

SWAVESEY INTERNAL DRAINAGE BOARD

At a Meeting of the Swavesey Internal Drainage Board
held at the Memorial Hall, High Street, Swavesey on Wednesday the 10th February 2016

PRESENT

K Wilderspin Esq (Chairman)	A Day Esq
J Dodson Esq (Vice Chairman)	Mrs S M Ellington
J S Burgess Esq	Mrs A C Hemington
B R Burling Esq	N K Stroude Esq

The Clerk to the Board and Mr Robert Hill were in attendance.

Mrs Ellington thanked the Board for changing the day of the meeting.

B.821 Declarations of Interest

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

B.822 Confirmation of Minutes

RESOLVED

That the Minutes of the Meetings of the Board held on the 12th February 2015 are recorded correctly and that they be confirmed and signed.

B.823 Clerk to the Board

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

RESOLVED

That the Board's appreciation of the service the Clerk had given to the District be recorded in the Minutes

B.824 Hire of Hall

Further to minute B.783, the Chairman confirmed that he had nothing yet to report but would speak to the Hall Secretary on the matter.

B.825 Completion of the Annual Accounts and Annual Return of the Board – 2014/2015

- a) The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2015.

- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2015.

RESOLVED

- (i) That in accordance with the Accounts and Audit Regulations the minutes record that approval of the accounts was given on 26th June 2015.
- (ii) That the Chairman was authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31st March 2015.

B.826 Vacancy in Membership

Further to minute B.788, the Chairman reported that Ms Hannah Parish had indicated that she would be prepared to fill the vacancy on the Board.

RESOLVED

That Ms Parish be formally co-opted to membership of the Board.

B.827 Land Drainage Act 1991

Board Membership – South Cambridgeshire District Council

The Clerk reported that South Cambridgeshire District Council had re-appointed Councillors B R Burling and S M Ellington to be Members of the Board under the provisions of the Land Drainage Act 1991.

B.828 Flood and Coastal Defence Funding Review

Further to minute B.707, the Clerk referred to a letter from the Parliamentary Under Secretary of State dated the 9th February 2015 and indicated that it appeared that no action would currently be required from the Board in consequence.

B.829 Water Framework Directive

Further to minute B.789, the Clerk reported that the Anglian River Basin Liaison Panel of which he was a member have considered the draft updated River Basin Management Plan revision and the regional programme of projects funded by Defra for WFD. He reported that he had also been advised that the statutory Plan to be sent to Ministers would be a “high level” generalised document and not contain the list of local “measures” which appeared in the many schedules to the 2009 Plan. Whilst this made the 2009 Plan rather cumbersome, it did at least set out the measures expected in relation to a water body, whereas the present framework leaves the relevant measures to be discussed locally. Part of the ongoing work is to settle what “mitigation measures” are appropriate to the artificial and heavily modified water bodies of the Fens to ensure that they satisfy the requirement to reach Good Ecological Potential. The Middle Level Commissioners' Environmental Officer, Cliff Carson, is a member of a Group, looking at reasonable mitigation measures for such bodies, which are likely in fact to correspond with what was already in our Biodiversity Action Plans and therefore require, as previously advised, little additional work.

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

The Clerk reported that he had, however, continued discussions with the Environment Agency's local Water Framework Directive teams.

B.830 Water Transfer Licences

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

The Clerk reported that the 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 8th April.

In the case of the Board, the Clerk confirmed that this report was simply for members' general information as Swavesey Internal Drainage Board had no inlets into the District.

B.831 Proposed Northstowe Development and other developments draining to Uttons Drove STW

- a) Further to minute B.790(i), the Clerk reported that confirmation had been received from the Homes and Communities Agency that they would meet the reasonable costs of Peter Brett and Associates (Simon Darch) in connection with the Northstowe development and the Technical Liaison Group.

The Chairman and Clerk reported that an application had also been received from Anglian Water Services to lay a rising main sewer from Longstanton to Uttons Drove. The Clerk tabled drawing No. SEW-09828-UTTOSC-2A-LOC-197 showing the route, which went in part through the District. Although Anglian Water Services were still discussing the operational aspects of this with the Board's Consulting Engineer, the Clerk wondered, as the Reach 5 works had not been implemented, whether it was appropriate for the Board's consent, required under the Water Industry Act, to be granted until Reach 5 was completed. The Clerk drew attention to Section 186 of and Schedule 13 of the Water Industry Act 1991.

The Vice Chairman thought it inappropriate to have the main in place until Reach 5 works were completed which Mr Stroude agreed with. The Chairman referred to the extra flow at flood times; to the need for the pump to go in and for Reach 5 to be finished.

Mrs Ellington wondered if there was a direct link between this pipe and the outstanding works at Mare Fen. The Chairman confirmed that there was a direct connection. Mr Burling asked for any clarification on Anglian Water's timescale. The Clerk advised that he was unaware of the precise timetable. The Chairman reported, however, that at the meeting he had attended with Anglian Water Services in November, they had indicated that their timeline then was for the works to begin in February 2016. Mr Burling referred to the Northstowe Task Group set up at the last TLG meeting and wondered if the decision could be delayed until the Task Group had reported and whether

the Board could simply reply that the application was being considered. The Vice Chairman was very concerned regarding the lack of delivery of the Mare Fen works. The Chairman wondered about advising Anglian Water Services of the Board's reasons for withholding consent. Mr Burling confirmed that Anglian Water Services were not effectively party to Mare Fen. Mrs Hemington proposed that Anglian Water Services be advised that the Board were minded to grant consent on the basis that the works at Mare Fen be completed and it be explained to them why. The Chairman felt it was important to put pressure on those responsible for the delivery of the works at Mare Fen. Mr Burling felt that any letter should be widely copied.

b) Further to minute B.790, the Clerk reported on the Environment Agency's view that they could maintain Swavesey Drain from the channel with waterborne craft and that therefore the proposed Reach 5 works were not required. He further reported that both the Chairman and the Middle Level Commissioners' Operations Engineer had viewed the trial carried out by the Environment Agency with such craft and had agreed that it was not an appropriate method of undertaking this maintenance work. South Cambridgeshire District Council had then indicated that they were willing to implement a Reach 5 scheme to raise and widen the bank.

