

## **RANSONMOOR DISTRICT DRAINAGE COMMISSIONERS**

At a Meeting of the Ransonmoor District Drainage Commissioners  
held at the Middle Level Offices, March on Wednesday the 11<sup>th</sup> May 2016

### **PRESENT**

C D Boughton Esq (Chairman)

D W Connor Esq

M W Dale Esq (Vice Chairman)

M H Deptford Esq

R E Mason Esq

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

### **An apology for absence**

An apology for absence was received from S Raven Esq.

Prior to the Meeting those Commissioners present viewed the refurbishment works at Ransonmoor Pumping Station.

### **C.1025 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.1026 Confirmation of Minutes**

### **RESOLVED**

That, subject to the amendment to minute C.1001, where the reference to Mr Mason declaring an interest in the planning application (MLC Ref Nos 203, 219& 285) for EcoGen Ltd, should be to the Chairman declared an interest, the Minutes of the Meetings of the Commissioners held on the 13<sup>th</sup> May 2015 are recorded correctly and that they be confirmed and signed.

### **C.1027 Clerk to the Commissioners**

Miss Ablett informed the Commissioners that the Clerk 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.1028 Appointment of Chairman**

### **RESOLVED**

That C D Boughton Esq be appointed Chairman of the Commissioners.

#### C.1029 Appointment of Vice Chairman

##### RESOLVED

That M W Dale Esq be appointed Vice Chairman of the Commissioners.

#### C.1030 Appointment of District Officer

##### RESOLVED

That M W Dale Esq be appointed District Officer to the Commissioners during the ensuing year.

#### C.1031 Land Drainage Act 1991 Board Membership

Miss Ablett reported that Fenland District Council had appointed Councillor D Connor to be a Commissioner under the provisions of the Land Drainage Act 1991.

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The Chairman welcomed Councillor Connor.

#### C.1032 Water Framework Directive

Further to minute C.998, 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 Water Framework Directive. 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.1033 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 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. Members will be aware that the water transferred into IDBs in this area is mainly to serve irrigation licences granted by the Environment Agency and the costs in relation to which have already been recovered by the Environment Agency.

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.1034 Excessive water from Greenvale and the Anglian Water sewage works and Ransomoor Sewage Works Pumping main Fracture

Further to minute C.999, Miss Ablett reported that the Clerk had as yet not contacted Greenvale as he had received no communication from the District Officer regarding his inspection of the site.

The District Officer reported that he had carried out an inspection but, due to the site being overgrown with vegetation, it had been difficult to assess which discharge pipes were old and which were new.

He advised that the problem regarding the sewage works was with the efficiency of the attenuation pond and the way in which Anglian Water were discharging, which gave rise to excessive volumes in the District which in turn gave rise to increased pumping.

#### RESOLVED

That the Commissioners continue to monitor and keep both matters under review.

#### C.1035 Consulting Engineers' Report

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

## **Ransonmoor D.D.C.**

### **Consulting Engineers Report – May 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.

An application of Roundup was made last autumn to district drains where it was required to control growths of emergent aquatic vegetation.

Cases of illegal fly tipping within the Ransonmoor district have remained low during the past year. However it still remains a general concern in the March area and some surrounding villages. A provisional sum has been allocated to allow fly-tipped debris to be cleared, on the basis that the Ransonmoor area has been targeted in past years and unfortunately is likely to be targeted again.

Following regular inspection by the District Officer last year, the District Officer intimated that the Commissioners' drains were in a good condition and only required a Roundup herbicide application to control emergent vegetative growth. With the Chairman's approval it was agreed to postpone any machine cleansing works until this year.

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

The inspection did however highlight that the self-sown bush canopy along Floods Drain adjacent to Parson's Land Drove, reach 6-7, is continuing to grow and will soon reach a point where it will interfere and preclude regular bankside maintenance operations along the Commissioners' drain. It was also noted that this area of the bank would benefit from bank trimming to return the sloping batter to its original profile and to help to



Trees on reach 6-7

prevent future bank subsidence occurring. It is recommended that the bush canopy is cut back to ground level and the bank profile reshaped following the harvest of the adjacent crops this year. It is also recommended that the adjoining Ransonmoor Farm drain, reach 7-17, is included in the bank profiling works to remove the steep side slope on the western bank downstream of the wood. A provisional sum has been included within the estimate for this work to be undertaken.



