

BLUNTISHAM INTERNAL DRAINAGE BOARD

At a Meeting of the Bluntisham Internal Drainage Board
held at Hanson's, Needingworth Quarry on Friday the 9th June 2017

PRESENT

P D Burton Esq (Chairman)	M Francis Esq
J R Anderson Esq (Vice Chairman)	J M Green Esq
K Bird Esq	A G R Holloway Esq
H Burgess Esq	C Hudson Esq

Miss Lorna McShane (representing the Clerk to the Board) was in attendance.

B.592 Declarations of Interest

Miss McShane 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. The Chairman declared an interest in any matter in which Lattenbury Farms were involved. Mr Bird declared an interest in any matters concerning Hanson's.

B.593 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 13th January 2017 are recorded correctly and that they be confirmed and signed.

B.594 Clerk to the Board

Further to minute B.565, Miss McShane reported that the Chairman had authorised a donation of £100 towards the gift to mark Iain Smith's retirement and that Mr Smith had asked that his thanks be passed on to the Board for their generous contribution towards his retirement gift and he would like it recorded that it had been a pleasure for him to serve the Board and that he wished it all the best for the future.

RESOLVED

That the donation to mark the retirement of the Clerk to the Board, authorised by the Chairman, be approved.

B.595 Election of Board Members

Miss McShane reported that the term of Office of the elected Members of the Board would expire on the 31st October 2017 and submitted the proposed Register of Electors applicable to the 2017 election.

RESOLVED

That the Register be approved.

B.596 Maintenance works in the District

Further to minute B.567, it was noted that the Board had a limited budget to spend on maintenance and that the drains were cleared out once in every 3 years.

The Chairman advised that the maintenance year starts the 1st April, but at this time of year the Board needs to allow for biodiversity and seeding of wild flowers. He reported on the maintenance work to be carried out in the District from the beginning of July and that the budget for works had been increased this year.

It was noted that some maintenance work was required at the pumping station.

It was reported that the Parish Council have requested the County Council to cut back the grass on footpaths.

B.597 Hanson – Progress Report

Further to minute B.568, Mr Bird reported that the quarry had increased production and were now extracting on the other side of the River. He advised that there were 14 years left on the current permission. Members discussed the restoration project and Mr Bird advised that, when completed, Needingworth would be the largest area of restoration in the country.

B.598 Water Framework Directive

Further to minute B.541, Miss McShane reported that there had been no further developments, apart from Mr Paul Sharman being appointed as the IDB representative following the retirement of Mr Iain Smith, but advised that, due to the Environment Agency no longer being able to support it, the River Basin Liaison Panel had since been disbanded. She also reported that the Clerk was satisfied that there were other partnerships in place and would continue to update Members when required.

B.599 Water Transfer Licences

Further to minute B.569, Miss McShane reported that the Environment Agency had previously published, and were now revising, draft handbooks showing examples of where they considered that a transfer licence will and will not be required. She advised that this would, however, have to be reviewed again once the Government decision is known.

Miss McShane advised that the consultation ran from April 2016 and that, since its closure, discussions had continued to be held seeking to ensure that sensible and workable proposals were produced and confirmed that ADA and the Association of Inland Navigation Authorities have further planned meetings with Defra and the Environment Agency in the coming weeks.

Miss McShane reported that Defra have now published the responses to the consultation exercise, but as yet have made no announcement on policy although this was anticipated in early 2017.

Miss McShane reported that ADA's Chief Executive, Innes Thompson, has asked to meet with the Middle Level Commissioners' Chief Executive and Defra's Director of Floods and Water, Sarah Hendry to discuss Defra's thinking on Water Abstraction and Transfer licencing and that a meeting was to be arranged shortly.

B.600 Ouse Washes Reservoir Section 10 Reservoir Inspection

Further to minute B.570, Miss McShane referred to a newsletter from the Environment Agency dated March 2017.

B.601 Consulting Engineers' Report

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

Bluntisham I.D.B.

Consulting Engineers Report – May 2017

Health & Safety

A neighbouring IDB has recently had an occurrence in which a dog ended up trapped between a weedscreen and a pump. This happened at an unmanned pumping station. The dog's owner entered the pump intake area to secure the rescue of the dog and it was fortuitous that an automated pump start did not occur. However, this is perhaps an opportune reminder that members of the general public and even the emergency services are not necessarily aware of the risks posed at such installations. It is recommended that all such sites have reasonable protection from entry and also have signage indicating the risks and who should be contacted in an emergency. It is therefore recommended that the Board reviews its sites and the Middle Level Commissioners' engineers will be happy to assist if required, for example by supplying a sample draft signage template or by giving specific advice on what can be done at a particular site.