The Chairman reported that at the District Council's planning meeting in July at which the development was approved, it was agreed that the Board's objection should be resolved. The Clerk reported that he had assisted in the drafting of a planning condition in June/July to be put to South Cambridgeshire District Council to ensure delivery of Reach 5.

The Clerk referred to a proposed agreement between South Cambridgeshire District Council and the Board and to his meeting with Mr Reid in August and reported that nothing further had been heard since that time. He added that at the recent TLG meeting it was mentioned that discussions were still proceeding between South Cambridgeshire District Council and the Environment Agency over Public Sector Co-operation Agreements to facilitate the Reach 5 works and that the matter now lay between South Cambridgeshire District Council and the Environment Agency. The Clerk also referred to an e-mail from James Stone of South Cambridgeshire District Council regarding the Council's decision to discharge the relevant planning condition relating to Phase 1 of the Northstowe development. The Board considered the Council's action inappropriate and premature.

RESOLVED

- i) That Anglian Water Services be advised that the Board were minded to grant consent for the rising main on the basis that the works at Mare Fen are completed.
- ii) That the Homes and Communities Agency be asked for any progress on Reach 5 by the Task Group.
- ii) That the Clerk respond to South Cambridgeshire District Council regarding the planning permissions for Northstowe accordingly.

(NB) – Councillors Burling and Ellington declared an interest as members of South Cambridgeshire District Council.

(NB) - The Vice Chairman and Mr Stroude declared interests as landowners potentially affected by the scheme.

B.832 A14 Improvement Scheme

Further to minute B.791, the Clerk reported on the further discussions that had taken place with Geoff Dodgson and that the Schedule of Works had not been agreed upon. He advised that he had also attended the public enquiry and that Highways England had informed the Board that outstanding matters, viz:- (1) Maintenance regime for ponds etc. (2) Ponds to be provided and maintained for their main purpose not ecological benefit that may hamper that purpose. (3) Access to ponds. (4) Relationship with Webbs Hole Sluice. (5) Impact of Bar Hill on the proposed Swavesey junction. (6) Removal/modification of culvert would be dealt with as part of the detailed design and that the position should be made no worse. The Clerk confirmed that Highways England had raised the prospect of an additional meeting but that no date had been arranged.

Mr Burling asked whether the Board had made representation regarding water quality to which the Clerk confirmed that he had done so, but that this was a matter for the Environment Agency.

RESOLVED

That the position be noted and that the Clerk and Chairman be authorised to take any further action to protect the Board's position.

B.833 High Level Stewardship Scheme – Mare Fen

Further to minute B.792, the Chairman reported that no progress had been made although it had been mentioned at the recent TLG meeting and it might depend on the Mare Fen works.

Mr Burling referred to the South Cambridgeshire District Council's shortage of funds for such projects.

B.834 Covell's Drain, Swavesey

Further to minute B.793, the Chairman reported that the works between the River Ouse bank and Covells Bridge were proceeding before the weather changed and that they should recommence in the Spring.

B.835 Outstanding drainage rates – Mr and Mrs Cuff

Further to minute B.794, the Clerk referred to the rate arrears and that he had obtained the Land Registry Title Document for Mr and Mrs Cuff from which it appeared that there were two charges on the land in favour of Lancashire Mortgage Corporation and a charging order on Mrs Cuff's interest in the property in favour of South Cambridgeshire District Council.

The Board discussed the matter.

The Vice Chairman proposed that the Board seek a charging order and spend no more than £1,000 on costs, if feasible

RESOLVED

That the Clerk seek costs estimate for a charging order and, if up to £1,000, such order be sought.

B.836 Electric fence connection to pumping station energiser

Further to minute B.797, the Chairman reported that arrangements had been concluded and that he would advise the Clerk of the final arrangements.

(NB) – Mr Dodson declared an interest when this item was discussed.

B.837 Environment Agency – Tidal River Strategy Review of the Earith Drawmark

Further to minute B.808, the Clerk reported that, together with the Chairman, he attended a meeting convened by the Environment Agency to discuss the Review of the Earith Drawmark. The general view of the meeting following consideration of the Consultants' modelling was that there was neither significant environmental or flood risk benefits from pursuing the matter and that no change should be made in the current operating arrangements.

B.838 Consulting Engineers' Report

The Board considered the Report of the Consulting Engineers.

Swavesey I.D.B.

Consulting Engineers Report – January 2016

Weed Control and Drain Maintenance

The maintenance works carried out last year generally accorded with the recommendations approved by the Board at its last Annual Meeting.

Roundup applications were made early in the growing season and repeated again during the early autumn to control emergent aquatic weed growth within the Board's affected channels.

At the Chairman/District Superintendent's request, a joint district inspection will be undertaken later this year to ascertain the Board's drain machine cleansing requirements. A provisional sum for these works has been included in the Board's estimated costs.