Reach 7-17 Western Bank

The inspection highlighted Ransonmoor Farm drain, reach 7-17, is becoming heavily populated with self-sown saplings and bushes along its length. It is recommended that this reach is prioritised within the flail mowing programme this year, and the sapling growth removed by flail mowing annually to ensure that the saplings do not become established and more difficult and costly to manage.

Intermittent stands of reed and emergent vegetation are also now evident along the Commissioners' district drains in the Coneywood Road and Hospital Road areas. It is recommended that these reaches are treated with an application of Roundup following harvest this year.

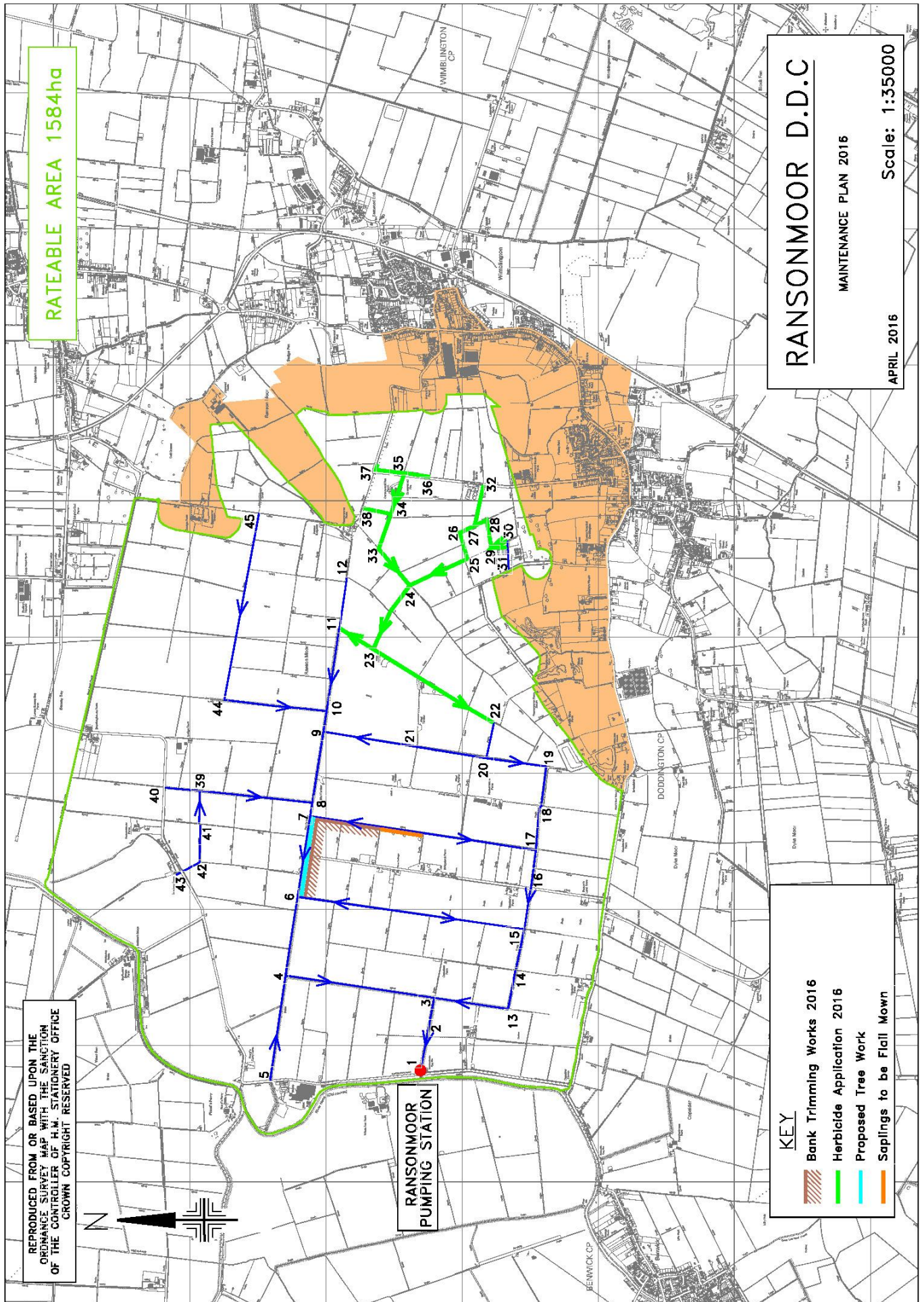
The District Officer has indicated that he will be available to undertake the Commissioners' flail mowing requirements for the coming season. Provision has been included within the estimate for this work to be undertaken.