Pumping Station

Only routine maintenance has been carried out. The pumping plant is mechanically and electrically in a satisfactory condition.

Pumping Hours

Total Hours May 16 – May 17 = 350 (approximately)

Total Hours Run Nov 15 – Feb 16 = 188

Total Hours Run Nov 14 – Nov 15 = 520

Total Hours Run April 14 – April 15 = 632

Total Hours Run April 13 – April 14 = 957

Eel Regulations

The latest guidance suggests that spending of FCRM money on schemes just to facilitate eel movements will not be required. However, plans for improvements, modifications or replacement of structures which have been identified as a barrier to movement should be seen as a trigger for considering such works. There is a further test to be included and that is one of proportionately, ie the additional cost of eel passage should not be disproportionate to the overall scheme cost.

The IDBs and ADA have been pushing for further research to better understand eel movement and explore all options in relation to providing methods which would allow the mature (silver) eels to escape closed systems and hence travel to their breeding sites in the most cost effective manner. ADA has asked if IDBs would join with the EA in funding this project and so far the response has been positive. The Board is therefore asked if it would wish to offer some financial support over

one or two years. Other Boards have committed between £50 and £1000 for either one or two years.

Internal Consultation with the Board

To ensure that our limited resources are maximised and to enable more timely responses to pre-/post-application consultation and applications for byelaw consent, and occasionally discharge consent, we have introduced a defined process of “internal consultation” between the Commissioners and the Board, usually, but not always, with the Chairman and/or District Officer to seek the Board’s comments and thus aid the decision-making process.

Members are reminded that if a response, ideally in writing by post or email, has not been received within fourteen days from the request being issued then it is considered that the Board does not wish to comment and is content for the Commissioners’ staff to process and make a recommendation on the respective consent application/discussion procedure based upon information to hand.

Changes to Planning Procedures Update

Notes/Informatives on planning decision notices

Following a concern raised by one of the Boards administered by the Commissioners, a brief review of a random, yet representative, sample of planning application Decision Notices made by the Huntingdonshire District Council (HDC) that have primarily been granted in the last two years has been undertaken.

Many of the relevant decisions within HDC’s area made during 2016, and to a lesser degree during 2015, relate to the Prior Approval of agricultural building to dwellings or Prior Notification applications which, on the whole, do not include conditions or refer to notes/informatives possibly because of the nature of the application. In a similar manner most of the other decision notices found did not, with a few exceptions, include notes/informatives either.

As a result, a letter was sent during December to all the planning authorities that the Commissioners deal with, both directly and on behalf of its administered Boards, requesting that the use of informatives could be (re-) introduced on future notices “in order to make applicants aware of other consents which may be required in addition to Planning Consent and prevent them being in breach of the Boards’ Byelaws”

It is understood that the principle of using notes/informatives on Planning Decision Notices is based on the Court of Appeal which remarked following the case of *Slough Borough Council v Secretary of State for the Environment and Oury* [1995] "The general rule is that, in construing a

planning permission, regard may only be had to the permission itself, including the reasons stated for it."

The decision and its reason(s) is the primary document, with the informatives no more than non-binding additional information which lack a statutory basis. Planning Conditions, on the other hand, may impose mandatory requirements for the carrying out of development and have statutory authority.

The purpose of a note in respect of a condition is to provide the applicant with further information and an informative is to provide relevant guidance to the applicant without having to impose relevant conditions. The Planning Circular 11/95: use of conditions in planning permission advises how these can be used to bring the applicants' attention to certain matters, such as, reminding an applicant to obtain further planning approvals and other consents but should not establish mandatory requirements with which an authorised development must comply.

However, it is further understood that there are a limited number of exceptions to this rule which could lead to a challenge to the permission which may result in a decision being "quashed" but this is outside of our interest on this occasion.