A sum has also been included within this year's estimated costs to again undertake herbicide applications throughout the district where required.

A provisional sum for any other emergency works, bank piling or culvert headwall repair works has also been included.

The Chairman/District Superintendent has indicated that the Board's flail mowing and hedge cutting contractor, Lattenbury Services Ltd, completed works within the District to his satisfaction last year, and Lattenbury is willing to undertake the Board's requirements again this season. A sum to undertake this work is included within the estimated costs.

The estimated cost of this year's anticipated Drain maintenance and weed control programme is as follows.

			£
1) Roundup applications to control emergent aquatic vegetation in District drains	Item	Sum	1000.00
2) <i>Provisional Item</i> Allow sum for machine cleansing work to Board's drains as required	Item	Sum	2500.00
3) <i>Provisional Item</i> Allow sum for emergency works including bank piling or culvert headwall repair works	Item	Sum	<u>1500.00</u>
	Carried forward		5000.00

		Brought forward	5000.00
4)	Allow sum for flail mowing of District Drains and hedge cutting	Item	Sum 3000.00
5)	Fees for preparation and submission of report to the Board, arrangement and supervision of herbicide applications and maintenance works.	Item	Sum 650.00
			<hr/>
		TOTAL	£8650.00
			<hr/> <hr/>

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

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.

The Board is again reminded that the new impeller casting for the no 2 pump, that was reported on in 2012, is still being held at Bedford Pumps' works, the pump needs to be returned to the company to enable the impeller to be machined and the existing shroud re-machined to suit. However, as there is no evidence of any current problem with either of the pumpsets, the Board may again wish to postpone fitting of the new impeller.

Pumping Hours

Pump 1 Hours Run - 21 January 2015 - 11 January 2016 = 2
Pump 2 Hours Run - 21 January 2015 - 11 January 2016 = 173

Pump 1 Hours Run - 6 January 2014 - 21 January 2015 = 227
Pump 2 Hours Run - 6 January 2014 - 21 January 2015 = 801

Pump 1 Hours Run - 28 January 2013 - 6 January 2014 = 3
Pump 2 Hours Run - 28 January 2013 - 6 January 2014 = 295

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.
- (b) A soakaway certification and checking service which has been introduced for the processing of 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.

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 add planning applications to validation lists in week four or later. Unfortunately, the 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 Commissioners nor the Board 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 Board’s 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 but none are prepared to contribute to funding to improve resources. As a result, the 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.

Despite the Planning Authorities' position the Commissioners have been requested to respond to planning applications that may potentially be contentious and informal requests have been received to reinstate the previous service. However, as the Board is not a statutory consultee it is considered that whilst the comments provided by the Commissioners on the Board's behalf would be of benefit to the Planning Authorities in making informed decisions, this request is not followed up.

A standard letter is currently being sent to applicants to remind them of their responsibilities and duties under the Land Drainage Act and associated Byelaws.

Planning Applications

In addition to matters concerning previous applications, the following 15 new development related matters have been received and, where appropriate, dealt with since the last meeting:

<i>MLC Ref.</i>	<i>Council Ref.</i>	<i>Applicant</i>	<i>Type of Development</i>	<i>Location</i>
268	S/2921/14/FL	Mr P & Mrs M Bentley	Residence	Market Street, Swavesey
269	S/0112/15/FL	Ms E Harper	Residence	Boxworth End, Swavesey
270	S/0357/15/FL	Sunfun Luxury Travel	Coach parking	Buckingway Business Park, Swavesey
271	S/0875/15/OL	Mr & Mrs R Halladine	Residential (30 plots)	Boxworth End, Swavesey
272	S/0846/15/FL	Ms R Reed	Car ports	Middlewatch, Swavesey
273	S/1073/15/DC	V E Parrott (Oakley) Ltd	Residential (20 plots)	Fen Drayton Road, Swavesey*
274	S/1551/15/FL	Mr & Mrs North	Residential	Wallmans Lane, Swavesey
275	S/1531/15/FL	Messrs J & K Burgess	Residence	Boxworth End, Swavesey
276	S/1777/15/FL	Mr & Mrs T Croucher	Residence	Boxworth End, Swavesey
277	S/1660/15/FL	Mr B Dye	Residence	Boxworth End, Swavesey
278	S/2641/15/FL	Mr M Harvey	Residence	Middlewatch, Swavesey
279	S/2468/15/FL	J W Burgess & Sons Ltd	Agricultural	Boxworth End, Swavesey
280	S/2672/15/PA	Mr & Mrs J Innes	Residence	School Lane, Swavesey
281	S/1780/14/CM	CCC	Education	Boxworth End, Swavesey *
282	Pre-app	Swavesey Venture Ltd	Residential (2.0ha)	West of Middlewatch and south of Whitton Court and Whitton Close, Swavesey

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

The following applications are outside the Board's area but discharges may increase flows in Swavesey Drain:

(a) Laragh House Developments Ltd (MLC Ref No 246, 248 & 257) & V E Parrott (Oakley) Ltd (MLC Ref No 273)

(b) Sunfun Luxury Travel (MLC Ref No 259 & 270)

Proposed development to the rear of Cygnus Business Park (Mill Farm), Middlewatch, Swavesey - Nationwide Ltd (MLC Ref No 123) and Starburst Ltd (MLC Ref Nos 182 & 243)

The District Council's website advises that planning permission was approved on 29 May subject to the imposition of planning conditions including one relating to surface water disposal.