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

The estimated cost of this year's recommended Weed Control and Drain Maintenance programme is as follows:

			£
1.	<b><u>Provisional Sum</u></b>		
	Allow sum to remove fly tipped materials from District drains as required	Item Sum	400.00
2.	Tree Work, North Pump Drain Parson's land Drove Reach 6-7	Item Sum	1500.00
3.	Bank Trimming, North Pump Drain Parson's land Drove Reach 6-7	Item Sum	<u>1200.00</u>
	<b>carried forward</b>		<b>3100.00</b>





		<b>brought forward</b>	<b>3100.00</b>
4. Bank Trimming, Reach 7-17	Item	Sum	1100.00
5. Roundup application to control emerging aquatic weed growth in District drains.	Item	Sum	850.00
6. Flail mowing in advance of machine cleansing	Item	Sum	1500.00
7. <b><u>Provisional Item</u></b> Allow sum for emergency machine cleansing, culvert clearance and emergency cott removal works	Item	Sum	1000.00
8. Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of herbicide applications and maintenance works	Item	Sum	950.00
	<b>TOTAL</b>		<b>£8500.00</b>

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

### **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.

### **Pumping hours**

<b>Electric Pump Hours Run April 2015 - April 2016</b>	<b>=</b>	<b>245 (10139)</b>
Electric Pump Hours Run April 2014 - April 2015	=	527 (9894)
Electric Pump Hours Run March 2013 - April 2014	=	386 (9367)
Electric Pump Hours Run March 2012 - March 2013	=	835
Electric Pump Hours Run March 2011 - March 2012	=	176
Electric Pump Hours Run April 2010 - April 2011	=	219
Electric Pump Hours Run May 2009 - April 2010	=	484

### **Pumping Station Improvement Scheme**

As reported at the Commissioners' last meeting the diesel powered Sulzer pump had been removed and was being refurbished and an order had been placed for the new engine and gearbox etc.



During August the outfall bay was dammed off and dewatered to allow for delivery pipework modifications, which included a new syphon arrangement with syphon breaker valve and non-return flapvalve.



**Section of the existing cast iron delivery pipework**



**New syphon arrangement**



**Lower section of refurbished Sulzer pump**

The refurbished pump was returned to site and reinstalled during September/October, following which it was satisfactorily test run using the old Ruston engine.

The weedscreen cleaner trolley and grab were also overhauled during the summer months.

When delivery of the new engine and gearbox was imminent, work commenced on dismantling of the Ruston 6VCB engine for its removal, which required breaking out of the concrete plinth that encased the engine base/sump.

Once removed the engine was taken to the Internal Fire Museum of Power in Wales.

Following making good of the station floor the new Cummins powerpack, Rossi gearbox and couplings etc were installed and the pumpset commissioned with the engine under manual control. This took place during December.

Installation of the new control equipment, fuel tank, pipework, ductwork and cabling commenced in February 2016. The new engine and weedscreen cleaner were then connected to and made operable from the new control equipment via a temporary supply. Following on from this, a power supply shutdown was arranged which allowed the supply tails and power cables to the electric pumpset to be transferred to the new controls. The old control equipment was then removed from site.

The electric pump was recommissioned during April.

The only currently outstanding works are the overhaul of the electric pumpset's drive motor, which is currently not showing any problems with its winding insulation resistance, completion of the telemetry system and some minor snagging works.

Once all works are completed painting of the interior of the building is planned, following which it is recommended that the exterior of the site is generally tidied, levelled and topped with tarmac planings



New engine and control equipment

### **Electrical Retesting**

The periodic electrical installation condition of the pumping station's fixed electrical equipment, to ensure continued compliance with Electricity at Work Regulations and the BS7671: 2008 IEE Wiring regulations, will be carried out as part of the improvement works.

