

MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March Sixth District Drainage Commissioners
held at the Middle Level Offices, March on Tuesday the 20th June 2017

PRESENT

D G West Esq (Chairman)	M Cornwell Esq
Miss E Alterton (Vice Chairman)	S R Court Esq
T E Alterton Esq	M J Mottram Esq

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

Apology for absence

An apology for absence was received from M Arnold Esq.

C.855 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.856 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 21st June 2016 are recorded correctly and that they be confirmed and signed.

C.857 Clerk to the Commissioners

- a) Further to minute C.819, Miss Ablett reported that Mr David Thomas had been appointed as Clerk to the Commissioners and that Miss Lorna McShane had been appointed Solicitor/Assistant Clerk.

Miss Ablett 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 Commissioners for their generous contribution towards his retirement gift and would like it recorded that it had been a pleasure for him to serve the Commissioners and that he wished them all the best for the future.

- b) Changes to bank mandate

Further to minute C.841, Miss Ablett reported that, as most of the invoices raised came through the engineering department, the Internal Auditor had advised that David Thomas should not be named on the bank account and that the Treasurer and Assistant Treasurer of the Middle Level Commissioners should be the officers authorised to make payments of authorised accounts and that in pursuance of minute C.841, the Chairman had authorised the appropriate changes to the mandate.

RESOLVED

- i) That the action taken be approved.
- ii) That the donation to mark the retirement of the Clerk to the Commissioners, authorised by the Chairman, be approved.

C.858 Appointment of Chairman

RESOLVED

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

C.859 Appointment of Vice Chairman

RESOLVED

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

C.860 Land Drainage Act 1991 Fenland District Council

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

The Vice Chairman welcomed Mr Court who was attending his first meeting of the Commissioners.

C.861 Water Framework Directive

Further to minute C.823, Miss Ablett 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.

C.862 Water Transfer Licences

Further to minute C.824, Miss Ablett reported that ADA had met with Defra officials, including Sarah Hendry, on the 11th October to discuss the Water Transfer Licences and it appeared that the Minister was keen to avoid over regulation. ADA had proposed certain points to Defra, including that ADA would hold one licence for the industry or that the opportunity should first be given for the information which the Environment Agency allege that they do not have to be provided other by regulation but perhaps through a form similar to the present IDB1. Defra officials had, it was understood, agreed to consider these proposals.

Miss Ablett gave a brief update on the current position in relation to proposed licensing changes and made it clear that unnecessary bureaucracy and unfair charging would be resisted.

C.863 Contingency Plans in the Event of Pump Failure

Further to minute C.818, Miss Ablett referred to the Consulting Engineer's report and to the options available to the Commissioners regarding contingency plans in the event of a pump failure. The Commissioners considered that, having discussed the options and given them serious consideration, the matter should be discussed on a regular basis as and when other concerns arose.

Miss Ablett reminded the Commissioners that there was no engineering insurance in place and enquired whether they wished for a quote to be obtained.

RESOLVED

- i) That no further action be taken at this time.
- ii) That the Middle Level Commissioners be requested to obtain a quote for engineering insurance.

C.864 Consulting Engineers' Report

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

March Sixth D.D.C.

