

MIDDLE LEVEL COMMISSIONERS

At a Meeting of the Middle Level Board held at the Middle Level Offices
March on Thursday the 27th April 2017

PRESENT

M E Heading Esq (Chairman)	R W Groom Esq
J L Brown Esq (Vice Chairman)	C F Hartley Esq
P WALLpress Esq	J E Heading Esq
G P Bliss Esq	M R R Latta Esq
C D Boughton Esq	S T Raby Esq
R C Brown Esq	W Sutton Esq
The Lord De Ramsey	P W West Esq
D J Fountain Esq	H W Whittome Esq
S W Whittome Esq	

The Chief Executive/Chief Engineer, the Solicitor/Assistant Clerk and the Treasurer were in attendance.

Apologies for absence

Apologies for absence were received from G Booth Esq and G J Bull Esq.

B.3378 Declarations of Interest

The Chief Executive 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.

Mr Sutton declared an interest in all planning matters as a member of Fenland District Council.

B.3379 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 3rd November 2016 are recorded correctly and that they be confirmed and signed.

B.3380 Middle Level Bank Raising Scheme

Miss Clare Waller from Peter Brett Associates gave a presentation on the Middle Level Bank Raising Scheme.

She advised on the work that Peter Brett Associates were undertaking in updating the review published in 2004. The Environment Agency had asked for a light touch update.

The review included the following:-

- Legislation review
- Review of current standards of protection and allowances for climate change
- Options review, which will include a workshop.
- Options appraisal and analysis.

A question and answer session followed which included the following:-

Miss Waller advised that works were behind programme because of the amount of data needed to update the model and the amount of work required from Middle Level Commissioners staff.

Legislation review was a moving target because the Government/Environment Agency kept issuing new documents.

In response to the Vice Chairman, Miss Waller thought the works would have no impact on the Ouse Washes but needed to check.

Mr Groom enquired why the cost benefits to do nothing were being considered. Miss Waller advised that this was an Environment Agency requirement for preparing the cost benefits for the business.

Mr S Whittome asked why the 2012 flood event had been used rather than the 1998 event. The Chief Executive advised was because the new St Germans Pumping Station was not in place in 1998.

Mr H Whittome asked if Peter Brett Associates would be looking at using technology to automatically control IDB pump station inputs. Miss Waller confirmed they would when the long list drawn up. The influence of silt and weed/reed was also raised to which Miss Waller said that silt had a bigger impact.

Lord De Ramsey expressed concerns over the cost/benefit producing odd results. Miss Waller explained this was not her area of expertise.

Mr Raby asked about finding a large area of flood stage as opposed to bank raising. The Chief Executive advised that storage alone would be unlikely to be the answer but would be considered.

Mr J Heading enquired of the current level of flood protection. Miss Waller stated that the original 2004 aim was to provide 1:66 year but that this was under review.

The Vice Chairman asked what was the definition of a flood. Miss Waller advised there was no recognised definition.

B.3381 Payments by the Commissioners

The Board examined and approved payments amounting to £1,949,260.28 made during the period from 1st October 2016 to 31st March 2017.

The Chairman declared an interest in the payments made to him.

(NB) – Mr Sutton declared an interest in the payments to Fenland District Council.

(NB) – Messrs Hartley and Sutton declared an interest in the payments to Upwell IDB.

(NB) – Mr Latta declared an interest in the payment made to Latta Hire Ltd.

B.3382 Miscellaneous Receipts

The Board examined and approved particulars of receipts amounting to £131,697.70 during the period from 1st October 2016 to 31st March 2017.

B.3383 Determination of annual values for rating purposes

The Board considered the following recommendations for the determination of annual values for rating purposes, viz:-

RESOLVED

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

B.3384 Rate arrears

Consideration was given to writing off rate arrears amounting to £449.44.

RESOLVED

That the Commissioners be recommended to write off rate arrears amounting to £449.44.

B.3385 Contributions from Developers

With reference to minute B.1779, the Chief Executive reported that development contributions amounting to £825.04 had been received by the Commissioners in the period from the 1st October 2016 to the 31st March 2017 towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume.

B.3386 Staff

a) Retirement of previous Chief Executive

Further to minute B.3364, the Chief Executive reported that the leaving party for Iain Smith had gone well and Iain had written offering thanks for his parting gift.

RESOLVED

That the actions of the Chairman in arranging the leaving party and retirement gift for the previous Chief Executive be approved

b) Appointment of Solicitor/ Assistant Clerk/Staff Structure

Further to minute B.3362(b), the Chief Executive reported that Miss Lorna McShane had commenced employment on the 1st December 2016 and that the proposed changes to the staff structure had been implemented from the 1st January 2017.

c) Salary Increases 2017/2018

Further to minute B.3328(a), the Chief Executive reported that, in accordance with the decision of the Executive Committee on the 15th September 2016, a formula consisting of 50% RPI and 50% AWE, each index being calculated as the average of their published monthly values from January to December in the previous year, had been used to determine

pay awards for years 2017/2018 to 2019/2020, a salary award involving an increase of 1.68% in respect of the Commissioners' employees took effect from the 1st April 2017.

d) Travelling expenses

Further to minute B.3328b), the Chief Executive reported that the travelling allowances payable to Middle Level employees from the 1st April 2017 would remain unchanged for 2017/2018.

e) Applications for re-grading

The Chief Executive referred to letters received from Jonathan Fenn, Paul Grodkiewicz, Morgan Lakey, Richard Lloyd, Wayne Parker and Tom Pollendine seeking an increase in their current salary. He went through the staff proposals for re-grades.

Recommendation that Tom Pollendine and Wayne Parker be awarded a salary rise of one spine point.

Lord De Ramsey asked if the Commissioners arranged for health tests. The Chief Executive advised that no health tests were required at present.

Mr Whittome raised a question on retirement at the age of 65. The Chief Executive reported that there was no longer any legal basis for employers to set a mandatory retirement age.

It was agreed that Mr Fenn and Mr Lakey may need to have their salaries reviewed if they took on additional responsibility as a result of the changes.

RESOLVED

- i) That the Salary award increase be approved.
- ii) That the Executive Committee's recommendations be accepted; Mr T Pollendine and Mr W Parker be awarded an increase of one spine point from the 1st April 2017.
- iii) That the decision of the other applications be deferred to enable the Chief Executive to determine the increased workloads on the Engineering Staff due to the appointment of the Chief Executive.
- iv) That the Executive Committee be delegated to make changes that were necessary for Mr Downes and Mr Lloyd.
- f) Proposal to make payments to staff who were on call

The Chief Executive advised that four members of staff shared the out of hours telephone response service for which no additional payment was received and asked if this should be reviewed.

On balance Members considered that on call arrangements were part of the job but that additional remuneration could be considered at a future date during the review of salaries.

RESOLVED

That the Executive Committee approve the report of the Chief Executive to deal with matters arising from succession planning to meet the operational requirements of the organisation.

B.3387 Pension schemes

i) Local Government Pension Scheme

Further to minute B.3329(i), the Chief Executive reported that the contributions made by the Commissioners in respect of employees in the financial year 2016/2017 was £304,135.62 and that the contribution rate for the year was 31.8%. He also reported that for the financial year 2017/2018, the contribution rate would be 33.4% with contributions to be made by the Commissioners in respect of employees estimated to be in the region of £295,000.00

ii) Auto enrolment pension scheme (NEST)

a) Further to minute B.3329(ii), the Chief Executive reported that the enrolment in the NEST scheme commenced in October 2015 and that the contributions made by the Commissioners in respect of employees in the period 1st April 2016 to 31st March 2017 was £5,281.37 and that the contribution rate was 3%. For the financial year 2017/2018, at the contribution rate of 3%, the contributions to be made by the Commissioners in respect of employees will be in the region of £6,600.00.

b) Members gave consideration to the contribution rate payable by the Commissioners in respect of employees in the auto enrolment pension scheme as from 1st October 2017.

Mr Boughton asked if the Middle Level Commissioners could look at the figures on pension to see what their costs would be if they left the Scheme and became independent.

The Chief Executive reported that quarterly staff meetings had been introduced and the first one held. Whilst it was currently intended to hold meetings quarterly, this period would be reviewed based upon feedback and perceived value.

RESOLVED

That the Commissioners' pension contribution for the NEST scheme be 3%.

B.3388 Property

a) Offices – Accident linked with moving trestle tables

The Chief Executive reported that he had obtained quotations for a new Board room table following an injury sustained to a member of staff when moving the trestle table.