## **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 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 16 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>
302	F/YR14/0990/F	Mr A Hollis	Residence	Grange Road, March
303	F/YR14/3147/COND	Askham Care Homes	Care Home	Benwick Road, Doddington
304	F/YR15/0077/O	Mr C Boughton	Residential (10 plots)	Benwick Road, Doddington*
306	F/YR15/3046/COND	Mr & Mrs A Amos	Residence	March Road, Wimblington
307	F/YR15/0393/PNCOU	Mrs Miller	Residence	Hospital Road, Doddington
308	F/YR15/0460/F	Mr D Ward	Residence	Wimblington Road, Doddington
309	Enquiry	Cannon Consulting Engineers	Solar Farm	Knights End Road, March
310	F/2005/15/CW & F/YR15/2005/CCC	Goldstar Metal Traders	Waste Transfer Facility	Lodge Farm Floods Ferry*
311	F/YR15/0581/SC	Savills	Solar Farm	Knights End Road, March
312	F/YR15/0725/O	Blenheim Homes Ltd	Residential (4 plots)	Benwick Road, Doddington
313	Discharge Consent	Mr St Clair	Residence	Parsons Land Drove, Doddington*
314	F/YR15/0900/F	Solar Power Parks Ltd	Solar Farm	Knights End Road, March
315	F/YR15/0993/F	Mr J Collins	Agricultural building	Parsons Land Drove, Doddington
316	Discharge questions trial	Construct Reason	Residential (37 plots)	Wood Street, Doddington*
317	F/YR15/3115/COND	Askham Care Homes	Care home	Benwick Road, Doddington
318	F/YR15/1128/F	Mair & Son Ltd	Agricultural	Linwood Lane, March

***Planning applications ending 'PNCOU' relate to household permitted regulations notification, those ending 'COND' relate to the discharge of relevant planning conditions***

Developments that propose direct discharge of surface water 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. All the applicants have been notified of the Commissioners' requirements.

Developers within the catchment of Doddington WRC continue to be advised that whilst AWS may consider that there is capacity within its WRC to accept the foul effluent from the proposal, the receiving system, including that provided by the Commissioners, may not have the capacity to accept the increased volume of treated effluent discharging into it.

*Erection of 5 no wind turbines (max hub height 69.0 metres) together with associated infrastructure including a control and switchgear building, underground cabling, crane hardstandings, watercourse crossings and temporary construction compound on land south of Boardinghouse Farm, Knights End Road, March - EcoGen Ltd (MLC Ref Nos 203, 219 & 285)*

The works associated with this development are now complete.

*Erection of 1 wind turbine at land north west of Greenvale Produce Ltd, Floods Ferry Road, Doddington - Greenvale AP March (MLC Ref Nos 226, 247, 263, 267 & 279)*

The works associated with this development are now complete.

*Waste transfer, processing and treatment facility at Lodge Farm, Knights End Road, March – Ferry Group Ltd (MLC Ref Nos 250, 274 & 310)*

Further to the last meeting a planning application has been submitted to the County Council, in its role as the WPA, for the change of use of land to create an extension to the waste transfer and treatment station to provide an ancillary storage area.

From initial discussions with the applicant it is understood that the existing means of surface water storage and disposal will be extended to contain surface water within the structure so that it can pass through a pollution interceptor following the passing of any high rainfall event up 1% AEP (1 in 100 year event) together with an allowance for climate change.

Planning permission was granted by the WPA in April, subject to the imposition of conditions.

*Erection of a Weaner/Grower and Farrowing building at Coneywood South Farm, Wood Street, Doddington – Rattlerow Farms Ltd (MLC Ref No 256)*

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.

*Construction of a 7MW solar farm at land east of Coneywood South Farm, Wood Street, Doddington – C S Solar (UK) Ltd (MLC Ref Nos 280 & 293)*

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 a 2-storey 24-bed care home and a 2-storey staff resources building and a 2-storey 20-bed extension at Askham House, Benwick Road, Doddington – Askham Care Homes (MLC Ref Nos 287, 291 & 292)*

The site is the subject of continuing pre-application discussions.