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

Erection of stables, a tack room, a hay barn and associated hard standing and access track between Lairstall Drove and Cow Fen, Swavesey – Mr T Smith (MLC Ref Nos 213 & 216) and Change of use of an Agricultural Field to allow horses to graze the land in connection with personal recreation on land to the north of the Cambridgeshire Guided Busway, Lairstall Drove Swavesey – Mr T Smith (MLC Ref No 218) & Proposed ménage at Lairstall Drove – Client of John Martin & Associates (MLC Ref No 222) & Mr T Smith (MLC Ref No 229)

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

Residential development including demolition of a section of existing workshop at land to the rear of, 18, Gibraltar Lane, Swavesey - Mrs M E Richardson (MLC Ref No 214) & M M Developers (MLC Ref Nos 262 & 263)

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

Proposed residential development to the south west of Moat Way/Fen Drayton Lane, Swavesey - Laragh House Developments Ltd (MLC Ref Nos 226, 246, 248 & 257)

Following the receipt of a post-application request form discussions are currently taking place concerning this development.

A response to the developer's engineering consultant is currently being prepared.

Swavesey to Buckingham Business Park – Foot & Cycle Way – Cambridgeshire County Council (MLC Ref No 264)

The contribution associated with this project has been received from the County Council.

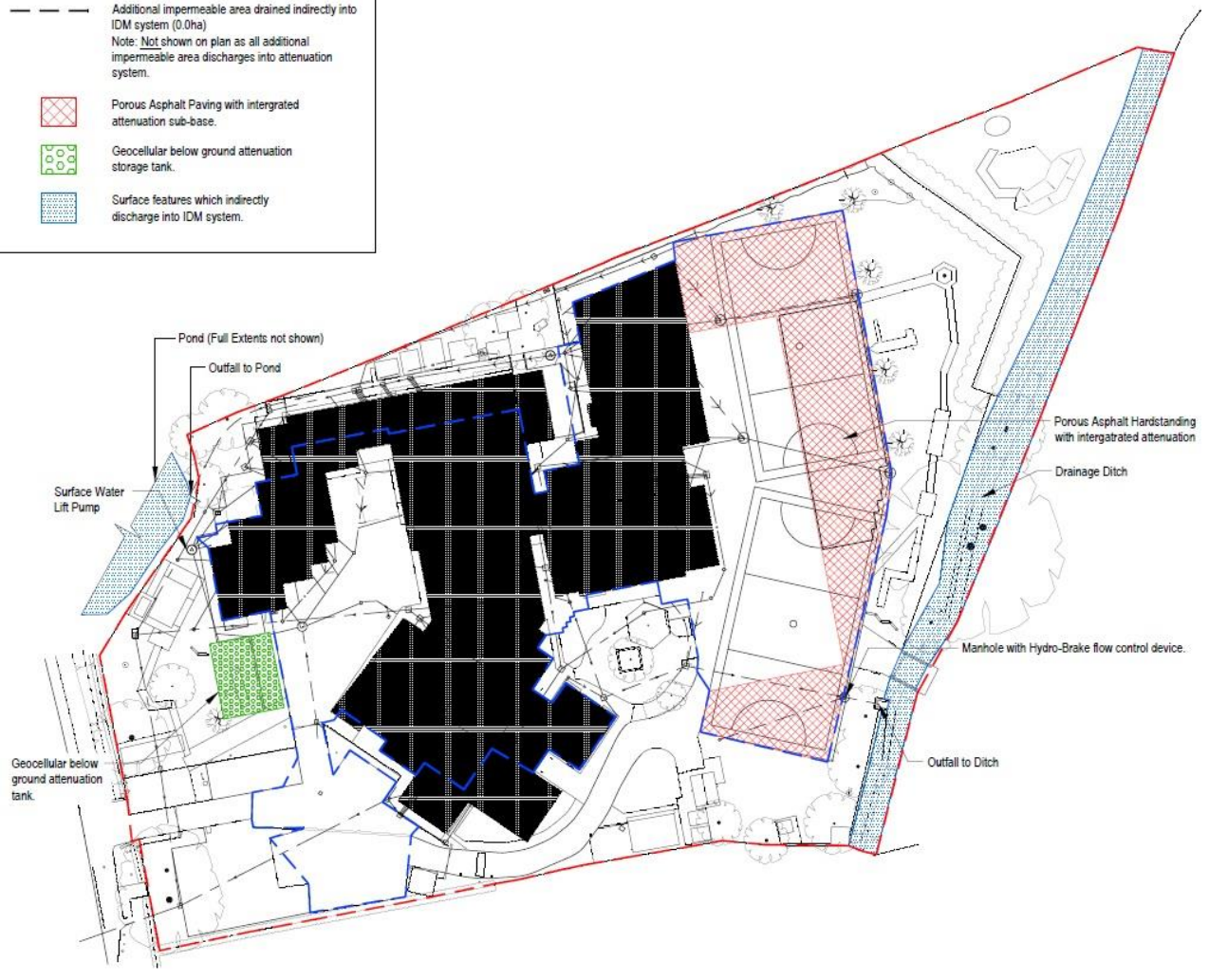
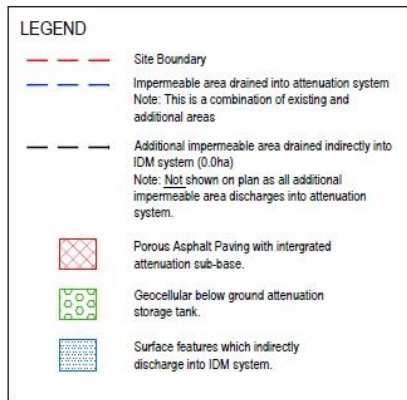
Replace existing mobile classrooms with new 3 classroom extension, extension to pre-school and extension to school hall including discharge of conditions at Swavesey Primary School, Middle Watch, Swavesey - Cambridgeshire County Council (MLC Ref Nos 265 & 266)

Following receipt of a post-application request form discussion continued with the County Council; its contractor, Borrás Construction; and consulting engineer, Peter Dann Ltd.