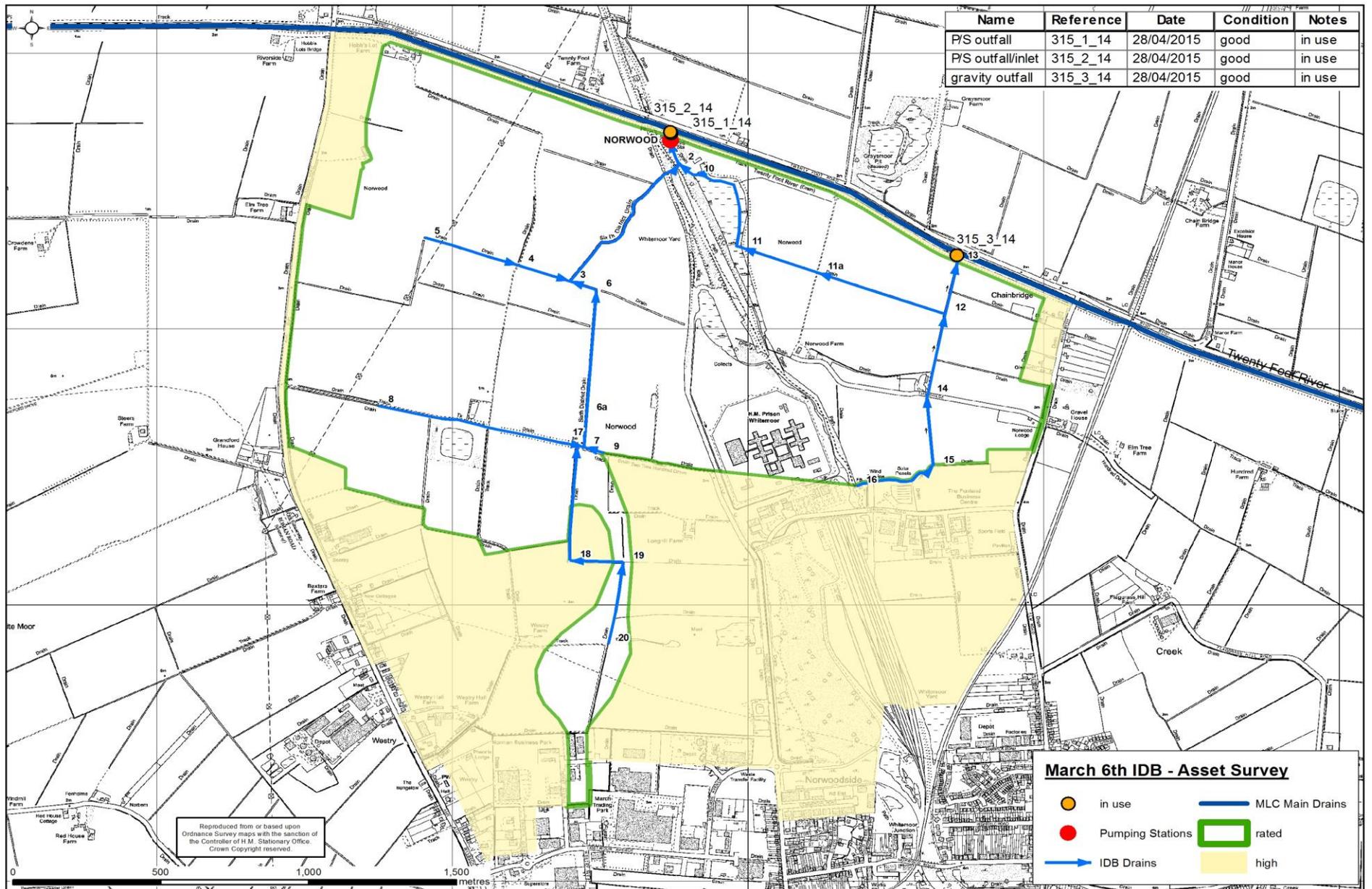
Consulting Engineers Report – June 2017

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 Commissioners review their 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.

Asset Survey

As an essential part of our work in seeking to reduce flood risk, the Middle Level Commissioners (MLC) have surveyed all MLC and third party owned penetrations through MLC river banks and embankments and recorded and uploaded these to our GIS (Geographical Information System). The condition and likely continuing use or otherwise of these penetrations (generally pipes or culverts) has been assessed. Below is a table of those recorded as being owned by or the responsibility of the Board. Where an asset's condition is recorded as requiring attention, an increased flood risk is likely to exist and the Board is asked to consider carrying out suitable remedial works. Where an asset is redundant but currently in a reasonable condition it is recommended that the Board consider putting plans into its future programme to remove it or otherwise carry out works that will ensure that there can be no future risk of a leak through the bank. **As part of the Board's system is also embanked, the Board should consider a like assessment of its own embankments to assure itself of their integrity and ascertain the need for any work, whether by the Board or a third party, which may be similarly required.** Should the Board wish for a similar exercise to be carried out on their own district assets this can also be arranged. Such a survey would assist the Board with future budgeting in ensuring that smaller but strategically/locally important assets such as culverts, slackers and adjustable and fixed weirs are not overlooked.



Weed Control and Drain Maintenance

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

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

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

Drains to the West of the Prison

The District drains to the west of the prison are generally in a good condition. The inspection did highlight aquatic vegetation throughout the western area, notably the EEDA drain to the south of the division dam at Point 6a. The affected reaches fall within this year's phased programme of machine cleansing works and can be addressed following harvest of the adjacent crops. It is recommended that the emergent weed mass is treated with a Roundup application prior to machine cleansing to remove vegetative growth.