*Erection of 16 2-storey dwellings comprising: 12 x 4+ bed, 2 x 3-bed and 2 x 2-bed and associated garaging and infrastructure at land south of 32 Wimblington Road, Doddington – Larkfleet Homes (MLC Ref No 290)*

Planning permission was granted by the District Planning Committee, subject to conditions, in April 2015.

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.

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

*Erection of 10 dwellings at land east of Askham House, 13 Benwick Road, Doddington – Mr C Boughton (MLC Ref Nos 301 & 304)*

Despite the Commissioners' concerns, as discussed in the last meeting report, planning permission was granted by the District Council in February 2016.

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.

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

*Proposed Solar Farm Scheme to the north of Bradney Farm, Knights End Road, Staffurths Bridge, March – Solar Power Parks Ltd (MLC Ref Nos 309 & 314) and Savills (MLC Ref No 311)*



In July a Screening Opinion request was submitted to the District Council by Savills on behalf of the applicant, Solar Power Parks Ltd. In reaching its conclusion the District Council considered that the development would not have significant environmental effects and that an EIA was not required.

Further to initial contact relevant flood risk information, as opposed to detailed pre-application discussions, was provided to Cannon Consulting Engineers for inclusion in a FRA.

A planning application for the installation of ground mounted solar PV panels (5MW) with associated transformers, inverters, switchgear, underground cabling and cameras mounted on 2.7m high poles was submitted to the District Council in the autumn and permission was granted just before Christmas.

During the autumn correspondence was received from Green Switch Solutions concerning points of connection for the export cable.

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.

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

**NB. A Screening Opinion application is a planning process where the applicant asks the relevant Local Planning Authority for its formal opinion as to whether there are likely to be significant effects on the environment and require an Environmental Impact Assessment (EIA).**

The intention of this process is to enable developers to obtain a clear view from the LPA on its requirements before they reach the stage of lodging a formal planning application, thus minimising the possibility of delay or uncertainty.

*Erection of a 5-bed detached house involving demolition of existing dwelling at Four Winds, Parsons Land Drove, Doddington – Mr St Clair (MLC Ref No 313)*

A discharge consent application for the discharge of treated effluent in to the Commissioners' system was received on 5 October 2015. This is a fairly simple application for a minimal amount of treated effluent, as a result it is unlikely to have an effect on the system and the application was recommended for approval. Consent was issued on 14 January 2016

No further correspondence has been received regarding this site.

*Proposed Residential Development of 37 units to the west of 17-37 Wood Street, Doddington - Construct Reason (MLC Ref No 316)*

This development was the subject of an "Acceptability of Surface Water and Sewage Effluent Discharge" enquiry, as discussed in "Changes to Planning Procedures", in late November.

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.

### **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.

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.