Upon the receipt of the appropriate information it was possible to determine that the solution, which utilised a mixture of the existing pond and attenuation systems including the use of modular storage cells and storage blankets, restricted the rate of run-off from the re-developed site to below the rates emanating from the previous arrangements and, therefore, discharge consent was not required. However, an application for the minimum £300 fee had previously been submitted in error. The Clerk to the Board agreed that this payment minus a £50 administration fee could be returned.

It is understood that the future funding, management and maintenance of the surface water disposal system which also includes the use of a pump to raise water levels will be the responsibility of the School and/or the County Council.

The total net cost of the post-application discussions was £515.75.



Surface water layout plan showing the location of the attenuation facilities and outfalls

During discussions, the County Council and other parties involved, were advised that had the Board been consulted at a much earlier stage problems associated with this site could have been avoided possibly resulting in a more appropriate, economical and “sustainable” solution with fewer liabilities.

Development Contributions

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

Northstowe

In respect of Northstowe no further planning applications have been considered and dealt with on the Board’s behalf:

Northstowe and the issues associated with it will be reported, under a separate agenda item, by the Clerk.

South Cambs Local Planning policy

South Cambs Local Plan (SCLP) Public Consultation

The Cambridge and South Cambridgeshire Local Plans were submitted for examination in March 2014. The examinations were suspended in July 2015 to allow further work to be undertaken in response to initial issues raised by the Planning Inspectors examining the plans. Cambridge City Council and South Cambridgeshire District Council are currently undertaking a public consultation on the proposed modifications to the Cambridge and South Cambridgeshire Local Plans having undertaken further work.

The results of the public consultation will be considered by the Councils who will decide if any further amendments need to be made to the Local Plans. The Councils will then submit the consultation responses, evidence base documents and proposed modifications to the Planning Inspectors examining the Local Plans.

South Cambridgeshire and Cambridge City SFRA

No further progress has been made concerning an update of the SFRA.

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*.

Due to the various states which the local planning authorities were at, in respect of their respective Local Plans, it was considered that a Flood and Water SPD should be produced to clarify and to ensure that all emerging guidance and relevant legislation is considered and adequately addressed in the local decision making process. The final document will be used to further assess planning applications primarily on flood risk and drainage matters.

Cambridgeshire County Council volunteered to organise the production of this document via a steering group that involved all the LPAs within the County together with other relevant stakeholders including the Middle Level Commissioners.

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:

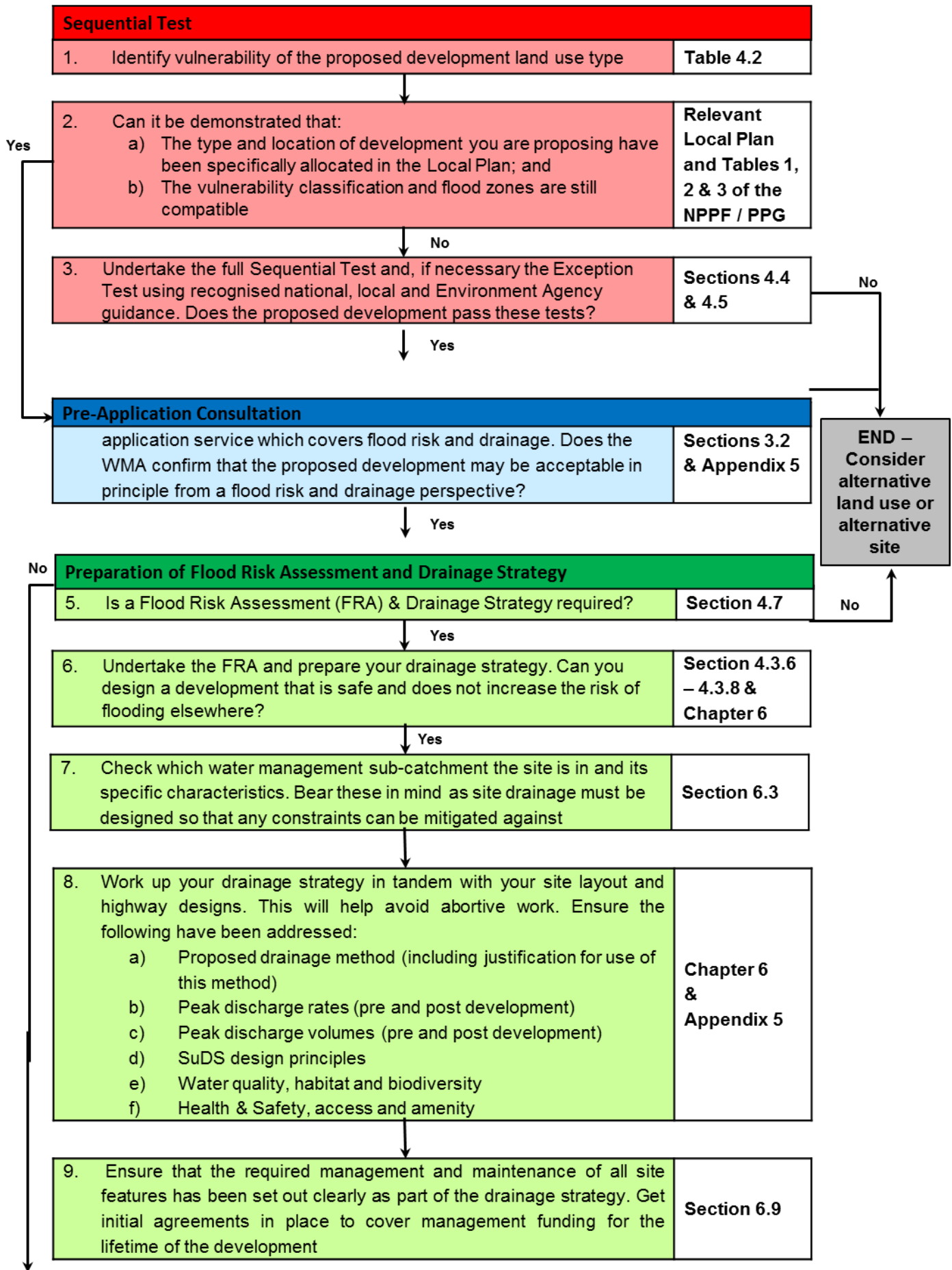
- Like the NPPF and PPS/G25, and the associated guidance documents, the SPD is generic and does not appreciate the special circumstances of water level/flood risk management within The Fens. Therefore, it is considered that further guidance is required to assist all parties involved within the planning 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.