EEDA Drain, reach 19-20

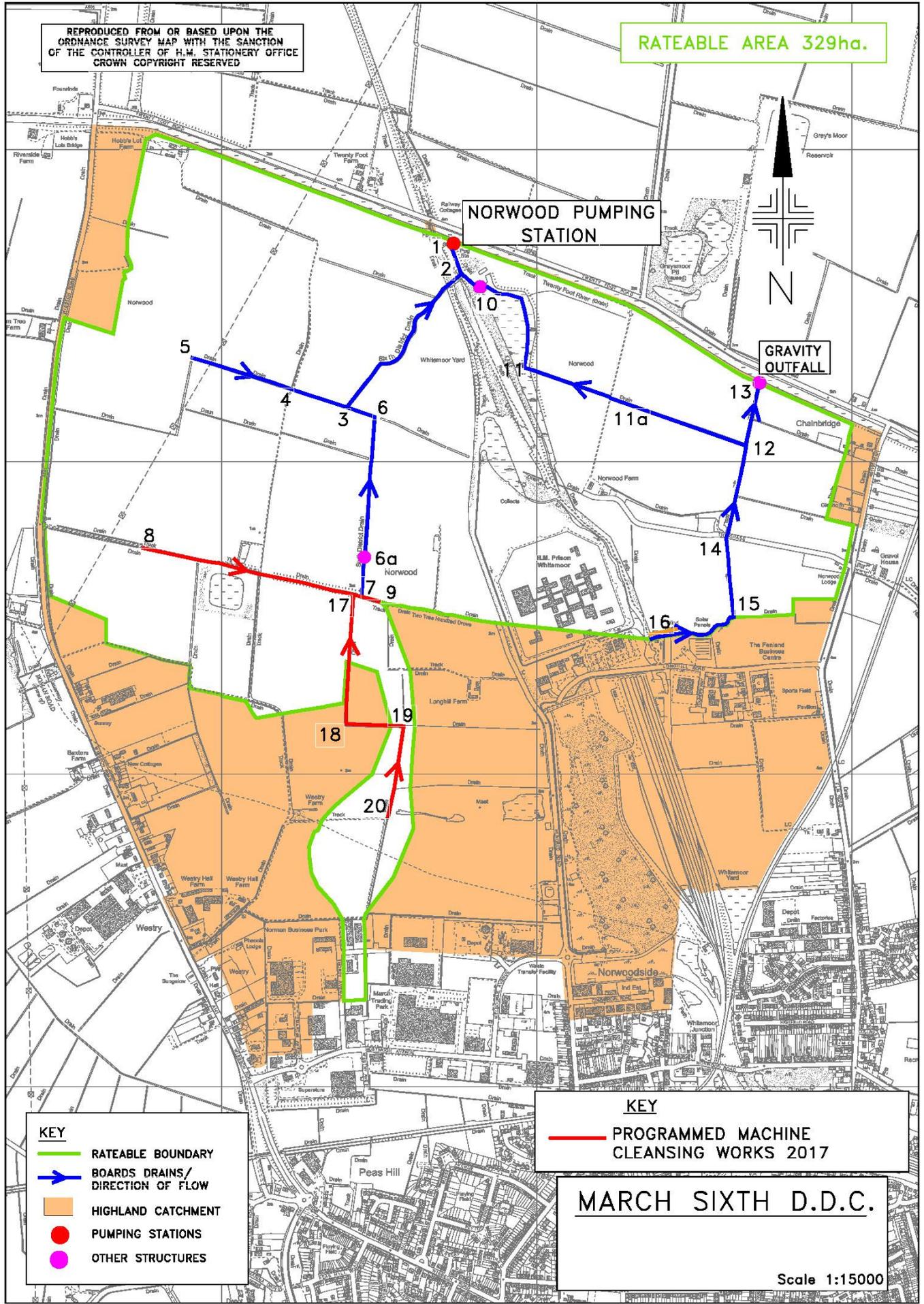
Drains to the East of the Prison

The District drains to the east of the prison remain in a generally satisfactory condition, however the inspection revealed sporadic stands of self-sown Thorn and Elder bushes growing on the northern bank of reach 15-16, near Norwood Farm. The self-sown bushes have previously been treated with an application of Roundup herbicide, as agreed by the Commissioners at their last annual meeting. The vigour and canopy growth of the saplings has been greatly reduced; however it is recommended they are treated again this year with an application of Roundup herbicide followed up by flail mowing to control their subsequent re-growth.

As the Commissioners have previously agreed in recent years, it is again recommended that the main Norwood Pumping Drain, reach 1-2-10, is included within this year's phased machine cleansing programme. Historically this has proven to be an effective method of reducing the weed mass at the manually cleansed weedscreen during winter pumping periods.

REPRODUCED FROM OR BASED UPON THE
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RATEABLE AREA 329ha.



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

KEY
— PROGRAMMED MACHINE
CLEANSING WORKS 2017

MARCH SIXTH D.D.C.

Scale 1:15000

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

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

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

Phased Machine Cleansing Programme

1. Drains to West of the Prison					
(i)	Reach 8-17-7-9	760 m	@	1.00	760.00
(ii)	Reach 6a-7	130 m	@	1.00	130.00
(iii)	Reach 17-18-19-20 EEDA Drain	1150 m	@	1.20	1380.00
2. Machine cleanse					
	Norwood Pump Drain	160 m	@	1.00	160.00
3. Allow sum for Roundup application to control Japanese Knotweed at Norwood Pumping Station, if required, self-sown saplings and emergent aquatic weed within the Commissioners' drains					
		Item	Sum		600.00
4. Allow sum for flail mowing					
		Item	Sum		950.00
5. <u>Provisional Item</u>					
	Allow sum for emergency machine cleansing or cott removal work	Item	Sum		700.00
6. Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of herbicide applications and maintenance works					
		Item	Sum		550.00
TOTAL					£ 5230.00

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

Pumping Station

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

At their last meeting, the Commissioners requested an emergency plan in the event of loss of operation of this single pump either by hiring in portable diesel pumps or by retro fitting a dual drive gearbox between the drive motor and the pump enabling it to be driven by a tractor PTO.

The duty output of the existing pump is approximately 300 litres per second, this would require two 200 mm portable diesel pumps or three 150 mm pumps to equal this flow. However, it is most likely that one 200 mm pump operating continually would provide adequate capacity.

These pumps can be hired from:

Andrew Sykes Pumps
Royce Road,
Peterborough,
PE1 5TW,
Tel: 01733 55576

or SLD Pumps & Power,
Unit 19,
Kings St Industrial Est,
Langtoft,
Peterborough,
PE6 9NF
Tel: 01778 560387.

However due to vehicular access to the station being by means of the river embankment the delivery and offloading of temporary pumping equipment could well be problematic. Also if the portable pump is required at the height of a significant event there is no guarantee that a pump will be available for hire.

A dual drive gearbox once installed could easily be accessed and connected to a tractor in the event of electrical failure, ie motor, control equipment or mains supply. A budget cost of £15,250 has been obtained from Newbrook Engineer to manufacture a suitable unit. Installation would be at additional cost.