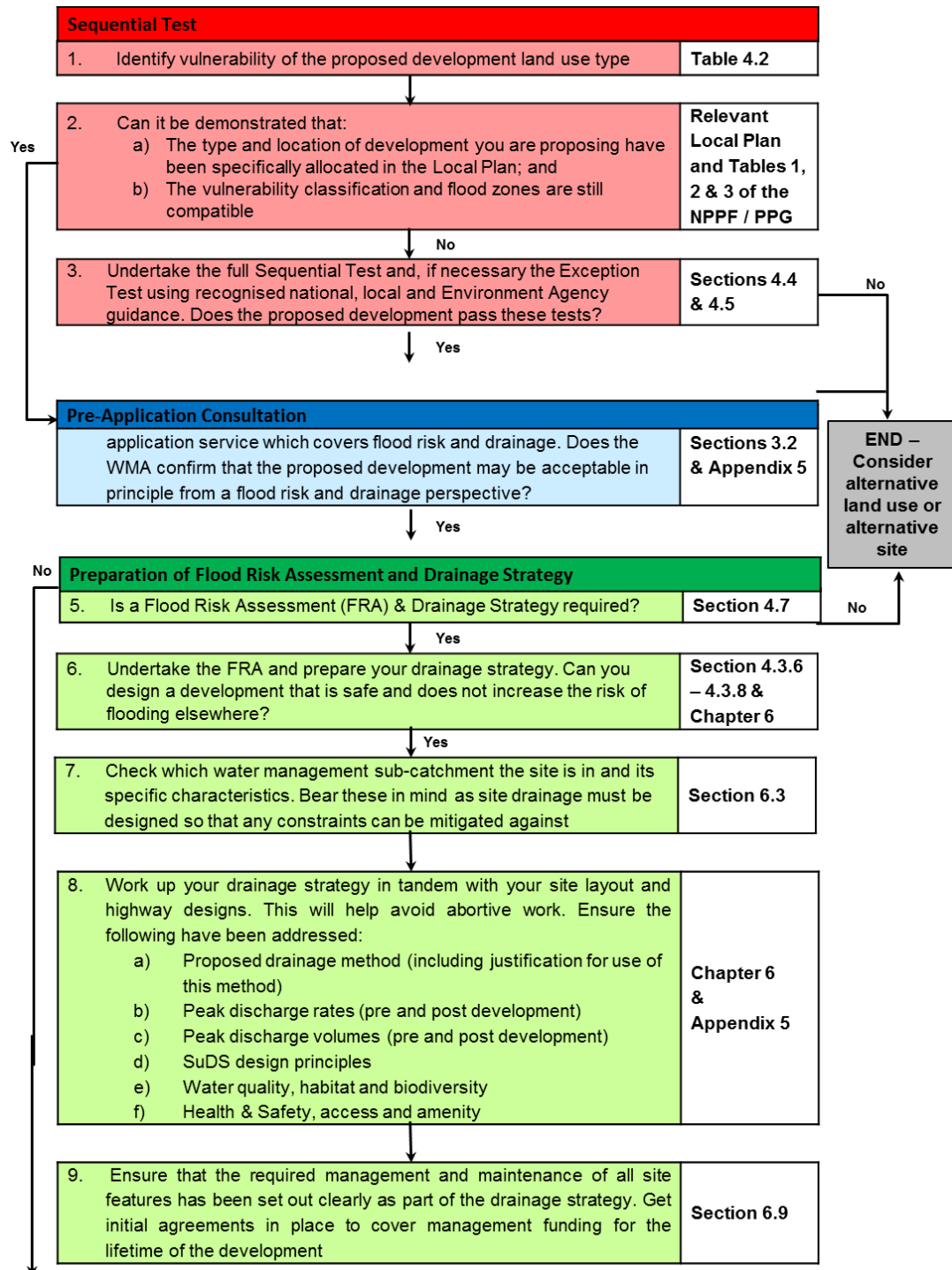
- The water resource issues raised predominantly refer solely to potable water supply but other water resource issues which exist within the study area, for example, agricultural use, navigation, amenity, biodiversity, were not fully considered, particularly if drought conditions, like those recently experienced, become more regular, and if the impact of climate change becomes a reality.

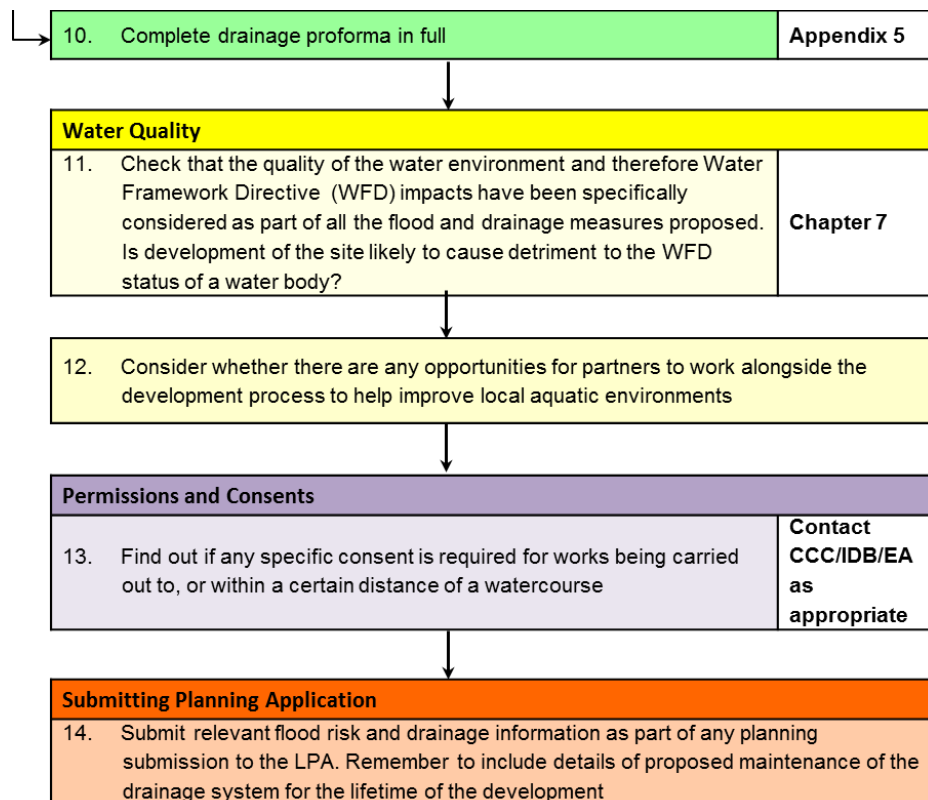
The response advised that IDBs may therefore not be able to accept the principles and policies which accommodate a County wide “broad brush” approach, which are not consistent with the more detailed requirements of their local areas, and went on to advise that:

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





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

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

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

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

### General Advice

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

- (a) Ransonmoor Farm Ltd – An application for byelaw consent to remove an existing culvert and install another in a district drain between Points 7 and 17 was recommended for approval.



Consulting Engineer

4 May 2016

Ransonmoor (329)\Reports\May 2016

The Chairman confirmed that he would spray the self-sown saplings and bushes identified between reaches 7-17 at the Ransonmoor Farm drain.

Mr Lakey reported that a complaint had been received from a landowner concerning damage caused by rabbits at Parson Land Drove. He advised that the Clerk had been unable to confirm that the Commissioners owned the watercourse. Mr Deptford stated that landowners were no longer responsible for rabbit damage and the Chairman agreed that it was not the Commissioners responsibility.

The Chairman commented on the condition of culverts in the district being blocked with sediment and the need for adjoining culverts to be cleaned by 'pull through' during machine cleansing.

The District Officer enquired whether the Commissioners agreed that the pumping station would benefit from maintenance and health and safety works being carried out, e.g. painting and the erection of fencing.

#### RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance
  - a) That the recommended works be undertaken.
  - b) That M W Dale be authorised to undertake the flail mowing operations in advance of machine cleansing works.
  - c) That adjoining culverts be cleaned by 'pull through' during machine cleansing
- iii) That the District Officer contact the Consulting Engineers to establish whether additional works at the pumping station would be eligible under the grant in aid scheme.

(NB) – The District Officer declared an interest when the item concerning Weed Control and Drain Maintenance was considered and took no part in the decision.

(NB) – The Chairman declared an interest in the planning application (MLC Ref No 304) for Mr C Boughton.

(NB) – Mr Connor declared an interest in all planning matters as a member of Fenland District Council.

#### C.1036 Pumping Station Engineering Insurance

Further to minute C.1002(ii), Miss Ablett reported that to take out engineering insurance cover would cost £511.91.

#### RESOLVED

That engineering insurance cover be taken out.



#### C.1037 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

#### RESOLVED

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

#### C.1038 District Officer's Report

The District Officer considered that all significant matters had been covered previously.

#### RESOLVED

That the Officer be thanked for his services over the preceding year.

#### C.1039 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, and to the Repeat Water Vole Survey of Curf Fen and Ransonmoor District.

The Commissioners considered and approved the most recent BAP report.

#### C.1040 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 other than those referred to in minute B.1035(iii).

#### C.1041 District Officer's honorarium

##### a) Agreement relating to District Officer's duties

Further to minute C.1007(b), Miss Ablett reported that Mr Dale had duly signed the agreement.

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

#### RESOLVED

That the Commissioners agree that no honorarium be allowed for the services of the District Officer for 2016/2017.

(NB) – Mr Dale declared a financial interest when these items were discussed.

C.1042 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>
Ransonmoor Farm Ltd	The installation of 1 no culvert not exceeding 15 metres in length & the removal of an existing culvert - Parson Land Doddington	21 <sup>st</sup> December 2015

RESOLVED

That the action taken be approved.

(NB) - The Chairman declared an interest when this item was discussed.