RESOLVED

That the Executive Committee be delegated to make the decision on the purchase of a new Board room table.

b) 33 Sluice Road, St Germans

The Chief Executive reported that the property was occupied and that currently rent was being paid on demand and on time.

c) 6 Deerfield Road, March

Further to minute B.3364(iii), the Chief Executive reported the sale of 6 Deerfield Road, March for £168,000.00.

B.3389 Chief Executive's Annual Report

The Board considered the Annual Report of the Chief Executive, viz:-

Middle Level Commissioners

Welcome to Middle Level Commissioners.

The Middle Level Commissioners are a statutory corporation created under the Middle Level Acts 1810-74 and operating also under the Land Drainage Act 1991, the Flood and Water Management Act 2010 and the Nene Navigation Act 1753.



About us

The Middle Level Commissioners consist of representatives from both the agricultural and non-agricultural sectors.

[Read more about us](#)



Planning and Consents

The Commissioners and Associated Boards are a contributing authority to planning processes across Cambridgeshire and Norfolk.

[Read more about our consents](#)



Maintenance Operations

The Commissioners undertake a variety of programmed and reactionary maintenance operations throughout their system.

[Read more about our maintenance operations](#)

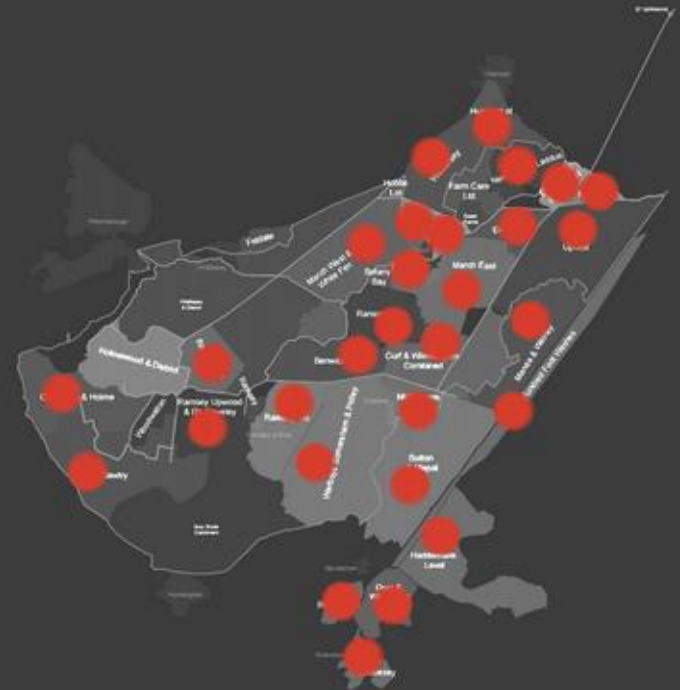


Conservation

The Commissioners have a statutory duty to further nature conservation in the performance of their functions.

Internal Drainage Boards

[Select Internal Drainage Board]



Annual Report

Report on Period
April 2016 – March 2017

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ANNUAL REPORT APRIL 2017

April 2016 – March 2017

1. Health & Safety

- 1.1 ***Croner Consulting*** – continue to provide the MLC and associated IDBs with help and advice of Health and Safety issues.

Meetings regarding IDB Health and Safety were held on 18th April, 20th and 24th June and 11th November 2016. A further visit is planned for 18th April 2017.

Information packs on basic H&S requirements, including template risk assessments, have been sent out to IDBs administered by the Commissioners for their information and use.

The visit planned for April is to review and update all the Commissioners own risk assessments, to ensure they are fully compliant and up to date.

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. We are accordingly reviewing signage and security at our FRM asset sites.

2. Clerk's Report

- 2.1 ***Defra and EA Visits*** – on 6th May 2016 Sarah Hendry, Director of Water and Flood Risk Management at Defra, visited the Middle Level. After an initial discussion at the office where we outlined the history and water level management practices within the area and the role of the MLC and IDBs and referred to the proposed water abstraction licensing changes, she was taken on a tour encompassing St Germans Pumping Station and the Great Fen by the Chairman, Vice Chairman and Chief Engineer.

On 16th August 2016 the Environment Agency's (EA) Director of Flood and Coastal Risk Management, John Curtin, visited the Great Fen in August and met with, inter alia, the Chairman, Vice Chairman, the Chief Engineer and the Clerk, before again going on to St Germans.

- 2.2 ***Anglian Water Issues*** – the position with Anglian Water remains unchanged with the present spirit of co-operation continuing. We carry on gradually receiving monies from developers in respect of the discharge of treated sewage effluent flows to our system but do from time to time need to remind Anglian Water of what has been agreed.

- 2.3 ***IDB Review and Associated Legal Developments*** – we have continued our partnership working with Cambridgeshire and Norfolk County Councils and Peterborough City Council in their role as a Lead Local Flood Authority. Cambridgeshire County Council have produced their own Supplementary Planning Document relating to flood risk but our Planning Engineer, Graham Moore, considers that it does not in its present form provide adequate reference to or consideration of the special issues within the Fens.

While it appears that the proposed agreement regarding closer tie ups and working and governance arrangements between Cambridgeshire, Norfolk, Essex and Suffolk County Councils and Peterborough City Council, together with a number of local District Councils, referred to in my April report, will not proceed the Board will be aware of other 'devolution

proposals' which are being considered and, if implemented, their effect on our functions may need to be assessed.

Steps have also been taken to align the boundaries of the EA and Natural England in this area, meaning that the Agency's present Cambridgeshire and Bedfordshire Area, the former Central Area, combines with the Norfolk, Suffolk and Essex Area (the former Eastern Area) to form the East Anglian Area. We will be watching carefully to see how these two proposals will impact on MLC/IDB functions. The Area Manager for this new Area is Charlie Beardsall, formerly Area Manager of the Norfolk Suffolk and Essex Area, with the former Cambridgeshire and Bedfordshire Manager, Julie Foley, moving to become Area Manager of the Kent and South London Area.

Following the appointment of Teresa May as Prime Minister, there have also been changes at Defra, with Andrea Leadsom succeeding Elizabeth Truss as Secretary of State and Therese Coffey replacing Rory Stewart as Under Secretary.

2.4 Appointment of Chief Executive – following open advertisement and a competitive process, the MLC Chief Engineer, David Thomas, was appointed as the new Chief Executive and took over from Iain Smith on the 1st January 2017.

This appointment required some reorganisation of the MLC staffing in consequence which has now been completed. This included the creation of a new post to support the Chief Executive, particularly in relation to his Clerking roles, and an advert for Solicitor/Assistant Clerk was placed in appropriate places. This led to the appointment of Lorna McShane who took up post on the 1st December 2016. Lorna is settling in well and embracing her new role in the world of flood risk management and navigation.

As the new Chief Executive retained the position of Chief Engineer and is responsible for internally signing off and authorising the large majority of invoices, whether paid by MLC themselves or on behalf of an IDB and a significant number of IDB invoices, the Internal Auditor, Mark Hayden of Whittings, advised that he should not therefore be named on the bank account as a payer and recommended that, for this purpose, Robert Hill and Sam Ablett be named on the mandate. The Board resolved to change the bank mandate accordingly and also to change the National Savings.

2.5 Potential Changes in Rating Valuation – The Board was made aware at the November 2016 meeting of consideration being given by ADA and Defra to possible changes in the way in which drainage rates and special levies may be calculated in future. 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. It is understood however, that, at present, Defra is 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 which might be difficult in the short term following the triggering of Article 50 as part of the Brexit process.

2.6 National Audit Office Review – the National Audit Office has issued a report on Internal Drainage Boards (see appendix 11 which also includes ADA's response). The production of this report seems to follow correspondence with the Audit Office from someone who has an issue with an IDB, the correspondence content and IDB in question are unknown. The report states its aims as, dealing with concerns over governance; oversight; complaints procedures and conflicts of interest. It is strange therefore that the report appears to cover arrangements for environmental representation as well.

ADA was made aware that a report was in production and was given the chance to comment upon a draft of it. It appears to be the case that quite a number of ADA's comments have been overlooked in the final report. Accordingly ADA has responded to the published report, a copy of which is attached for your information. Whilst the report makes a number of observations and comments on a range of issues, it does not draw any conclusions, make recommendations or prescribe an action plan. That being said the content of the report does need careful review to see whether there are further specific improvements our Boards should make to our governance arrangements and with this in mind we have first reviewed the arrangements for all MLC administered IDBs and have found that the policies and procedures that have been recommended by ADA and referred to within this report are already in place.