Pumping Hours

	Total hours run May 12 - May 13	Total hours run May 13 – May 14	Total hours run May 14 – May 15	Total hours run May 15 – May 16	Total hours run May 16 – May 17
Norwood Pumping Station	(6058) - (6549) 491	(6549) - (6789) 240	(6789) - (7177) 388	(7177) – (7364) 187	(7364) – (7546) 182

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.

Development within the Floodplain

The floodplain, its definition, derivation and extents have been an issue not only for the Commissioners and associated Boards but other IDBs since its introduction. This has become of more concern since the elevated importance of the Sequential Test in the National Planning Policy Framework (NPPF).

The matter of development within the floodplain has been discussed at several sites within our areas of interest, and the Clerk to the Commissioners/Boards has advised that the definition and extents of a “floodplain” are matters for the planning authority to resolve with the relevant authority who prepared the hazard map, be it the Environment Agency (EA) for its various flood maps, the Local Planning Authority (LPA), for its SFRA, and/or the Lead Local Flood Authority (LLFA) for its SWMP. It is acknowledged that whilst there may be specific issues relating to future proposed aspects of development within our catchment we will not oppose it simply because it is within the floodplain. The Commissioners/Boards have policy statements, available on the Middle Level website, which set out the Standard of Protection (SoP) that they will seek to provide, floodplain or not.

In short, the Commissioners and associated Boards do not agree with the generic content of the NPPF and argue that “The Fens” is a special case and should be considered as such.

The main purpose of an IDB is to aim to manage flood risk up to an appropriate SoP. Above this SoP there will be a residual flood risk which must be accounted for.

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 Commissioners do not wish to comment and are content for the Middle Level 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

The responses from these procedures have been positive and will continue for the foreseeable future, to be reviewed at a later date.

Pre- and Post-Application Consultation

Despite an increase in the number of planning applications being processed and planning enquiries received it appears that the number of Pre- and Post- Application Consultation discussion requests has reduced over previous years. The reason for this is unknown but as detailed later in this report "developers" are failing to maximise the benefits of this procedure and Boards are failing to encourage its use and thus are incurring unnecessary additional costs which could be paid by the developer.

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.

Local Land Charges Register (LLCR)

As previously advised requests are made to the Local Planning Authority (LPA), when relevant, to make an entry on the LLCR to highlight that the requirements of the relevant authority have not been met. This process is providing results, particularly within the Fenland District Council (FDC) area, but enquiries from other LPAs are low, however, these areas of interest are smaller than that of FDC and feature smaller urban areas.

Previously enquiries were only received from local Solicitors but more recently enquiries are also being sought from independent search providers who offer specialist conveyancing services, such as Index Property Information, who undertake local authority searches, drainage and water reports, environmental reports etc.

Whilst researching and processing such enquiries have cost and time implications it protects the parties involved and is believed to have been a significant contributing factor in moving forward a long-standing issue associated with the Cardea development at Stanground to the west of the Commissioners' catchment.

Treated effluent discharges from Anglian Water Services (AWS) Water Recycling Centres (WRC) or from the Public Sewerage System

Developers are becoming increasingly aware of the Supreme Court's decision that any connection to a public sewer under Section 106 of the Water Industry Act 1991 or agreement to construct a

public sewer under Section 104 of that Act also requires our consent where our systems would be affected. Therefore, in addition to any permission from the LPA, the EA and AWS, the consent of the Board/Commissioners is also required for the acceptance of any increased flows or volumes to our system. Such consent will not be given unless we consider that the discharge can be properly dealt with within our system and the costs of accommodating that discharge are met.

Planning Applications

In addition to matters concerning previous applications, the following 11 new applications have been received and dealt with since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
140	F/YR16/0356/F	FACT	Office/Industrial	Martin Avenue, March
141	F/YR16/0389/F	Shire Home Building Service Ltd	Residence	Wisbech Road, Westry*
142	F/YR16/0436/O	Grosvenor Partnership 3 LLP	Residential (9 dwellings)	Wisbech Road, March*
143	F/YR16/525/F	Harriers Developments Ltd	Retail (4 units)	Hostmoor/Martin Avenue, March*
144	F/YR16/0644/O	Mr Nick Bell	Residence	Silver Street March
145	F/YR16/0680/F	MJS Construction (March) Ltd	Offices (Extension)	Wisbech Road, Westry
146	F/YR16/0818/F	Mr & Mrs K Ellis	Residence	Wisbech Road, Westry
147	F/YR16/0834/F	Ms C Dean	Residence	Wisbech Rd, Westry
148	F/YR16/0928/F	J F Jupp Contractors Ltd	Residence (Extension)	Longhill Road, March
149	F/YR16/1021/RM	Mr M Schofield	Residential (4 dwellings)	Wisbech Road, March
150	F/YR17/0110/F	RFGM Ltd	Industrial	Thorby Avenue, March*

Planning applications ending "RM" relate to Reserved Matters

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

Residential Development on land north of Woodville, Wisbech Road, March – Prudential Property Investment Managers Ltd (MLC Ref No 065 & 078) and Grosvenor Partnership 3 LLP (MLC Ref No 142)

Further to previous reports, a planning application was submitted to the District Council in April 2016 for a nine-dwelling development to the north of Woodville.

