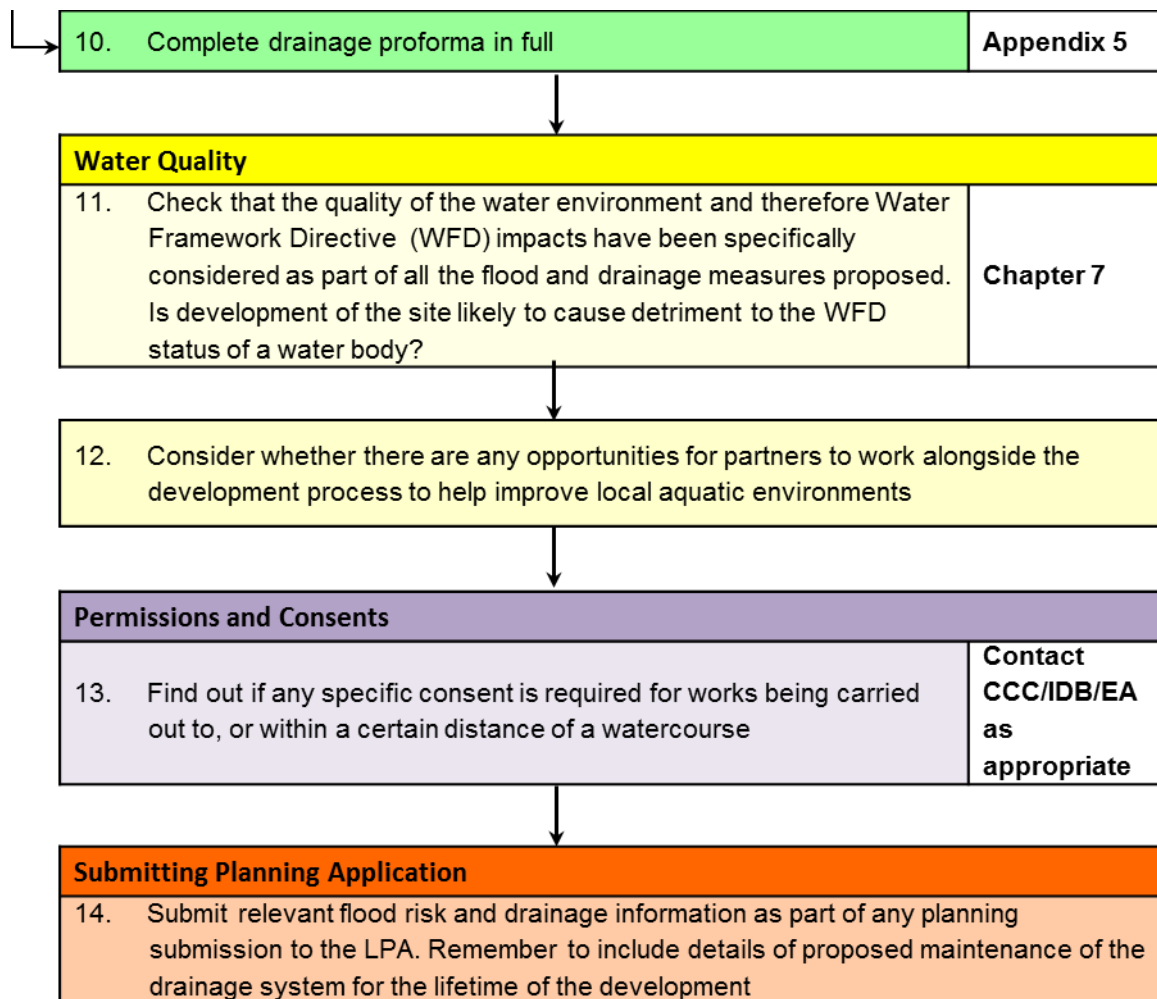
- b. LPAs receive fees for dealing with planning applications, IDBs do not; unless the developer chooses to follow an IDB pre-application procedure. Too often our advice is ignored and we are expected to provide a subsidised service for planning authorities to enable them to meet their targets, which 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.

**Cambridgeshire and Peterborough (C&P) Minerals & Waste Management  
Development Plan (M & WMDP)**

No further discussion has occurred with the County Council concerning the establishment of a "liaison forum" and no further action has been taken in respect of the Board's interests.

**General Advice**

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

- (a) An application for byelaw consent was received from Amalgamated Construction Ltd to undertake brickwork repairs to the barrel arch under the old railway line at Point 2. The work, which will be undertaken from an access tower constructed on a floating pontoon was recommended for approval.



Consulting Engineer

13 June 2016

March Sixth (315)\Reports\June 2016

Miss Ablett advised that as the development at Thorby Avenue, March (MLC Ref Nos 128, 134 and 133) had commenced without the necessary discharge consent having been applied for, the Commissioners may wish to consider taking action against the developers.

RESOLVED

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

ii) Weed Control and Drain Maintenance

That the recommendations contained in the Report be approved.

iii) That MTC Engineering be advised of the need to submit a discharge consent application for their development at Thorby Avenue, March.

C.829 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.830 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.831 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.

C832 Pumping Station duties

a) Further to minute C.798, Miss Ablett reported that Messrs Alterton and Butt had duly signed the agreements.

b) The Commissioners gave consideration to the fee in respect of pumping station duties for 2016/2017.

c) The Commissioners gave consideration to the fuel allowance payable to Mr Alterton.

## RESOLVED

- a) That the Commissioners agree that the sum of £548 be allowed for the provision of pumping station duties for 2016/2017.
- b) That the Commissioners agree that a £50 fuel allowance be allowed to Mr Alterton.

(NB) – Mr Alterton declared a financial interest when this item was discussed.

### C.833 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>
Amalgamated Construction Ltd	The undertaking of brickwork repairs to the barrel arch culvert on the Watercourse under the old railway line – Twenty Foot Drain Road, Chain Bridge, March	22 <sup>nd</sup> December 2015

## RESOLVED

That the action taken be approved.

### C.834 Environment Agency – Precept

- a) Miss Ablett reported that the precept for 2016/2017 would remain unchanged at £1,020
- b) Local Choices Update

Further to minute C.800, 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.835 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) Miss Ablett reported that the sum of £1,130.83 (inclusive of supervision) had been received from the Environment Agency (£1,355.02 representing 80% of the Commissioners' estimated expenditure for the financial year 2015/2016 less £244.19 overpaid in respect of the financial year 2014/2015).
- (b) Further to minute C.801(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.836 Contribution from Developers

With reference to minute C.137(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>
Shire Homes & Building Services Ltd	£3,450.91 (gross) £3,105.82 (net)

### C.837 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 but that ADA be advised that the Commissioners will not pay the subscription in 2017 if another similar % increase arises.

### C.838 Health and Safety Audits

Further to minute C.803, 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.839 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.804, 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.840 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.841 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.842 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.843 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.844 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.845 Review of Internal Controls

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

#### C.846 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 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 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 Commissioners. 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.847 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.848 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.849 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.850 Payments

The Commissioners considered and approved payments amounting to £11,736.86 which had been made during the financial year 2015/2016.

(NB) – Mr Alerton declared interest in the payment made to him.



### C.851 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.852 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 58.01% and 41.99%.

#### RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £11,009 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 £6,386 and £4,623 respectively.
- iv) That a rate of 17.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £4,623 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.853 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.854 Date of next Meeting

#### RESOLVED

That the next Meeting of the Commissioners be held on Tuesday the 20<sup>th</sup> June 2017.