Planning Applications

No issues concerning previous applications have been dealt with. The following 4 applications have been received and dealt with since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
008	H/16/02193/HHFUL	Mr & Mrs Smith	Residence (Extension)	Beldams, Needingworth
009	H/16/02436/HHFUL	Mr & Mrs Evans	Residence (Swimming pool and Summer House)	High Street, Needingworth
010	H/17/00602/HHFUL	Miss J Moreau	Residence (Extension)	High Street, Needingworth
011	Enquiry	Client of RSK Land & Development Engineering Ltd	Not known	Bluntisham Road, Needingworth

From the information provided it is understood that all the developments propose to discharge surface water disposal to soakaways, or similar infiltration systems. The applicants have been notified of the Board's requirements.

Proposed development to the north of Fairview and west of Enterprise Farm - (Bluntisham Farm), off Bluntisham Road, Needingworth - Client of RSK Land & Development Engineering Ltd (MLC Ref No 011)



Extract from Location Plan

An enquiry has recently been processed on the Board's behalf in respect of a potential development involving the poultry farm to the west of Enterprise House.

Having checked the Board's records the enquirer was advised that the site extents, as shown on the plan above, appear to be just outside the Board's catchment and may be in the catchment of Wadsbys Folly, an Environment Agency's watercourse, a tributary of the River Great Ouse system.

Huntingdonshire District Council (HDC) Local Plan to 2036

Further to the last meeting, the MLC have been consulted on a Wind Energy Developments document that was the subject of a Public Consultation held between November and January. A response was made on behalf of the Commissioners and the Boards within the District Councils area for whom it provides a planning consultancy service.

The content of this strategic document went into extensive detail concerning the provision of wind turbines and their associated sensitivity and cumulative impacts within the landscape but did not

consider the adverse impacts that this type of development and other related issues created, such as whether the infrastructure has the capacity to serve proposed turbines and wind farms or whether the uprating of existing or provision of new export cable routes, transport routes and associated remedial works are required. Any resultant adverse impacts on water level and flood risk management systems etc did not appear to have been considered.

Comments were also made by the Commissioners in respect of adverse impacts on navigable watercourses and The Great Fen Project.

The opportunity was taken to remind the Council that whilst a planning application may be acceptable to the Council it also needs to be appropriate to other parties if the development is to be viable and buildable with the minimum of delay yet maximising our respective limited resources.

Huntingdonshire Design Guide 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.*

This SPD has been adopted by the District Council.

Copies of the respective Consultation Statement and Adoption Statements are available on the Council's website and at the Council's main office in Huntingdon

Huntingdonshire Strategic Flood Risk Assessment (SFRA) Update

Note. *SFRAs are high level strategic documents and, as such, do not go into detail on an individual site-specific basis and are developed using the best available information at the time of preparation.*

A review of the draft document was commenced but the unrealistic timescale for providing a response, presumably imposed by the District Council, and the need to respond to other time related matters meant that a formal response was not possible.

No further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Board's interests. The current status of this document is not known.

Cambridgeshire Flood and Water Supplementary Planning Document (SPD)

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

The SPD was endorsed by the County Council and the completed document was circulated to the relevant planning authorities and risk management authorities (RMAs) for adoption where

appropriate. The SPD was adopted by HDC on 17 April 2017. The document can be found at <http://www.huntingdonshire.gov.uk/media/2609/cambridgeshire-flood-and-water-spd.pdf>

Cambridge Water Resources Management Plan (WRMP) Pre-Consultation

Note *A WRMP is a document required by Government of every water company which describes how it proposes to maintain the balance of supply and demand over the next 25 years allowing for the influences upon its operation. These include an increasing population, economic growth, the changing climate and the need to protect the environment.*

Further to the last meeting, the MLC received correspondence from Cambridge Water seeking our views on a briefing note associated with its next WRMP. A response made on behalf of the Commissioners and the Boards within the company's area for whom we provide a planning consultancy service advised that:

“The document rightly identifies key issues and the need for a long term vision and strategy; however, we note that no references are made to the whole life funding, maintenance of the relevant infrastructure and implementation/monitoring processes.”

In an effort to assist further the opportunity was taken to provide some standard text that may be relevant to the document's production and/or the company's operations. These included the impacts of potable water supply on the Commissioners and the Boards within its catchment; watercourses protected under the Land Drainage Act 1991 (LDA) and associated Byelaws; hazard mapping and development within the floodplain; flood risk and water level management; water resources and efficiency; river and waterside settings and corridors/Green Infrastructure; Biodiversity and protected habitats and species; treated effluent disposal/Dry Weather Flows and Partnership Working.