Despite receiving objections from local residents, including photographic evidence that the application site regularly floods, item 9.4 of the Officer's Report advises that the application has demonstrated that technical considerations, including flood risk, drainage and Biodiversity have all been considered to the satisfaction of the relevant consultees and subject to a number of conditions the impacts are considered to be acceptable.

The applicants' engineering consultant, RSK Land & Development Engineering Ltd, advises that:

“... the site will be drained to the ditch located on the western site boundary with the greenfield run-off rates limited to 5 l/s and attenuation storage provided to cater the 1 in 100 storm with an appropriate allowance for climate change”

and in respect of foul water the solution will involve either the reinforcement of the existing adopted network or an on-site package treatment plant subject to gaining the appropriate consents from Anglian Water Service Ltd (AWSL) and the Environment Agency (EA)! However, no evidence has been provided to support this assertion.

The Commissioners are reminded that whilst the District Council, EA, AWSL and the LLFA may be content with the proposal it does not necessarily mean that the Commissioners, who as a non-statutory consultee has yet to consider the proposals and is the authority which receives and processes any resultant flows, will be in agreement.

As the site is outside the Commissioners' rateable area the flooding issue is primarily a matter for the LLFA but as the site is within the highland catchment of both the Commissioners and the neighbouring March West & White Fen IDB the Commissioners' prior approval would be required for any inter-catchment transfer.

Planning permission was subsequently approved by the District Council in late February subject to the imposition of conditions including both foul and surface water disposal.

With the exception of responding to this planning application, no further action has been taken in respect of the Commissioners' interests concerning these sites and no further correspondence has been received from the applicants or the applicants' agents.

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

Erection of industrial buildings hardstanding on land West of 30 Thorby Avenue, March – Elliott Charles Group (MLC Ref No 079 & 108) and RFGM Ltd (MLC Ref No 150)

Further to previous reports, a planning application was submitted to the District Council in November for the erection of two industrial buildings to the south of Wrights Tools.

Planning permission was subsequently approved by the District Council in April subject to the imposition of conditions. No reference was made on the Decision Notice concerning matters relevant to the Commissioners but it is pleasing to report the inclusion of an informative, as follows:

“4 The applicant is reminded that they have a separate legal obligation to comply with the requirements of the Middle Level Commissioners and Internal Drainage Boards in the area. Granting or refusal of consent under the Internal Drainage Boards Byelaws or the Land Drainage Act 1991 is a matter for the Board itself and will require a formal application and prior written consent from the Board or Commissioners for discharge of water or development within close proximity to any watercourse.

The applicant is advised to contact Middle Level Commissioners at their earliest opportunity to establish their requirements.

Middle Level Commissioners contact details:

Tel: 01354 653232

Email planning@middlelevel.gov.uk

Website www.middlelevel.gov.uk”

Residential development at Phoenix House, Wisbech Road, March – Mrs C Dean (MLC Ref Nos 117, 119, 124 & 147) & Shire Home Building Service Ltd (MLC Ref No 141)

Members may be aware that development of the former St Marys Church Rectory site has been on-going for several years.

At the applicants' request an on-site meeting to discuss the development of the property and the possible route for the drainage was conducted under the post-application consultation procedure. It is likely that a connection will be made to the piped watercourse on the frontage of the property on the eastern side of Wisbech Road. As a result, the discharge will be into the March West & White Fen IDB catchment.

A planning application for alterations to the design of the dwelling at Plot 3 (MLC Ref No 141) has been submitted to and subsequently approved by the District Council.

With the exception of the above, no further correspondence has been received from the applicants or the applicants' agents concerning this site and no further action has been taken in respect of the Board's interests.

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

No further correspondence has been received from the applicant or the applicant's agent concerning this development and no further action has been taken in respect of the Commissioners' interests.

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

Further to the last meeting an advisory notice was issued to the applicants' agent, Lee Bevans, and the following response was received from FPP Facade Solutions

“We do not plan to connect to the surface water and treated effluent disposal drain until approx. April 2017. We therefore have not made an application as of yet and plan to do this early part of next year. MTC have put together a drainage plan for the site and will send this over with the application early part of next year.

We will not be connecting to the drain until this application has been made and approved by yourselves.”

No further correspondence has been received and it is suggested that a reminder is issued to the developer concerned.

Re-development of the former Brimur Packaging Ltd and Agrihold facilities at 1-3 Hostmoor Avenue and 1 Martin Avenue, March – Client of MTC Engineering (Cambridge) Ltd (MLC Ref No 139) & Harrier Developments Ltd (MLC Ref No 143)

Following a pre-application consultation with the applicant's engineering consultant, MTC, in April/May 2016, a planning application was submitted to the District Council in May 2016.

The application sought to re-develop this under-utilised site, which was formerly operated by Brimur Packaging Ltd and Agrihold, as a Builder's Merchants with trade counters and additional warehousing.

Planning permission was granted by the District Council subject to the imposition of conditions including surface water disposal in September.

No further correspondence has been received from the applicant or the applicant's agents concerning this site and, with the exception of responding to the planning application, no further action has been taken in respect of the Board's interests.

Further involvement will be required if development of the proposal is progressed and the Board's consent may be required.

Re-Opening of The March – Wisbech Railway

Board members may be aware of the District Council's aspiration for Wisbech to become a "Garden Town". A key part of the proposal relates to the establishment of a regular direct rail link between Wisbech and Cambridge via March.