- 2.7 National Flood Resilience Review** – the Government published this Review in September 2016 and the response from ADA highlighted the need for appropriate and adequate maintenance to ensure that work is carried out by sufficient and properly qualified persons and at the correct local level.

The previous Secretary of State for the Environment, Liz Truss, favoured devolving tasks to IDBs and it is hoped that, where appropriate, Defra will continue with this policy.

It was noticeable, however, that the Review did not deal with the issue of ensuring the proper maintenance of surface water attenuation facilities, caused by the decision of the Government not to implement the relevant provisions of the Flood and Water Management Act 2010, which would have made the County Council responsible for the majority of such features.

- 2.8 Water Framework Directive (WFD)** – the Anglian River Basin Liaison Panel met once in the period, on 30th June 2016 and discussed the proposed Defra 25 year Work Plan, the update on the Environment Programme and a review of Panel membership. A presentation from Steve Muncaster of Anglian Water was also received on "Water Resources East", a project intended to inform future priorities for long term strategic water resource planning. The Panel is now however being disbanded as it is felt that there are other partnerships in place capable of delivering what is needed.

It is important to note that the River Basin Management Plan, which was approved by Ministers early in 2016, is a "high level" document and does not contain the list of local "measures" which appeared in the many schedules to the 2009 Plan. This leaves the relevant measures to be discussed/settled 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, and Cliff Carson is a member of the Group which is continuing to look at reasonable mitigation measures for such bodies. Such local work appears slow however and it is already apparent that other considerations and consultations, the Water Transfer Licensing issue being one case in point, are taking place separately.

- 2.9 Committees – the Association of Inland Navigation Authorities (AINA) met on 14th July and 18th November 2016 to discuss issues relating to operational navigation authorities; in particular the proposals by Defra relating to the ending of water transfer exemptions and issues surrounding safety and sub-rental of residential boats were covered.**

The Cambridgeshire, Norfolk and Peterborough Flood Risk Management/Water Management Partnerships have continued to meet regularly throughout the period and have discussed matters such as incidents of flooding within the Counties/City, proposals for dealing with "wetspots" within certain urban areas through surface water management plans, with a reference to Grant-in-Aid (GiA) applications; Local Levy funding for projects, interestingly including a rain gauge project, which may enable us to revisit the possibility for a project to improve telemetry; the Eel and Fish Regulations; surface water management plans; issues arising with the closure of roads due to flooding and the way in which the

Cambridgeshire, and Norfolk County Councils and Peterborough City Council were dealing with the proposed implementation of the SuDS regime. A major topic for Cambridgeshire has also been the A14 road improvement proposals which potentially affect one of our administered IDBs, Swavesey. The Norfolk Group is also continuing to consider whether an arrangement for the creation of a River Authority such as that proposed for Somerset and overseen by the County Councils would be appropriate for Norfolk and have set up a Working Group to consider this further. We have not yet been consulted on any proposals but this would not seem a suitable or necessary development for this area or the MLC locality.

The MLC have representation on the newly created Ouse Washes Strategic Group, which is looking strategically at the Ouse Washes and surrounding area and the Old Bedford/Middle Level Water Care Partnership, run by Cambridgeshire ACRE, which has been established under the WFD and will review issues which may be relevant to the River Basin Management Plan. They are currently looking at water quality issues in Ramsey as well as issues relating to the Ouse Washes.

2.10 Commissioners'/Boards' meeting dates and Forward Look – we received correspondence from the Chief Executive of the Kings Lynn and West Norfolk Borough Council (KLWN) regarding the Commissioners' and Boards' meeting dates and the setting of drainage rates and special levies. The background to this is that, strictly, under the provisions of the Land Drainage Act 1991, rates and Special Levies should be set by 15th February but that, because of the number of Boards administered from this office, it would be difficult to do so with anything approaching accurate estimates and IDB costs would rise as most would require additional meetings. This issue therefore applies as much to the administered IDBs as to the MLC.

When this legislation came in therefore, we agreed with the Councils in this area that there would be no change in the dates of the MLC and IDB meetings.

The KLWN concern seems to relate to the need to have accurate financial information and to projected reductions in or the removal of the reimbursement by Government of the special levy. This reimbursement, originally 100%, has declined over the years and may be removed as Government considers revisions in local authority financing. The Commissioners' meeting dates are, to a certain extent, set by statute and as we have always alerted the Councils to potential schemes which would be likely to lead to a rate/levy increase, most recently the St Germans Pumping Station, I do not see quite what difference simply changing the meeting dates would make, since the reason for it seems to be based on the financial difficulties of the Council. Certainly such a move is not currently supported by the IDBs and interestingly, when the issue was raised at some IDB meetings earlier this year, the Borough's own representatives on the IDBs did not support a change for the reasons mentioned.

The Chief Engineer, in his role as Chief Executive (Designate), attended a training session organised by the Borough for its members appointed to IDBs and the main concern voiced by the Council then was that IDB special levies were not classed as "precepts" and thereby taken out of the calculation of Council spending. When the present rating system was established, it was suggested that IDB levies were indeed classed as precepts but Government at the time decided that IDBs became "levying bodies" rather than "precepting bodies". KLWN did ask whether we or ADA would support a response to the recent Government consultation on Business Rates again asking that IDBs became precepting bodies. While this approach has been favoured by Kings Lynn IDB, I have discussed the issue with the EA's Head of Finance, Phil Winrow, and it would appear that, if IDBs became precepting bodies at present, we would be ourselves subject to a 2% cap! I have therefore indicated to ADA that we would not at present support such a move unless this capping element was removed.

As the Board will, of course, be aware, we are considering the prospective bank raising scheme at the present time and it may well be that this will lead to an increase in the

rates/levies, although this will depend on the final costs and scheme chosen and the availability of high levels of Defra/EA GiA.

As agreed the past Chief Executive wrote to Fenland, Huntingdonshire and KLWN after the November meeting giving them an up to date position on this scheme and advising them that there is no intention to increase rates at this time (for this scheme) in advance of EA scheme business case approval.

2.11 Consultations – the MLC continued to respond to the Defra consultations either directly or through correspondence with ADA as and when appropriate to do so. These have recently included the proposed ending of water transfer exemptions and have also responded to ADA on the proposed revisions in business rates, so far as the special levies might be affected.

2.12 Review of Water Abstraction Licensing – as was previously reported, Defra had again published proposals for bringing into force the changes to the water abstraction licensing system, which were outlined and enacted in the Water Act 2003 and in relation to which successive proposed implementation dates had come and gone.

The Board was reminded that these revisions to water abstraction law proposed to bring within abstraction licensing, for the first time, a number of operations by which water is abstracted but which are exempt from control under existing legislation. Most significant amongst these for the MLC is the requirement that abstractions simply transferring water from one watercourse to another by IDBs and Navigation Authorities become subject to licensing. The issue is not however straight forward since it first needs to be assessed whether a legal ‘transfer’ is taking place. The EA has previously published, and is revising, draft handbooks showing examples of where it considers that a Transfer Licence will/will not be required but the position will need to be reviewed again when the final Government decision is known.

The consultation itself ran until 8th April 2016 and, as previously reported, the previous Chief Executive had responded on it on behalf of MLC and our administered IDBs. A copy of our response was included in the last April Board meeting.

Since the closure of the consultation, discussions have continued to be held by ADA and the AINA with representatives of Defra and the EA, seeking to ensure that sensible and workable proposals are produced. The EA, however, conducted an exercise aimed at showing that IDBs could afford to pay the proposed £1500 Transfer Licence application fee, rather than seeking to justify the imposition of Transfer Licences themselves, which was a most disappointing approach. As this report was being completed, Defra published the responses to the consultation exercise and declared that they intended to make an announcement on policy in early 2017. Innes Thompson, the ADA Chief Executive, has asked to meet with myself and Sarah Hendry (Director of Floods and Water, Defra) to discuss Defra’s thinking on Water Abstraction and Transfer licencing. Sarah has agreed to this and has promised to offer some date options accordingly.

3. Navigation Bill

Proposed MLC revision of legislation

Following the receipt of formal opinion from Defra that it considered that a Transport and Works Act Order would not be appropriate to confer all the provisions sought by the Commissioners especially those relating to charging, and consideration of that opinion by Parliamentary Counsel, it was confirmed that Parliamentary Counsel had authorised the Commissioners to proceed by way of Private Bill. The Middle Level Navigation Bill (referred to officially as the Middle Level Bill) was duly presented to Parliament prior to Christmas and began its passage in the House of Commons. This is helpful in the sense that the Commons is, for this type of measure, the more difficult House, where objections are likely

to be raised. Our local MPs were alerted to the Bill's introduction and asked to give the measure their support.