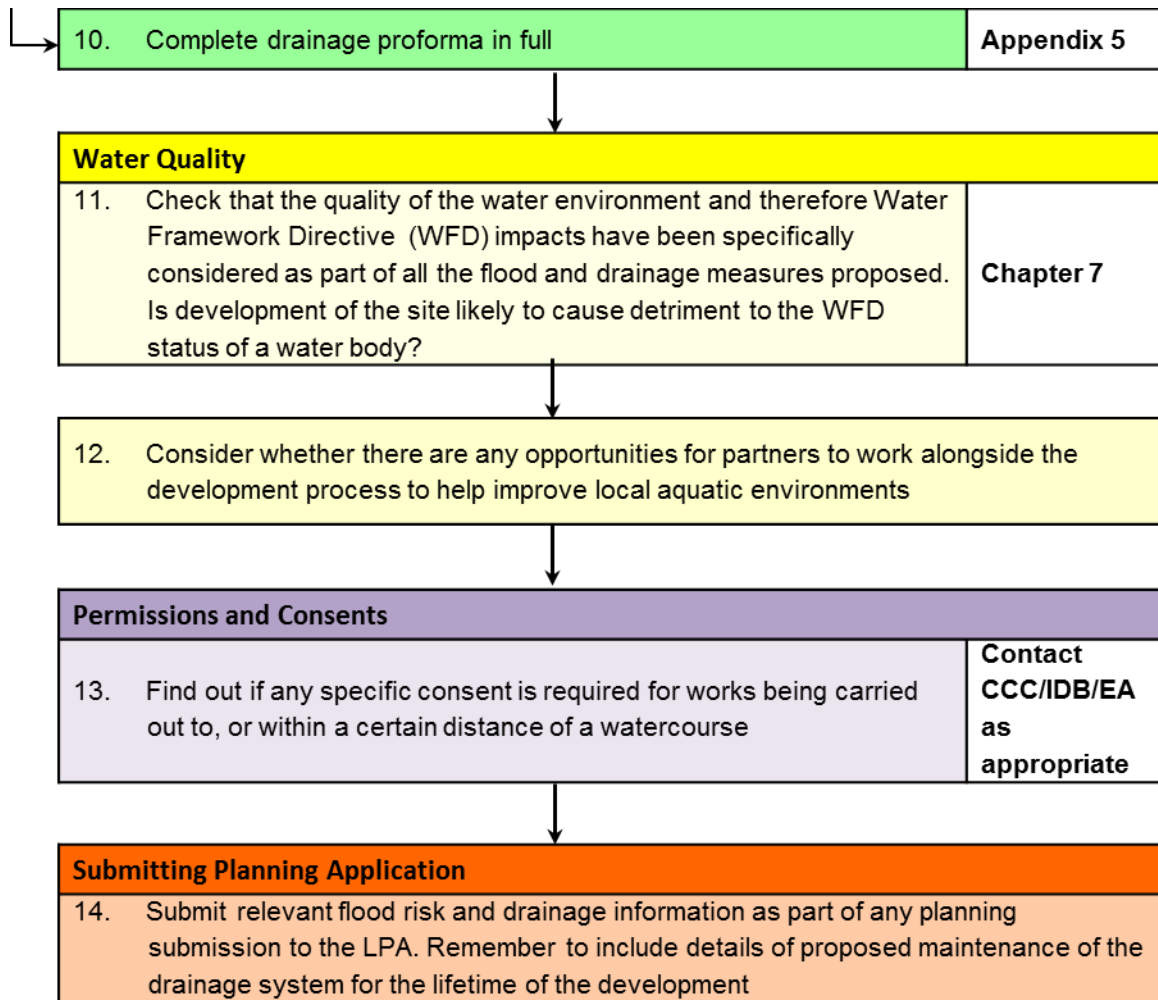
The response advised that IDBs may therefore not be able to accept the principles and policies which accommodate a County wide “broad brush” approach, which are not consistent with the more detailed requirements of their local areas, and went on to advise that:

- 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.