In this respect, the County Council has been reminded of its duties as the LLFA and the interests of both the Commissioners and other drainage bodies for whom the MLC provide a planning service. Concerns have also been expressed about possible adverse impacts on the local flood risk and water level management systems that might arise and it has been recommended that any subsequent development of the proposals is dealt with as part of the pre-application consultation process.

The County Council advised that if funding was available any more detailed work would be carried out with close engagement with various stakeholders including the MLC, relevant Drainage Boards and the Environment Agency at which point the pre-application consultation process could be started.

In response the County Council was advised that other Boards/Commissioners administered by the MLC had not been consulted on several County related projects, which was disappointing and has led to the Boards/Commissioners concerned taking appropriate action.

It is currently assumed that the railway will be retained within its current boundaries and otherwise "unchanged".

Further information on the Wisbech–Cambridge Rail Link can be viewed online at: http://www.cambridgeshire.gov.uk/info/20006/travel_roads_and_parking/68/transport_funding_bids_and_studies/3.

March Flood Investigation and Town Council Reports

The MLC Planning Engineer has continued to represent the Commissioners and respective March Boards at meetings and provided responses and updates to the Stakeholders involved, the County and District Councils, the latter preparing reports for the Town Councils.

Please note that it has been concluded by the stakeholders involved that with significant work having been carried out and completed in the town since August 2014 and due to the private nature of delivering projects on private homes, collated flood updates will now only be provided when there are significant updates, rather than the current monthly basis.

The County Council's investigations on the event are now complete and the subsequent Flood Investigation report can be found online at:

http://www.cambridgeshire.gov.uk/info/20099/planning_and_development/49/water_minerals_and_waste

The meetings associated with this investigation have proved beneficial to all the stakeholders involved and may lead to the resolution of many historical issues and, as a result, the LLFA proposed that future meetings take place to discuss any local flooding issues in the District Council's area.

March Neighbourhood Plan 2015-2030

***Note.** A neighbourhood plan enables communities to establish general planning policies for the development and use of land in a neighbourhood setting a vision for the future. They are able to say, for example, where new homes, shops and offices should be built, what they should look like, what infrastructure should be provided etc. It can be detailed, or general, depending on what local people require.*

Further details on neighbourhood planning can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229749/Neighbourhood_planning.pdf

During January and February, the March Neighbourhood Plan was the subject of a public consultation. A response was prepared on behalf of MLC and the other Boards/Commissioners within the March Town Council area for whom the MLC provide a planning service.

The Town Council was advised that designation of a Neighbourhood Area should not unduly affect these drainage districts and compliance with the provisions of the Land Drainage Act and the relevant Boards'/Commissioners' byelaws would still be required.

None of the sites identified in the report are within the Board's area but generic responses were made on large development sites, windfall development and regeneration sites.

It is disappointing to note that despite being a significant asset to the town and given the potential benefits and opportunities in respect of leisure, recreation, tourism and amenity, no reference was made to the Old River Nene.

However, the opportunity was taken to advise the Town Council of relevant items in respect of development and that both the MLC and associated Boards/Commissioners encourage pre-application discussion.

Further details on the March Neighbourhood Plan 2015-2030 can be found at:

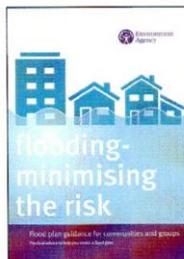
<http://www.fenland.gov.uk/neighbourhood-planning/submissions> and

Become a member of a Community Flood Group

Are you interested in flood risk? Would you like to help raise awareness about flood risk in your community? Does helping to write a flood plan and getting relevant training sound intriguing?

If so, then you may be interested in becoming a member of a Community Flood Group in March. A Community Flood Group is a group of local volunteers who focus on improving flood resilience and minimising the effects of flooding within their communities by planning ahead and sharing information. They represent the community and work in partnership with other authorities (e.g. Councils, Environment Agency, water companies) to highlight issues and work together to resolve them. Volunteers will be formally recognised for their work through a **time credits scheme**. There are many examples of these groups across the country. The National Flood Forum website (nationalfloodforum.org.uk) has many examples of these groups.

The Cambridgeshire County Council Flood and Water Team are working with the Environment Agency to help form Community Flood Groups in March and across the County. If you would like to get involved or learn more about this opportunity then please contact us at floodandwater@cambridgeshire.gov.uk.



March Community Flood Group

Cambridgeshire County Councils Flood and Water Team are working with the Environment Agency in March and across the County and are looking for volunteers to become members of a Community Flood Group. Further details can be found at: <https://middlelevel.gov.uk/news/> or <http://www.marchtowncouncil.gov.uk/news-events/links/>

Fenland District Council (FDC)

No further correspondence has been received from FDC concerning the Neighbourhood Strategy and no progress has occurred with its District Wide Level 2 SFRA.

No further action has been taken in respect of the Board's interests.

Detailed March Surface Water Management Plan (SWMP)

With the exception of being mentioned "in passing" at the CFRMP meetings, no further action has been requested or taken.

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 FDC's Full Council on 15 December 2016.

Cambridgeshire and Peterborough Devolution Deal

Members will be aware that all councils in Cambridgeshire and Peterborough, as well as the Cambridgeshire and Peterborough Local Enterprise Partnership (LEP), have signed up to the devolution deal with government.