The period from the introduction of the Bill until the end of January constituted the formal objection period during which the proposal to promote the Bill is formally advertised and there is the opportunity for anyone opposing the measure to petition Parliament by way of objection.

By the time this period closed, the Bill had unfortunately received 6 petitions of objection. It will therefore now have to proceed through the Parliamentary procedure applicable to opposed Bills.

Having said that, however, the petitions are, to a very large extent, identical in their wording and their objections seem to have originated from the same source, the National Bargee Travellers Association (NBTA), which objected to the proposals during the consultation period. A number of their assertions are speculative and subjective and a number relate to the proposed byelaws which are not being sought at present. The NBTA petition is attached (see Appendix 13) so that the Board may be aware of the nature of the objections made which, as I have mentioned, have a very common theme. Among the petitioners is the March Cruising Club which has claimed that it was not consulted by the MLC. The Club was in fact sent the consultation letter in February 2016 and did not respond. They have also not contacted the Commissioners since objecting, although we are aware that they did invite one of the other objectors to address their recent meeting. The fact that their objection refers to a large extent to the effect on boat dwellers perhaps underlines the common nature of the responses.

The Bill was initially scheduled for its second reading on 1st February but was objected to by some MPs. This was, however, primarily because some MPs consider that all Private Bills should be debated and object on principle to them proceeding without debate. We were advised by our Parliamentary Agents that this was likely.

The formal second reading debate was held on 29th March. The Bill was proposed by Kevin Foster, the MP for Torbay. This was primarily because neither Elizabeth Truss nor Stephen Barclay, as members of the Government, are allowed to propose Private Bills and Shailesh Vara was unable to attend the debate. It was noticeable that two MPs in particular, Christopher Chope (Christchurch) and Stewart Jackson (Peterborough), spoke in support of the contentions made by the petitioners. This was disappointing particularly in the case of Mr Jackson, since his office had contacted the Commissioners prior to the debate and been advised of the Commissioners' position and that we did not accept the accuracy of the petitioners' claims. However, a number of MPs also spoke in support of the measure, which was eventually passed at second reading stage without a division.

The Bill will now go through the Parliamentary procedure applicable to opposed Bills and will therefore be considered, at a date to be decided, by the Opposed Bills Committee. Prior to that time we will be making arrangements to meet with and formally respond to the petitioners.

We are also meeting with our Parliamentary Agents, Nick Evans of Bircham Dyson Bell, on 26th April and an update on the matter following this meeting will be reported verbally to the Board.

The Board is asked to confirm that it is content to continue to empower the Executive Committee to deal with issues in relation to this matter.

4. Staff

One of our Finance Officers, Carly Russell, went on maternity leave in July 2016 and, as previously reported, one of our Part Time Secretarial/Clerical Assistants, Marion Eady, who has some previous experience of finance, is covering for Carly during her absence. We

have obtained temporary cover for Marion's normal role. Carly has opted to extend her maternity leave to her full legal entitlement and hence is now due back in August.

- 4.1 *Childcare Voucher Scheme*** – at the November meeting the Board resolved to introduce a Childcare Voucher Scheme. The basis of this Government approved Scheme is that the employee can sacrifice some of his/her salary in return for childcare vouchers, up to the maximum amount allowed by Government, currently £243 per month. The benefit to the MLC is that, although a fee would be payable for these vouchers, there is NO employers' NIC or pension contribution payable on them, leading to an overall saving.
- 4.2 *Staff Appraisals*** – appraisals have been carried out for all staff and this is perhaps the first time this has happened across the organisation. The actions from these appraisals will be collated over the coming month and what has been learnt used to inform the future development of and maximising of the staff resource at the MLC. Staff meetings are also planned, the first of which will take place on the 25th April.
- 4.3 *Vacancies/Appointments/Departures*** – an advertisement for an operative to bring the workforce back up to full strength has been placed in a local paper and on the ADA website and it is expected to make an appointment early in late April or early May.
- 4.4 *Pensions*** – the LGSS Pensions Service Team have written advising that the cost of providing pension benefits is dependent on many uncertain factors including the investment performance of the Fund's assets. To reflect the uncertainty, employer contribution rates have been set by modelling the contributions required to fund the benefits under 5000 different economic scenarios. The likelihood that the 2016 Valuation Contribution Rate will pay for both benefits accruing and return the employer to a fully funded position over a period of 15 years is targeted to be at least 75%. The employer's contribution rate for 2017/18 has been set at 33.4%, this includes 10.2% towards filling the current deficit. The employer's contribution towards those in a NEST scheme remains unaltered.
- 4.5 *Applications for Spine Point Advancement*** – Applications have been received from six people and these will be reviewed at the Executive meeting and reported on at the meeting.
- 4.6 *Sickness***

Staff – of a total staff of 22, with an approximate expected maximum of 4823 man days over the twelve month reporting period (due to members of staff being employed for part of the period only), 11 members had 78 days sick leave and, as reported previously, one member of staff has been on maternity leave during the reporting period. The long term leave is broken down as 29 days following a hip operation, 16 days following a knee investigation and the shorter term leave is broken down as 9.5 days, 2 with 6 days, 4.5 days, 2 with 2 days and 3 with 1 day, 10 members of staff did not take any time off for sickness.

Operatives – during the twelve month reporting period the workforce of 10 men, with an approximate expected maximum of 2240 man days, shared 100 days sick leave between 6 members; the remaining 4 members of the workforce did not take any time off for sickness. Long term sick leave is broken down as 32 days following a knee operation, 20 days for a respiratory infection, 24 days following injury and surgery, 17 days for stress.

The Office for National Statistics has advised that in the UK last year on average people are absent from work for 4.3 days a year. Whilst the staff is below this figure, the workforce is not, perhaps linked to the types of work carried out. This will be monitored to see what improvements can be made.

4.7 *Training was provided as follows:*

- Teleporter Training – 1 member of staff + 2 members of workforce
- Weed boats Safety Course – 5 members of workforce
- First Aid at Work Refresher – 3 members of staff

- RYA PB2 Course – 1 member of workforce

5. **Publicity**

- 5.1 *Talks*** – it was pleasing to note that BBC Look East came to part of the Inspection in 2016 and publicised the proposals to undertake the bank raising scheme. The Chairman; Iain Smith; and our Working Foreman, Julian Carlile; were interviewed and Look East filmed a section of the Great Raveley Drain banks and our flail mowers in operation. Such publicity is always welcome.

The Chief Engineer presented at the ICE Flood Expo at the Excel Exhibition Centre in October and has chaired a session at the CIWEM Rivers and Coastal spring meeting in Birmingham.

Also, during the period representatives of the MLC have spoken about the MLC and our works to Peterborough Orton Rotary Club, the Peterborough Probus 87, the Haddenham Interest Society, the Peterborough Engineering Society, the EA area team and the WI.

- 5.2 *Visits*** - the following visitors were received at St Germans Pumping Station:

22 nd April 2016	-	South Holland Growers Group
4 th May 2016	-	R G Carter
15 th August 2016	-	Marshland St James WI
6 th September 2016	-	Ms J Adams + friends (Members of the Public)
2 nd March 2017	-	Environment Agency

We have further visits arranged in April and June for the Probus 87 Club and Ford Y & C Model Owners Club respectively.

- 5.3 *Media*** – the Commissioners’ ‘Twitter’ presence now has 212 followers, up from 155 a year ago.
- 5.4 *Web site*** – www.middlelevel.gov.uk - following the Board’s approval an order was placed with Switch to revamp the Commissioners’ website which included the adding of secure members’ areas. This work is complete and the site is now live. The site has been redesigned to be more user focused and to promote the work that we do. Conservation, Planning, Navigation and a new section on ‘Maintenance’ play a prominent role. The site is now more flexible than was the case previously and hence further in-house developments are planned, particularly in relation to the planning and consenting area.

6. **HMRC Visit**

On the 16th March representatives of HMRC visited the offices of the MLC. This was a pre-planned visit and part of HMRC’s normal arrangements for spot checking organisations. Prior to and at the meeting a number of questions were raised and in response information has been supplied. It was interesting to note that Defra had a representative at the meeting from their small HMRC team who were apparently set up to support ‘the Defra family’. Our internal auditors, Whittings and Partners, were also present at the meeting at our invitation, as was the previous Chief Executive Iain Smith.