A revised draft SPD will be issued to the Steering Group during January/February for further consideration and comment and the County Council currently hopes that the SPD will go before the County Committee on 9 June and subsequently adopted by each of the Cambridgeshire local planning authorities.

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

General Advice

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

- (a) Anglian Water Services – An application for byelaw consent to install a new underground sewer main to connect Northstowe to Utton's Drove Sewage Works was received. The proposed route of the main will cross Board's ditches at Points 22 and 26, and run alongside Utton's Drove, within the Board's 9 metre access strip, between Points 22 and 23.

A meeting was held on 10 November 2015 with representatives of Anglian Water and the Board including affected landowners and no agreement was reached regarding the mains positioning and method of installation. Anglian Water Services is reviewing the situation and the application has been put on hold. To date no further information has been submitted by Anglian Water Services.

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

Consulting Engineer

25 January 2016

Swavesey(360)\Reports\January 16

As the impeller casting for the No 2 pump was being held at Bedford Pumps' works, the District Superintendent wondered whether arrangements should be made to store it locally.

In response to the Vice Chairman, the Superintendent thought it was a 12" impeller.

The Superintendent reported that the provision of telemetry was being kept under review and confirmed that Webbs Holes would have telemetry.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance

That the maintenance works contained in the Report be undertaken.

- iii) That the Consulting Engineers advise the District Superintendent of the costs for the provision of telemetry and whether the spare impeller should be moved.

B.839 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

RESOLVED

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

B.840 District Superintendent's Report

The District Superintendent reported on the headwall work and that some dredging work might be required. The Vice Chairman reported briars at point 12 which were difficult to flail. The Superintendent advised that the contractor had done those that he could reach and advised that he would inspect.

He reported that the door frame on the pump house was rotten and wondered whether a steel door would be better and that the gate post also needed concreting back.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) That the District Superintendent be authorised to attend to the necessary works to the door and gate post.

B.841 Environmental Officer's Press Release and BAP Report

The Clerk referred to the Environmental Officer's Press Release dated December 2015, previously circulated to Members.

Members considered and approved the most recent BAP report.

B.842 District Superintendent

a) Agreement relating to District Superintendent's duties

Further to minute B.804(b), the Clerk reported that Mr Wilderspin had duly signed the agreement.

b) Record of hours worked

The Clerk reported that Mr K Wilderspin had worked 90 hours as District Superintendent between February 2014 and January 2015.

The Clerk outlined the hours worked in the five previous years as 93,87,85,92 and 93.

d) Fee

The Board gave consideration to the District Superintendent's fee for 2016/2017.

RESOLVED

(i) That the Board agree that the sum of £1,600 be allowed for the services of the District Superintendent for 2016/2017.

(ii) That the Board's thanks to the District Superintendent for his work over the last 12 months be recorded in the minutes.

e) Telephone expenses

The Board gave consideration to the appropriate reimbursement of telephone expenses incurred by the District Superintendent on the Board's behalf.

RESOLVED

That the Board agree that the sum of up to £80 be allowed for telephone expenses incurred on behalf of the Board by Mr Wilderspin.

f) Casual Labour

The Board gave consideration to the use of casual labour that may be required during the year.

RESOLVED

That the Chairman and Vice Chairman be authorised to engage such casual labour as they consider appropriate.

(NB) – Mr Wilderspin declared an interest when all items save f) were discussed.

B.843 State-aided Schemes

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

RESOLVED

That no proposals be formulated at the present time.

B.844 Environment Agency – Precepts

- a) Further to minute B.806, the Clerk reported that it had been indicated at a meeting with Environment Agency staff that the precept for 2016/2017 would remain unchanged at £1,620.

The Clerk reported that because of the appeals against the precept lodged some two years ago by the Board (and other Boards) the Agency had introduced a Local Choices Precept Programme which involved a far greater input from IDBs and IDBs being much more able to influence the Agency on the works on which the precept would be spent. He drew attention to the works recently carried out on Chain Ditch.

As regards the proposed works to the Great Ouse river bank, the Clerk reported on a meeting held in November 2015 with the Environment Agency at which they advised that the cost of the river bank work would be between £477,000 - £801,000 and that the work to put the bank back would increase flood levels at 1:200 events. He added that a further meeting had been planned and that the Board and Parish representatives had queried the increased flood risk, which the Environment Agency had promised to review. The Clerk reported that the Middle Level Commissioners' Operations Engineer had quoted £148,838 to carry out the works and that the Environment Agency had so far failed to arrange the follow up meeting and had not responded to requests for such meeting. Ms Ellington reported that Ms Heidi Allen MP had become involved in the matter.

- b) Chain Ditch

Further to minute B.795, the Clerk reported that the correct Chain Ditch had been cleaned out in 2015 by the Environment Agency as, although the Agency considered this "low risk" the works had been pushed by the Board.

The Clerk wondered if a Public Sector Co-operation Agreement would be appropriate to cover future works on Chain Ditch, when required.

RESOLVED

That the Chairman be authorised to discuss with the Environment Agency a Public Sector Co-Operation Agreement regarding future works at Chain Ditch.