The Cambridgeshire & Peterborough Combined Authority (the Combined Authority), is a corporate legal body that is intended to facilitate collective decision-making on a Cambridgeshire & Peterborough basis, particularly in relation to large-scale strategic projects. This means a greater number of important decisions can be made by local communities rather than by central government.

Each of the seven Cambridgeshire & Peterborough Councils has one seat on the Combined Authority, which is held by the respective Council Leader. The Mayor will join as its chair and eighth member.

The district councils will not lose any of their existing functions and will continue to be directly responsible for day-to-day services, like housing, rubbish collection and street cleaning. The Mayor and the Combined Authority do not replace nor can they overrule Cambridgeshire & Peterborough councils when they are exercising their own functions although the Combined Authority will be able to exercise certain functions concurrently with the district councils.

The devolution deal includes significant benefits for the communities of Cambridgeshire and Peterborough, such as:

- A new £600million fund (£20 million annually for the next 30 years) to support economic growth, development of local infrastructure and jobs.
- Potential transport infrastructure improvements such as the A14/A142 junction and upgrades to the A10 and the A47 as well as the Ely North Railway Junction.
- A new £100million housing fund to build more homes including affordable, rent and shared ownership
- Deciding how a budget is spent to maintain roads

Central government will continue to lead on welfare, most forms of taxation and many other areas.

Consulting Engineer

7 June 2017

March Sixth (315)\Reports\June 2017

Mr Lakey referred to the Consulting Engineer's report and to their recommendation that the Commissioners should have appropriate signage in place for Health and Safety purposes. The Commissioners discussed the type and form of signage required and Mr Lakey 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 to identify each location.

Mr Lakey reported that the gravity outfall was prone to getting jammed with weed and seizing open and that the outfall getting jammed was more of a problem than the weed. He recommended that the outfall be refurbished so that it operated correctly which would cost in the region of £1,500.

Miss Ablett referred to the Planning Engineer's report with regards to the development at Thorby Avenue, March (MLC Ref. Nos. 128,133 & 134) and enquired whether the Commissioners wished to take any action.

RESOLVED

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

ii) Weed Control and Drain Maintenance

That the recommendations contained in the Report be approved.

iii) That the Middle Level Commissioners be requested to supply health and safety signage at the pumping station to include indication of risks; contact details in an emergency, together with the grid reference.

iv) That the Middle Level Commissioners be requested to repair the flap door at the gravity outfall.

v) That the Planning Engineer be requested to send a reminder to the developer in relation to planning application (MLC Ref Nos. 128, 133 & 134)

C.865 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

RESOLVED

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

C.866 National Flood Resilience Review

Miss Ablett referred to the publication of the above review by the Government in September 2016 and to the response from ADA and drew attention to the lack of reference to the SUDS issue, which still remained unsatisfactory.

C.867 Environmental Officer's Newsletter and BAP Report

Miss Ablett referred to the Environmental Officer's Newsletter dated December 2016, previously circulated to the Commissioners.

The Commissioners considered and approved the most recent BAP report.

C.868 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.

C869 Pumping Station duties

- a) The Commissioners gave consideration to the payments in respect of pumping station duties for 2017/2018.
- b) The Commissioners gave consideration to the fuel allowance payable to Mr Alerton.
- c) The Commissioners discussed their spraying requirements and agreed that it would be in their interests for this to be carried out by the Middle Level Commissioners in the future. As a consequence, the services of Mr Butt would no longer be required, although the Commissioners acknowledged that he had already carried out some spraying works in 2017/2018.

RESOLVED

- a) That the Commissioners agree that the sum of £615 be allowed for the provision of pumping station duties for 2017/2018.
- b) That the Commissioners agree that a £50 fuel allowance be allowed to Mr Alerton.
- c) That the Clerk advise Mr Butt that alternative arrangements were being made in regard to the spraying of the District; that the Commissioners thanked him for his services and request that he sends in his invoice for the work he had already carried out in 2017/2018.

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

C.870 Environment Agency – Precept

- a) Miss Ablett reported that the Environment Agency had issued the precept for 2017/2018 in the sum of £1,035 (the precept for 2016/2017 being £1,020).
- b) Local Choices Update

Further to minute C.834, Miss Ablett referred to the Environment Agency's newsletter dated October 2016.

C.871 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Miss McShane reported that the sum of £1,459.22 (inclusive of supervision) had been received from the Environment Agency (£1,627.44 representing 80% of the Commissioners' estimated expenditure for the financial year 2016/2017 less £168.22 overpaid in respect of the financial year 2015/2016).

(b) Further to minute C.835(b), Miss Ablett referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

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

C.872 Association of Drainage Authorities

a) Annual Conference

Miss Ablett 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 Commissioner who wishes to attend.

b) Annual Conference of the River Great Ouse Branch

Miss Ablett 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) Subscriptions

Miss Ablett referred to an e-mail received from ADA dated the 16th December 2016 and reported that the Clerk had been advised that the subscription for 2017 will remain unchanged at £536.

RESOLVED

That the requested ADA subscription for 2017 be paid.

d) Further Research on Eels

Miss Ablett referred to an e-mail received from ADA dated the 15th November 2016 and the research specification from the Environment Agency regarding the eel research proposed over the next 2 years.

The Commissioners discussed the ongoing eel research and the request from ADA seeking contributions.

RESOLVED

That the Commissioners contribute £50 for the first year towards further research on eels and review in 2018.