Most queries raised have been closed off now with no further action by HMRC planned. However, some further information and checking is required in relation to vehicles, living accommodation and status/off-payroll working.

It was also suggested at the meeting that a VAT inspection may follow on from this process.

7. **ICT Report**

- 7.1 *Hardware*** – problems were experienced with backing up the virtual servers and TSG were asked to assist with identifying the cause of this. The fault appeared to be partially software

related and partially hardware related but at the time of report is believed to be fully resolved.

The plotter has been replaced with a unit which both plots and scans documents up to A0. This has assisted significantly in allowing for the electronic filing of large drawings which we were previously unable to do. For this or at the latest next year our workstations which are now seven years old will be replaced (current cost estimate £15K).

Consideration is being given to entering into a support contract for the servers to reduce the burden on the Chief Executive who currently maintains them and also to provide resilience for the Commissioners.

7.2 Software – the rating software upgrade to the South Holland developed DRS system has been implemented. Automated links to GIS and accountancy software will be implemented shortly.

7.3 Mobile Phones and Land Lines – land line provision remains with TML and staff and workforce mobile phone lines are with EE. The telemetry mobile lines remain with Vodafone as the cheapest supplier for this service.

7.4 Telemetry Master Station – This unit, which is now around eight years old, is being replaced and will run on a Windows 10 platform.

8. Engineering Executive Commentary

This section broadly summarises the key activities of each of the three engineering departments serving the MLC and client IDBs. It is intended to provide an overview of work carried out during the above period and that planned for the future.

A brief summary of progress on the Middle Level Strategic Improvement Scheme and progress on GiA applications is also included.

8.1 Technical Services Department

The work carried out by the Technical Services Department during the last twelve months can be briefly summarised as follows:

On a consultancy basis:-

Land Drainage Channel Improvement Works South of the A47 – Highways England has reaffirmed that it intends to carry out a scheme comprising the enlargement of a culvert under the A47 near Wisbech. As the EA has also confirmed that this is sufficient to develop a business case for downstream improvements the Hundred of Wisbech IDB has instructed the MLC to proceed with the required work which is therefore underway.

Stow Pumping Station – the MLC developed a business case on behalf of the Board for the replacement of a 1950s pumping station and have been successful in obtaining approval for 100% GiA. Scheme design and tender document production have however been delayed as the EA has stated that as the station is a new building it will need to undergo a national screening process for eel passage.

Washways and Ransonmoor Pumping Station Refurbishments – these schemes for the Warboys, Somersham and Pidley IDB and Ransonmoor DDC Board were completed in 2016.

Green Dyke Pumping Station Replacement – the Ramsey, Upwood and Great Raveley IDB asked for a report on the likelihood of GiA for the replacement of Green Fen Pumping Station. The economics were tested and the Board has instructed the development of the business case for the new station.

Planning – the Department continues to trial revised methods of dealing with planning applications and whilst there have been some signs of improvement it is clear that we need to continue to explore the options for getting better engagement from developers and planning authorities. To this end the Chief Executive, MLC Solicitor and Planning Engineer have met with the Head of Planning Services for Peterborough and Fenland Councils. Closer working and talks/workshops have been offered to assist in the education of planning officers on the specific issues relating to the Fens area.

8.2 Works Department

Water Resources and Control of Water Levels

Spring/Summer 2016

The spring months of 2016 were generally noted for lower than average temperatures and above average rainfall. This minimised early season pressure on the Commissioners' system for water abstraction, and allowed levels within both Bevills Leam and St German's ponds to be managed comfortably. The higher than average rainfall during this time, produced good flows in the Peterborough Nene, providing plentiful supplies for Anglian Water to maintain its various reservoir intakes. As a result, Anglian Water was able to reduce its licenced intake by approximately 20Mld (Million litres/day), for a seven day period during late July. This surplus water was made available to abstractors within the Commissioners' system, through the offices of the EA. It was welcomed at this critical point in the season as pressure for water abstraction peaked during the fine dry period, and no IDB slacker or irrigation restrictions were necessary. It is without doubt the Commissioners' attendance at the Summer Liaison Meeting, with Anglian Water and the EA representatives, which contributed to this successful working partnership.

Autumn/Winter 2016/17

Water levels within the Commissioners' system were maintained comfortably during the winter period, and are now gradually being raised in anticipation of the drier summer months ahead. Statistics show 2016 to be a year of marked contrasts, the first half being generally wetter than average and the second half being generally drier. The general dry trend continued into the first four months of 2017 and, in contrast to the same period last year, current conditions and forward projections seem to indicate we may need to prepare for a drier summer than we experienced last year. Some light sporadic irrigation of crops, such as onions, that are emerging through capped silt soils is currently taking place. The annual Summer Liaison Meeting has been arranged and will be hosted by the EA at its Peterborough offices in early May. This should again give the Commissioners the opportunity to reinforce their point to other stakeholders including the EA and Anglian Water, that by working in close collaboration with them, and with a sound understanding of other stakeholders requirements, regular updates and the ability to micro-manage water availability during the driest periods of the summer, we can maximise the benefit of available flows in the EA controlled River Nene, without compromise to the environment.

Banks and Channel Maintenance Dredging and Bank Raising – programmed maintenance dredging works were undertaken along the Catchwater Drain between Glatton Road and Straight Drove Bridge following harvest last year. Additional channel cleansing works were also undertaken along the Pigwater Drain (Horsey Toll Sluice to Yards End Dyke junction), Monks Lode (New Dyke junction to Connington Fen Bridge) and New Dyke (Speed the Plough junction to Holme winding hole). Maintenance dredging works commenced in mid-January on the Old River Nene, (Bevills Pond side), extending to Nightingales Corner junction

Dredging of Well Creek – following the Commissioners' approval at their last meeting, the third phase of dredging works along the Well Creek between Hall Bridge (New Bridge) and Upwell Church Bridge was undertaken in early January. The work was undertaken by a contractor using a long reach hydraulic machine, operated from the highway on the south

east bank, (St Peters Road), under a partial road closure/traffic control system. Dredgings were removed from the site by contractor and transported to the receiving site on the Commissioners' field adjacent to Salters Lode Lock. The works were undertaken during a navigation closure of this section of Well Creek.

Well Creek - Bank Subsidence – no further correspondence has been received from the relevant authorities. The bank remains in an unstable condition but does not pose a flood risk or navigational issue at the present time. It is proposed that this relatively short reach of the river will not be dredged at the present time; for fear that the dredging operation could well exacerbate the current bank subsidence and stability issues.

Ramsey High Lode – Bank Subsidence – it is unfortunate to have to report that following the occurrence of approximately 15 metres of bank subsidence at the rear of an adjacent burnt out industrial unit located on the Stocking Fen Industrial Estate last September, the Commissioners' insurers have subsequently advised the damage is neither covered by the site owner/occupiers nor the Commissioners' policies. It is therefore proposed to undertake the necessary bank revetment works in the near future at the Commissioners' expense.

Banks and Channels Weed Control – the regime of seasonal bank mowing, working broadly in-line with the Commissioners' Operations Manual, has continued again this year. The conservation cut commenced in mid-March and was completed in early April last year. Two subsequent Health & Safety cuts to the system were undertaken during May and June. Full depth mowing on alternating sides has proven to be a useful tool in reducing the growth of some invasive weed species growing behind the dense marginal fringes of the watercourses. However, instances of Woody Nightshade, (*Solanum dulcamara*), proliferating the marginal vegetation corridor and spreading along banks, are now widespread throughout the system.

The main cut was completed by mid-December last year. Numerous mechanical breakdowns of the older Herder mower, combined with dense bank growth, slowed progress considerably.

This year's conservation cut commenced during late March, and is on course to be completed in early April

Herbicide Trials – it is disappointing to report the proposed trials of Flumioxazin have been suspended, and the product approval licence application has been withdrawn. This leaves the aquatic industry in the precarious position of reliance on the Monsanto/Bayer Glyphosate product, Roundup Bi-active Pro. The licence for the continued use of this product in aquatic situations was recently extended to the end of 2018. It is hoped that following the ongoing Brexit negotiations, Defra will be willing to extend Roundup with full approval for aquatic applications well beyond this date.

Navigation – last year's navigation season passed with one notable incident involving a narrow boat that became stuck whilst attempting to undertake a turning manoeuvre at Holme winding hole.