C.1043 Environment Agency – Precepts

- a) Miss Ablett reported that the precept for 2016/2017 would remain unchanged at £5,416.
- b) Local Choices Update

Further to minute C.1009, 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.1044 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) Miss Ablett reported that the sum of £196.11 (£2,490.87 less £2,294.76 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 £2,050.12 in respect of 80% of the Commissioners' estimated expenditure for the financial year 2015/2016.
- (b) Further to minute C.1010(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 kept under review.

#### C.1045 Determination of annual value for rating purposes

The Commissioners considered the recommendation for the determination of annual value for rating purposes, viz:-

**Ransonmoor DDC****Determination of Annual Values for Rating purposes****2016-2017****June 2016**

			Transfer value to Special Levy - £1798.467 per hectare	Area (Hectares)	Agricultural Land	Special Levies	
						Fenland	TOTAL
					-	-	-
			Opening Values (£)	1581.488	255,044	71,128	326,172
			Opening %		78.19%	21.81%	100.00%
<u>Location</u>			<u>Reason for change.</u>				
Ransonmoor Farm Ltd	Parson Land Drove	Domestic Dwelling		-0.134	-45	604	559
A G Rose	Coneywood Fen	Wind turbines + access road		-2.97	-556	5,341	4,785
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## RESOLVED

- i) That the determination recommended be adopted by the Commissioners.
- ii) That the Clerk be empowered to serve notices and to take such other action as may be necessary to comply with statutory requirements.
- iii) That the Vice Chairman and the Clerk be empowered to authorise appropriate action on behalf of the Commissioners in connection with any appeal against the determination.

(NB) - The Chairman declared an interest when this item was discussed.

### C.1046 Rate arrears

Consideration was given to writing off rate arrears amounting to £78.13.

## RESOLVED

That the arrears be written off.

(NB) - The Chairman declared an interest when this item was discussed.

### C.1047 Contribution from Developers

With reference to minute C.377, 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>
A Carter	£300.00 (gross) £270.00 (net)

### C.1048 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 if 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%]

c) 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.

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.1049 Health and Safety Audits

Further to minute C.1015, 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.

The Chairman considered that a Risk Assessment should be carried out on the refurbished pumping station and that a meeting should be arranged with Croners, the Commissioners' health & safety consultants.

RESOLVED

That a meeting with the Chairman, District Officer and Croners be arranged.

C.1050 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.1016, 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 was involved with. Miss Ablett advised that the Planning Engineer did not feel that this document was yet in a suitable state commenting in particular, that it was too generic, did not really apply to the special needs of the Fens or properly set out the roles and functions of IDBs.

C.1051 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.

The Chairman advised that there was probably asbestos cement in the pumping station roof.

RESOLVED

That the Register record asbestos present.

C.1052 Banking Arrangements  
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.

C.1053 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.1054 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.1055 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.1056 Review of Internal Controls

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

C.1057 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.

Miss Ablett 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.1058 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.

#### RESOLVED

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

#### C.1059 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.1060 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.1061 Payments

The Commissioners considered and approved payments amounting to £173,885.62 which had been made during the financial year 2015/2016.

(NB) – The Chairman declared an interest in the payment made to Ransonmoor Farms Ltd and (as a Member of the Middle Level Board) in the payments made to the Middle Level Commissioners.

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

(NB) - Mr Mason declared an interest in the payment made to E Mason & Son (Farmers) Ltd.

### C.1062 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 Return, on behalf of the Commissioners, for the financial year ending 31<sup>st</sup> March 2016.

### C.1063 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 76.75% and 23.25%.

#### RESOLVED

- i) That the estimates, including provision for a loan repayment, be approved.
- ii) That a total sum of £39,782 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 £30,533 and £9,249 respectively.

- iv) That a rate of 12.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £9,249 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.1064 Date of next Meeting

RESOLVED

That the next General Meeting of the Commissioners be held on Wednesday the 10<sup>th</sup> May 2017.

C.1065 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.1067 Appointment of a Commissioner

The District Officer advised that Mr William Veal may be interested in becoming a Commissioner and could be co-opted by Cambridgeshire County Council.

RESOLVED

That the District Officer approach Cambridgeshire County Council in relation to Mr Veal being co-opted as a Commissioner.