C.873 Potential Amalgamation with March Third and March Fifth DDC's

Miss Ablett reported that March Third DDC had approached March Fifth DDC with a view to amalgamating and that, at a meeting held on the 14th September 2016, the Chairman and Vice Chairman of March Fifth DDC, Iain Smith (former Clerk) and Robert Hill, Treasurer, had discussed the matter further. It had been suggested that, given the membership numbers and ages of both March Third and March Fifth DDC's, those Commissioners might not be viable after a few years and there could be merit in also including March Sixth DDC. Miss Ablett advised that differential rating for all three areas could also be investigated.

Miss Ablett advised that following that meeting, the Chairman and Vice Chairman of March Fifth DDC had agreed to discuss the position further and to speak with members of the other Boards, however due to the Chairman's ill health, no further action had been taken.

She further advised that at their meeting last month, March Third DDC had requested that the views of March Sixth DDC also be sought regarding a potential amalgamation.

Miss Ablett gave a brief report on the financial position and rate set of each Board.

Having discussed the advantages and disadvantages of a potential amalgamation the Commissioners agreed that they were not opposed to the idea and wished to be included in any future discussions.

RESOLVED

That the Chairman and Vice Chairman be included when any future meetings/discussions regarding a potential amalgamation between all the Commissioners involved were held.

C.874 Governance of Water Level Management in England

Miss Ablett 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.

C.875 Health and Safety Audits

Miss Ablett drew attention to the continuing need to ensure that the Commissioners complied with Health and Safety Requirements and reminded Members of the arrangements with Croner and that if the Commissioners had any issues they could seek advice from Croner via the Middle Level Commissioners.

Miss Ablett 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 the Commissioners with their health and safety responsibilities.

C.876 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.839, Miss Ablett reported the main issues considered and discussed by the Partnership were:-

1. The proposal to extend the provision of rain gauges in catchment.
2. Discussions over the maintenance of Sustainable Drainage Systems (SUDS).
3. The provision of Community flood kits. The LLFA are sourcing funds to provide kits to certain groups, i.e. March town council, but certain criteria are having to be met.
4. Work on the A14 project has now commenced.
5. The Supplementary Planning Document on flood risk has now been endorsed by Cambridgeshire County Council.
6. An update on the surface water management plan. Requesting quotes for surveys to be undertaken for property level protection (PLP).
7. Partner projects were discussed including Embankment raising in the Middle Level (MLC) and in the Ouse Washes (EA).

C.877 Authorisation to appear in court to obtain distress warrants

RESOLVED

That under the provisions of section 54 of the Land Drainage Act 1991, in addition to Mr R Hill and Miss S Ablett, Miss Lorna McShane be authorised generally to institute or defend on behalf of the Commissioners proceedings in relation to a drainage rate or to appear on their behalf in any proceedings before a Magistrates' Court for the issue of a warrant of distress for failure to pay a drainage rate.

C.878 Potential Changes in Rating Valuation

Miss Ablett reported the consideration presently being given by ADA and Defra to possible changes in the way in which drainage rates and special levies may be calculated in future. She advised that the present system, under the Land Drainage Act 1991 and the Internal Drainage Board (Finance) Regulations, provides for agricultural property to be valued at a notional rental value for that property as at 1st April 1988 with non-agricultural hereditaments being valued at the "average acre" rate, calculated by reference to pre-1988 development within the District of the individual Board. The current legislation does however require that properties that existed before 1st April 1988 are valued according to their old rateable values, records for which may no longer exist and this causes problems for IDBs which are looking to extend their boundaries and particularly where there are proposals to create new IDBs. Miss Ablett understood however, that, at present, Defra are unlikely to progress the issue urgently and that some further consideration will have to take place before any change is proposed. In addition, as a change to primary legislation would be required, Parliamentary time would have to be found for this. At this stage Miss Ablett wished therefore to simply alert the Commissioners to these discussions and further reports will no doubt be made to the Commissioners in the future should legislative amendment be proposed.

C.879 Completion of the Annual Accounts and Annual Return of the Commissioners – 2015/2016

- a) The Commissioners considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2016.

- b) The Commissioners considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2016.

C.880 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 1st April 2017.

C.881 Budgeting

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

C.882 Review of Internal Controls

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

C.883 Risk Management Assessment

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

C.884 Transparency Code for Smaller Authorities

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

C.885 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.886 Annual Governance Statement – 2016/2017

The Commissioners 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 Commissioners, for the financial year ending 31st March 2017.

C.887 Payments

The Commissioners considered and approved payments amounting to £15,389.32 which had been made during the financial year 2016/2017.

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

C.888 Annual Accounts of the Commissioners – 2016/2017

The Commissioners 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 Commissioners, for the financial year ending 31st March 2017.

C.889 Expenditure estimates and special levy and drainage rate requirements 2017/2018

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2017/2018 and were informed by Miss Ablett that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 58.01% and 41.99%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £10,361 be raised by drainage rates and special levy.
- iii) That the amounts comprised in the sum referred to in ii) above to be raised by drainage rates and to be met by special levy are £6,010 and £4,351 respectively.
- iv) That a rate of 16.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £4,351 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.890 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.891 Date of next Meeting

RESOLVED

That the next Meeting of the Commissioners be held on Tuesday the 19th June 2018.