It appears the number of illegally moored 'live aboard' boats within the Middle Level System continues to increase year on year. The Commissioners have continued work on this issue with colleagues from the EA and Fenland District Council (FDC), to prevent the increase of illegal and over stay mooring from becoming more problematic. There is currently an issue with a residential boat which has been moored on March Town 48 hours public moorings for many months now. If we have failed to persuade the owner to move before the Board meet this matter will be raised for discussion.

Complaints were received from villagers of Upwell and Outwell and members of the Well Creek Trust, when a boat passing along the 'Link Route' navigated through Well Creek during a cold spell in January, ruining the ice along with the slim chance that ice skating could have been held on the river this year.

Navigation and turning for navigating craft at Holme winding hole has been improved with the recent removal of the small island which prevented longer and wider vessels from turning at this terminal navigation point.

Fly-tipping – incidents of fly-tipping throughout both the Commissioners' and constituent IDB controlled watercourses continues to increase at present, as does the expenditure for removing the resultant debris from watercourses.

8.3 Mechanical & Electrical Engineering Department

Along with MLC work, major overhauls and maintenance of IDB pumping plant have been completed during the period. A brief description of the works carried out over the past twelve months, together with recommendations for future works follows:

St Germans – experienced a quiet year. No major breakdowns have occurred and there have been no further issues with the backup generator aftercoolers. Capacitors have been replaced as per the Board's instruction and the manufacturer's recommendations. It is planned to install waterless coolant in all of the pump-sets to prevent further problems. Two of the generator controllers were damaged through electrical shorting of the CT's. All genset CT's have now been replaced.

Ashline Lock bypass weir – has had new tilting gates fitted which have proven much easier to operate.

Major plant and motor overhauls – have been completed at Bevills Leam and one IDB pumping station and major station refurbishment schemes have been completed at two others.

One of the downstream gates at Stanground – developed a significant leak. The lock was de-watered and the necessary remedials carried out over the winter.

Periodic Electrical Retesting/Remedial Works – are being carried out at IDB installations as and when required.

Inlet Penstocks – have been replaced at several installations. Repairs to several automatic weedscreen cleaners have also been carried out together with one major overhaul. Three new automatic weedscreen cleaners have been installed. Replacement control equipment has been installed at one pumping station and new level control equipment at two others.

8.4 Middle Level Strategic Improvement Scheme

With the approval of the Board, as work necessary to underpin a GiA application, a refresh of the 2004 Middle Level Strategy is being undertaken. Following competitive tender Peter Brett Associates (Formally Hannah, Reed) provided a bid which was both well-structured and the lowest submitted. The consultants will give a presentation on the work completed so far at the Board meeting.

9. Water Resources & Control of Water Levels (Appendices 1, 2 & 3)

9.1 *Rainfall* – mean rainfall over the area for the reporting period was 502mm which is 69mm less than the standard average (see Appendices 1 & 2).

Following a wet month in March 2016, rainfall totals for the following two months of April and May were close to the long term average (LTA). June was then a wet month returning rainfall totals of 93mm equating to 176% LTA. Conversely July was drier than average receiving 27mm of rain, 55% LTA. August was the second consecutive dry month receiving

35mm of rainfall, 64% LTA. The dry weather continued throughout September. With rainfall totals of 43mm for the month, this equated to 87% LTA. October was the fourth consecutive drier than average month. Rainfall total during November was 108% of the LTA at 62mm. However December and January were drier than average, meaning that 6 of the last 7 months of 2016 had below average rainfall. February returned near average rainfall totals with a month end value of 37mm. March was wetter than average with significant rainfall on the 9th and 10th of the month. The recorded month end rain total was 64.5mm, equating to 141% LTA.

9.2 Soil Moisture Deficit (SMD) – continued to be ‘below normal’ during April 2016. A value of 29mm was recorded by the month end. This low value rose slowly through May and peaked at 64mm by the third week. Subsequent rainfall reduced the value to 54mm by the month end. Notably wet weather conditions during June resulted in SMD values decreasing to ‘exceptionally low’ levels. Values remained low at 30mm at the month end. Drier weather prevailed throughout July and this resulted in an average increase in values of 15mm a week throughout the month and by the month end the value had increased to 93mm. Values rose slowly throughout August resulting in a peak SMD of 125mm at the end of that month. SMD values during September remained at 130mm throughout the month, being the highest value recorded for this summer period. October SMD values remained relatively high for the time of year, and only started falling markedly during the second half of November to a month end value of 70mm. The falling value continued as would normally be expected for the time of year, and resulted in the December month end value of 55mm. This trend continued into 2017 with a steady decline in values gradually dropping to a low point in early March where a value of 15mm was recorded, following significant rainfall.

9.3 Water Levels (Main System) Summer 2016 – early season water levels were held slightly below ‘normal’ summer retention levels in both Bevills Leam and St Germans ponds, as cold wet weather prevailed, and the requirement for spray irrigation during the early season was greatly reduced. Following the warmer drier weather in July, water levels were raised to maximum summer retention levels in both ponds. Anglian Water was able, and willing for the first time, to cut back on its licenced intake of water from the Peterborough Nene for seven days during a short pressure period at the end of July. This timely intervention prevented a restriction on IDB water intake through slackers allowing abstraction to continue through the entire season unrestricted.

An email to Anglian Water, extending thanks for its co-operation, was sent from the MLC.

"Dear Mike,

I write to thank you for your co-operation for making an additional 20Mld (Million litres/day) of water available during the last week.

As with most summers, we never seem to get two alike, other than the short periods when water resources in the Lower Nene become pressured during fine dry periods.

The additional 20Mld enabled abstractors to continue to irrigate root crops, many of which are now reaching a critical stage for growth and quality as they near maturity and harvest.

I am sure that our positive dialogue at the annual Summer Liaison meeting with representatives from AW, EA and the Commissioners continues to be of paramount importance, and enables us to better understand our partners’ requirements.

Best Regards

*Jonathan Fenn
Operations Engineer
Middle Level Commissioners"*

Mike Cook, Head of Water Resources at Anglian Water, replied on the 1st August.

*"Jon
Many thanks for your e mail.*

We are pleased to be able to share surplus water resources with the MLC.

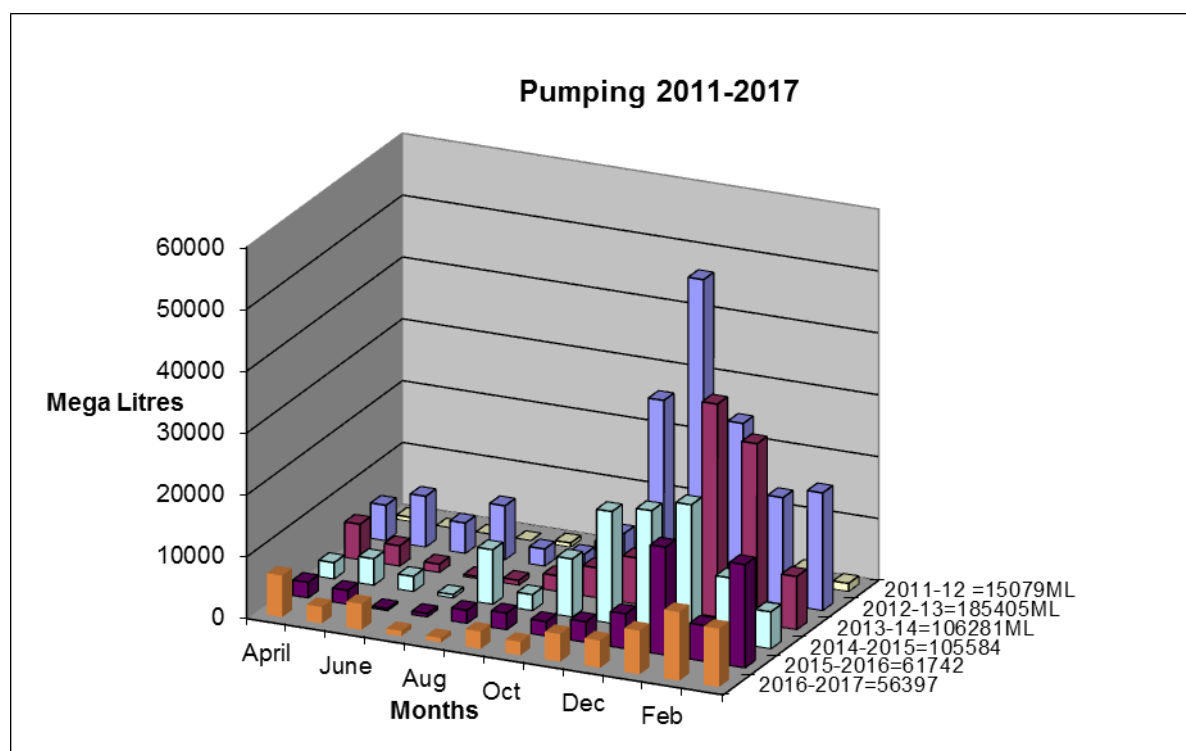
Regards
Mike

Water levels in both Bevills Leam and St Germans ponds were gradually lowered last autumn, in preparation for the onset of the autumn/winter pumping season. The season passed by remarkable smoothly. Water levels were readily maintained at both pumping stations for the duration of the winter period using automated pumping modes. Water levels in the Bevills Leam pond were held slightly lower than normal to allow for maintenance dredging work to proceed along the Old River Nene at Ramsey St Mary's with maximum efficiency. At the time of reporting, water levels in both ponds are gradually being raised towards the summer retention level.