B.845 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- a) The Clerk reported that following his submission of claims for contributions the gross sum of £1,702.12 (£5,984.11 less £4,263.99 paid on account) (inclusive of supervision) had been received from the Environment Agency for the financial year 2014/2015 based on

the Board's actual expenditure on maintenance work for that financial year and the sum of £3,715.00 in respect of 80% of the Board's estimated expenditure for the financial year 2015/2016.

b) Further to minute B.764(b), the Clerk referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

Mr Hill reported that for budget purposes he had allowed Medium Term Average for highland water.

RESOLVED

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

B.846 Rate Arrears

Consideration was given to writing off rate arrears amounting to £66.13.

The Clerk queried whether Mr Whiter's whereabouts were known.

Ms Hemington agreed to pay Mr Whiter's arrears, on receipt of a rate demand, as she now occupied the land.

B.847 Contributions from Developers

With reference to minute B.303, the Clerk reported that the following contributions 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>
Cambridgeshire County Council	£18,224.56 (gross) £16,402.10 (net)
J Dellow	£417.03 (gross) £375.33 (net)

RESOLVED

That the Clerk be authorised to invest the developers' fund to get better interest and place in the capital fund.

B.848 Association of Drainage Authorities

The Clerk reported:-

a) Annual Conference

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

b) Annual Conference of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association would be held in Prickwillow, Ely on Tuesday the 8th March 2016.

c) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 5% in 2016, viz:- from £510 to £536 but that, in view of the lack of response from ADA, the Board did not join the Association in 2015. [The increase in 2015 was 4%]

RESOLVED

That the Board do not join ADA for 2016 and review the position in 2017.

B.849 Health and Safety Audits

The Clerk drew attention to the continuing need to ensure that the Board complied with Health and Safety Requirements and reminded Members of the arrangements with Croner.

B.850 Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.813, the Clerk reported that the main recent items discussed were the County Council's project to install more rain gauges in Cambridgeshire; the impact of the A14 Project; Surface Water Management Plans and the new Supplementary Planning Document on flood risk, which the Middle Level Commissioners' Planning Engineer is involved with. The Clerk advised that the Planning Engineer does not feel that this document is yet in a suitable state commenting in particular, that it is too generic, does not really apply to the special needs of the Fens or properly set out the roles and functions of IDBs.

B.851 Information regarding Asbestos

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

RESOLVED

That the Register record no asbestos at the pumping station.

B.852 Banking Arrangements
Changes to the bank mandate

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

RESOLVED

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

B.853 Payments

The Board considered and approved payments amounting to £9,007.65 which had been made during the financial year 2014/2015 (1st February – 31st March 2015) and £13,139.01 made during the financial year 2015/2016 (1st April 2015 – 31st January 2016).

In response to Mr Burling, the Clerk confirmed the current hourly rate of Lattenbury Services Ltd which Mr Burling felt was reasonable for the size of machine and that a good driver was important.

(NB) – Mr Burgess declared an interest in the payment made to J W Burgess & Sons Ltd.

B.854 Annual Accounts of the Board – 2015/2016

The Clerk reported that in accordance with the Accounts and Audit Regulations, Internal Drainage Boards' accounts were required to be approved by resolution on or before 30th June.

B.855 Review of Internal Controls and Risk Management

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

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

He reported that the Board had in place operational, financial and governance polices and considered all of their key risks and how to mitigate against them at each scheduled meeting, at which operational and environmental risks were discussed, based upon engineer's reports, officer reports, budgets and costings covering the short/medium and longer term issues. Budgets were prepared and approved by the Board.

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

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

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

b) Appointment of External Auditor

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

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

The Clerk advised that a new Code of Audit Practice will be issued in respect of accounts for 2015/2016.

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

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

The Clerk 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. He advised that it would also be necessary to question the effect of "one off" payments such as development contributions taking the Board above the £25,000 limit, in a particular year.

RESOLVED

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

B.856 Expenditure estimates and special levy and drainage rate requirements 2016/2017

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

	<u>Drainage rates</u>	<u>Special levy</u>
AREA 1	62.42%	37.58%
AREA 2	70.25%	29.75%
AREA 3	100%	-

Members discussed whether to reduce the rate. The Vice Chairman felt there was a strong case for reduction. The Chairman drew attention to the need in future years to undertake works at the pumping station and to avoid the rate going up and down.

The Vice Chairman proposed a rate of 66.5p for Area 1, with commensurate charges within Areas 2 and 3, seconded by Mr Burgess.

The Chairman proposed a rate of 70.0p for Area 1, with commensurate charges within Areas 2 and 3, seconded by Mrs Hemington.

Four votes were cast for each proposal.

RESOLVED

i) That the estimates be approved, save that a provision of £1,000 be added to the administration budget to make allowance for the possible charging order referred to in minute B.835.

ii) That on the casting vote of the Chairman

a) a total sum of £19,389 be raised by drainage rates and special levy.

b) the amounts comprised in the sum referred to in ii) a) above to be raised by drainage rates and to be met by special levy are £13,091 and £6,298 respectively.

c) that drainage rates in the £ be laid and assessed on Agricultural hereditaments in the District as follows:-

AREA 1	-	70.0p
AREA 2	-	30.0p
AREA 3	-	10.0p

d) That a Special levy of £6,298 be made and issued to South Cambridgeshire District Council for the purpose of meeting such expenditure.

iii) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution ii) d).

iv) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

B.857 Display of rate notice

RESOLVED

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

B.858 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Wednesday the 8th February 2017.

B.859 Pest Control Certification

Ms Ellington mentioned pest control and the changes in the law relating to certification for pest control.

The Chairman said that none was undertaken at present but that, if required, a contractor would be used.