Consulting Engineer

26 May 2017

Bluntisham(357)\Reports\May 2017

Miss McShane referred to the Consulting Engineer's report and to their recommendation that the Board should have appropriate signage in place for Health and Safety purposes. Members discussed the type and form of signage required and Miss McShane reported that some Boards were using external lockable cabinets to display Health & Safety notices and others were choosing to use laminated notice boards indicating the risks; providing contact details in an emergency, together with the grid reference.

It was noted that ropes for the weedscreen were required.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) That the Middle Level Commissioners be requested to supply health and safety signage at the Board's pumping stations to include indication of risks; contact details in an emergency, together with the grid reference.

B.602 Pumping Station duties

The Board gave consideration to the payment in respect of pumping station duties for 2017/2018.

RESOLVED

- i) That the Board agree that the sum of £1,500 be allowed for the provision of pumping station duties for 2017/2018.
- ii) That a book be kept at the pumping station to record the hours spent on Pumping Station duties.

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

B.603 Environmental Officer's BAP Report

Members considered and approved the most recent BAP report.

Members noted that there was a hogweed problem.

B.604 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.605 Environment Agency – Precepts

Miss McShane reported that the Environment Agency had issued the precept for 2017/2018 in the sum of £1,736 (the precept for 2016/2017 being £1,710).

B.606 Association of Drainage Authorities

a) Annual Conference

Miss McShane reported that the Annual Conference of the Association of Drainage Authorities would be held in London on Thursday the 16th November 2017.

RESOLVED

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

b) Annual Conference of the River Great Ouse Branch

Miss McShane reported on the Annual Conference of the River Great Ouse branch of the Association held in Prickwillow, Ely on Tuesday the 7th March 2017.

c) General Election

Miss McShane referred to a copy letter sent by ADA to the Shadow Secretary of State for Environment, Food and Rural Affairs in regard to policy on flood and water level management and the General Election.

B.607 Governance of Water Level Management in England

Miss McShane referred to the publication of the National Audit Office's (NAO) Report on Internal Drainage Boards, available on their website, www.nao.org.uk/report/internal-drainage-boards; to the Report Summary and to the response from ADA.

B.608 Health and Safety Audits

Miss McShane 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 and that if the Board had any issues they could seek advice from Croner via the Middle Level Commissioners.

Miss McShane reported that the Middle Level Commissioners had put together a pack consisting of a practical guide, templates and examples relating to health and safety requirements, which they hoped would assist Boards with their health and safety responsibilities.

RESOLVED

That the Consulting Engineers advise as to what services were covered by Croner and the Chairman and Vice Chairman be given assistance in the completion of Risk Assessments on behalf of the Board.

B.609 Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.579, Miss McShane reported the main issues considered and discussed by the Partnership were:-

1. Work on the A14 project has now commenced.
2. The Supplementary Planning Document on flood risk has now been endorsed by Cambridgeshire County Council.
3. That there was an update on the surface water management plan and surveys have been undertaken for property level protection (PLP).

B.610 Governance and Accountability for Smaller Authorities in England

Miss McShane 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 1st April 2017.

B.611 Budgeting

Miss McShane referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2017.

B.612 Review of Internal Controls

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

B.613 Risk Management Assessment

- a) The Board considered and expressed satisfaction with their current Risk Management Policy.
- b) The Board considered and approved the insured value of their buildings.

B.614 Transparency Code for Smaller Authorities

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

B.615 Exercise of Public Rights

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

B.616 Annual Governance Statement – 2016/2017

The Board considered and approved the Annual Governance Statement for the year ended on the 31st March 2017.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31st March 2017.

B.617 Payments

The Board considered and approved payments amounting to £21,377.80 which had been made during the financial year 2016/2017.

(NB) – The Chairman declared an interest in the payment made to Lattenbury Services.

(NB) – Mr Green declared an interest in the payment made to D & M K Green & Sons.

B.618 Annual Accounts of the Board – 2016/2017

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2017 as required in the Audit Regulations.

RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Board, for the financial year ending 31st March 2017.

B.619 Dates of next Meetings

Mr Burgess requested that his son be allowed to attend and observe the next meeting of the Board.

RESOLVED

- i) That the next Meetings of the Board be held as follows in 2018, viz:-
 - i) Friday the 12th January 2018
 - ii) Friday the 8th June 2018.