9.4 Water Levels (Well Creek) – water levels have been maintained in the Well Creek by pumping water into it from the Main Drain at the Aqueduct to pre-set parameters.

9.5 Pumping – during the twelve month period, 56549 and 13146 megalitres of water were pumped at St Germans and Bevills Leam respectively (refer to Appendices 2 & 3).

The winter, in terms of water pumped, has been a dry one. However when compared to winter 2011-12 the output of St Germans Pumping Station was 3 times as much as that extremely dry period and similar to the Station's first winter (2010-11). One noticeable difference was the number of times the Station has been shut down by low water at Bodsey Bridge suggesting a higher than usual occurrence of southerly winds. Nonetheless the Station has performed extremely well with only a few minor faults all fixed within 24hrs.



10. Maintenance Work

10.1 St Germans Pumping Station – the condition of the generator heat exchangers remains stable and pH values have been kept at an acceptable level over the period. However with the life of organic acid technology coolant coming to an end it is proposed we move to the pH sable waterless coolant successfully trialled on generator No1. It is therefore intended we change 2 generators over in autumn 2017 and the remaining 3 in late spring 2018 the cost of each will be around £4000.

With no more incidents relating to the generator's CT's this latent defect is now considered resolved.

Following on from the replacement of the 648 input/output module capacitors the 12 filter module capacitors were successfully replaced in the period. The unforeseen problem with this planned maintenance work is the disposal of the old capacitors which are deemed to be hazardous waste. To date we have been unable to find a recycler that will accept them the next step is to contact the manufacturers and ask them how and where they should be disposed of.

The pump removal table has been painted and is now safely stored in its newly completed storage building.



Attempts to remove the mussels from the elver pass delivery line were unsuccessful and with spring upon us the decision was made to install the spare pump which is capable of pumping at a higher pressure. This will overcome the blockage in the short term until we can find another way of resolving the issue.

The final 2 bulk diesel tanks were topped up with diesel in March and with the first 2 tanks filled in 2015 we can, with reasonable confidence, say that there are no issues relating to bio additives that have caused problems elsewhere.

Over the last 12 months there have been some minor issues with the SCADA (supervisory Control and Data Acquisition) PCs, it is believed these issues related to corrupt files and lack of storage space for historical files these issues seem to have now been resolved. The problem still remains that the two PCs are reaching the end of their life and replacements/upgrade will require updated software, as the current software is now longer available or supported. However, as at present the units are working well, an upgrade cannot be justified.

During March the Station underwent its routine deep clean and the results are excellent allowing us to keep the standards seen and commented on by all our visitors at a consistently high level.

10.2 Main Drain/Station Intake and Surrounds:

Bed Level – no dredging or re-profiling has been required and none is planned for at least the next few years.

Grass Cutting - the grass mowing contract has been undertaken by local contractors, Kew Grass Care, this season. The level of service continues to be satisfactory. The contract will continue to be reviewed annually to ensure best value is being achieved.

Tree Planting Scheme - most species of trees within the planting scheme, other than Ash, appear to be healthy and have produced a good canopy last season. The cool damp spring

and early summer weather suiting the young trees' requirement for plentiful moisture throughout the growing season.

10.3 Aqueduct Bridge – there is nothing further to report at this time.

10.4 Bevills Leam Pumping Station

Engine Overhaul Programme/Inspections – as previously reported it is currently anticipated that the three diesel engines should provide adequate service for a while. This is to be reviewed in 3 years' time.

Pump Overhaul Programme – the planned inspection/service of the No1 pump at Bevills Leam commenced during late June 2016, removal of the discharge branch fixings required the use of a dive team and proved to be difficult due to hard to access seized bolts which had to be cut off and required a second visit by the team. The pump was eventually lifted on 12th July and taken to the contractor's works where it was stripped to component level. The contractor's observations and works that were carried out and reinstallation and recommissioning of the pump were completed week commencing 19th September 2016.



The general condition of the pump, which was some 33 years old and has operated some 23000 hours, was good and therefore as a consequence it was recommended that removal and inspection of any of the other pumpset (which have operated for considerably less hours), will not be necessary for a further five years.

Improvements to the auxiliary generator/controls, which were to be carried out as the final part of the main standby generator scheme, have been completed.

Two of the three electric pump main isolators are becoming very difficult to operate and being 35 years old they are obsolete, therefore it is planned to replace all three isolators during the summer together with some minor control improvements.

The no2 diesel tank has recently been approximately 50% filled with 10,000 litres of fuel and the fuel gauges which were faulty have been replaced.

10.5 Control Sluice – new access steps and a handrail have recently been installed on site to facilitate improved maintenance and operational access to the water evacuation penstock from Woodwalton reserve, adjacent to the Control Sluice structure.

10.6 Navigation Structures

Salter's Lode Lock – during the summer on a few isolated occasions the gate travel has stopped without warning, but was then restarted by simply resetting the start initiation. This suggested that the fault was just a slight misalignment of the encoders. Unfortunately the encoder PLC HMI screen had been damaged by the sun's UV radiation and cannot be viewed it was therefore been replaced, complete with housing around it to prevent further UV damage.

The fault recently reoccurred which prevented the gate from operating in the automatic mode. The cause of the fault was identified by connecting a laptop to the main PLC, the faults were then rectified and the gate made fully operational.

The PLC used is now obsolete, but we have managed to purchase a programmed spare from the original panel manufacturer who had a unit in stock. We are also attempting to ascertain if the software used to program it is still available. This will require a laptop with the Windows XP operating system installed on it.

The encoders themselves appear satisfactory but they have been in operation for over 7 years and insects have been known to find their way into the encoders, therefore purchase of a spare is being considered and service of the existing encoders is recommended which would be carried out one at a time. The original supplier Aquatic Control Engineering has been asked to provide a quotation for their service and or eventual replacement.

The gate is also suffering some damage due to boat collisions, should serious damage occur the gate could possibly be rendered inoperable. The Board is reminded that there is no second line of defence from high tides.

Stanground Lock - it was reported that there was significant leakage occurring through one of the downstream mitre gates. From an above water inspection it seemed that a hole of at least 200mm x 200mm had appeared in the gates' cladding. Temporary makeshift repairs were attempted, but were not successful and the lock required damming off and dewatering to carry out appropriate repairs. These works were undertaken over the winter period following issue of a planned closure notice.

Horseway Lock – the Commissioners' position regarding the maintenance and upkeep of the lock structure remains unchanged. Visual inspections have continued to be undertaken to ensure its condition is serviceable should the link to Welches Dam lock be reopened. It is



intended to approach the IWA to see if they are interested in carrying out volunteer work on the lock to keep it in a serviceable condition whilst negotiations with the EA over the re-opening of Welches Dam lock continue.

Hornby Lock bypass work works following approval from the 2016 Quire Committee. Proceed with MLC labour during the first week in April. The performance of the gates to date has been very good.

10.7 Cardea Site SuDS – Persimmon Homes commissioned the MLC to survey the reed beds and balancing ponds serving the Cardea development near Stanground. This has been completed and a report issued which identified the works which would be required to bring the infrastructure, which provides storm water treatment and balancing, up to an adoptable

standard. The works have recently been completed using both MLC and a contractor's plant and labour. Discussions are planned in relation to the long term adoption of the facilities by the Commissioners, subject to payment covering the anticipated costs, however, our main Persimmon Homes contact, Ian Slater, has moved area and we now need to reconnect with the developer. The matter has been raised with the Head of Planning Services and the local MP Steven Barclay in the hope that extra pressure can be applied.

10.8 EA Tidal Entrance, Salter's Lode Lock/Old Bedford Entrance Desilting – following a site meeting and subsequent request from the EA, work to clear siltation from the EA controlled tidal side of Salter's Lode Lock and clearance from the Old Bedford River from its confluence with the River Great Ouse to Whitehall Farm Bridge, channel clearance works have recently been undertaken by the Commissioners' contractor. A 22 metre extra-long reach machine was employed to undertake the silt clearance works. It is anticipated this silt clearance will be required on an annual basis to allow Salter's Lode Lock to operate efficiently. The works were undertaken on a fully rechargeable basis.

10.9 Weed and Grass Control on Banks & Channels

Rigid Hornwort – late season growths of this weed were experienced in 2016. Warm water temperatures and fine settled weather conditions during August and September again proven to be ideal growing conditions for this semi-buoyant aquatic plant which proliferated during the late season. The weed mass in its buoyant stage was most noticeable on sections of the Twenty Foot, Forty Foot, Horseway Arm, Sixteen Foot, New Pophams Eau and Pigwater Drain, the latter water channel requiring the intervention of a contractor's machine to remove the excessive dense mass of weed from the watercourse. The Commissioners' weed boat fleet was used to remove the weed from the other affected watercourses.

Duck Weed – the incidence of this floating weed seemed to have made a significant return to many MLC watercourses last season following several years of near absence. Its return was probably attributable to the warm conditions during the late summer and higher than average water temperatures. Although the weed's visual reappearance gives cause for concern, no specific remedial actions were required to remove its mass from water channels last year.



Azolla – last season's azolla growth was sporadic but not problematic within the Commissioners' watercourses.

Reed/Lily Spraying – a favourable weather window during the summer of 2016 allowed for herbicide treatment of lilies and emergent aquatic weed to be made. Channels treated included the Sixteen Foot, Forty Foot, Twenty Foot, New Pophams Eau, Main Drain upstream of the Aqueduct, Old River Nene, Bevills Leam and Whittlesey Dyke.

Weed-cutting (boats) – the weed-cutting and clearing boats worked their way throughout the system last season. Working priority was given to water channels forming the 'link route' (the main navigational route during the busy summer period). As aquatic weed growth slowed during early autumn the boats were deployed throughout the Commissioners' system, cutting marginal reed and vegetation back in preparation for the winter pumping season.

Flail Mowing – last year's conservation cut was followed by two rounds of Health & Safety mowing, undertaken during May and June. The wet weather during June hampered mowing progress, with conditions ideal for the dense grass sward to proliferate. The main cut commenced in mid-July, and has been slowed by mechanical breakdowns and the dense grass sward.

Whilst the Spearhead Energreen machine has generally operated in accordance with expectations the after sale service for the machine has proved somewhat mixed. Engine oil leaking issues were experienced, requiring the engine manufacturer, Deutz, to reseal the sump gasket and undertake other minor after sales work to the engine management unit. Other issues have recently been experienced with a daily air pressure loss from the tyres. This seems to have been attributed to faulty steel rims on three of the eight wheels. New rims have now been fitted. It is hoped that these 'teething problems' will be behind us and that this year the machine will be able to prove its worth.

Following the Board's approval at its last meeting, orders for a replacement tractor and flail mower were placed with Thurlow Nunn Standen for a Massey Ferguson 7720 tractor and Mastenbroek, for a Herder Cavalier flail mower. At the time of reporting, the tractor and mower have been delivered to the Commissioners' depot awaiting final adjustments to tracking width and some additional water ballasting in the rear offside tyre before being put to work. It is envisaged the new flail mower/top mowing configuration will significantly improve mowing work rates and reduce down time experienced in the last season with the old New Holland/Herder Grenadier mower.

The old New Holland tractor and Herder Grenadier mower, which had previously been reported to the Board as having reliability issues and in need of replacement, completed the grass mowing season and were sold through the eBay auction site.

This season's Conservation mowing round commenced in mid-March and is on schedule to be completed prior to the Easter bank holiday weekend.

Considerable downtime has been experienced during the last two mowing seasons with the Commissioners' flail mowing heads, from various items of fly-tipped debris not visible to the operator, causing damage to the flail rotors requiring them to be stripped out and sent to a specialist engineering company in Yorkshire to be re-balanced. In order to maximise future workrate and efficiency, a quotation has been obtained from Mastenbroek Ltd for a spare flail head that could be interchanged in future with damaged units on either the 2011 or 2017 machines. Please see Appendix 14 for Mastenbroek's quotation.

The Board's instruction is requested in relation to this matter.

10.10 Fly-Tipping – has increased significantly within the last two years, both within the Commissioners' watercourses and also IBD controlled watercourses. Items recently removed from the Commissioners' channels include:

<i>Bevills Leam</i>	Panel Van bodywork Sheep Carcase
<i>Main Drain</i>	Large quantity of vehicle tyres and gas bottles
<i>Pigwater Drain</i>	Large quantity of home catalogues
<i>Ramsey High Lode</i>	Shopping trollies and ride on children's toys
<i>Kings Dyke</i>	Various debris including a moped
<i>Forty Foot River (Horseway Arm)</i>	ATM Cash dispensing machine (emptied of cash)

10.11 Trees and Bushes - tree and bush clearance works have been necessary during the reporting period along the following channels;

Old River Nene

March Town Centre – emergency removal of wind-blown willow tree branch blocking navigational passage.

Bill Fen – removal of wind-blown willow tree branch on the landward side of the tree following storm Doris.

Ramsey High Lode

Removal of a wind-blown branch blocking navigational passage through the channel.

Whittlesey Dyke

Pollarding of diseased Lombardy Poplar and Willow trees adjacent to commercial and a residential property along the watercourse.

Great Raveley Drain

Emergency removal of a large conifer from the watercourse at Speed the Plough junction following storm Doris.

Removal of self-sown saplings and bushes from Commissioners' soak dyke at the back of the east side of the raised embankment following a request from local IDB.

Forty Foot River (Horseway Arm)

Removal of limbs from a large wind-blown willow tree on the north east bank at Holly Farm, Horseway following storm Doris.

Removal of two large willow trees from the south west bank following storm damage to both tree crowns following storm Doris.

Pig Water Drain

Pollarding of overgrown willow along the watercourse near to Conquest Lode intake.

10.12 Maintenance Works & Machine Cleansing, Banks and Channels

Phase II Well Creek Dredging (Thurlands Drove Junction – New Bridge) – dredgings placed on adjacent arable fields were left to dry last summer. A contractor's machine was hired to bucket spread the material to allow autumn cultivations to be undertaken. Extraneous debris within the levelled dredged material was removed by handpicking, using additional labour from WMS Recruitment.

Phase III Well Creek Dredging (Hall Bridge [New Bridge] – Church Bridge) – the third



phase of the Well Creek dredging works was planned in conjunction with Norfolk County Highways' Department. A full road closure along the working site would have been preferable, but was not permissible due to the number of residential properties, businesses and the location of the village cemetery along the route. The dredging works commenced during the first week of January 2017.

Dredgings arising from the works were transported from the site of production using contractor's tractors and trailers and deposited in an earth bund constructed on the Commissioners' grass field at Salter's Lode, where it has been left to dry out sufficiently to be re-handled.



Proposed Phase IV Well Creek Dredging (British Legion Footbridge, Upwell – Isle Bridge, Outwell) - it is proposed to continue with Well Creek dredging in 2018, and to undertake a fourth phase early next year. The proposed works will commence from the British Legion Footbridge, Upwell to Isle Bridge, Outwell, and will be undertaken from the adjacent highway. Resultant spoil will be transported away from the receiving site, as bankside disposal of dredged material along the dredging site is not available. The proposed works are, at this stage, in the process of being developed and are subject to approval from Norfolk County Highways Department for a partial road closure of Town Street (A1101), and where bankside access is clear of residential properties and gardens, the south east bank along Lowside, Outwell.

Catchwater Drain – last year’s phased programmed machine cleansing works have been undertaken from the upstream extent of Glatton Road to Straight Drove Bridge by a contractor’s long reach machine.

Pigwater Drain – a contractor’s machine was required to clear a substantial growth of filamentous algae, (Cott) from the watercourse between Farcet Bridge and Great Fen Drove culvert (Tin Dump), during early summer last year. As usual, the coincidence of the algal bloom was linked to optimum growing conditions of strong sunlight and warm water temperatures, during the peak demand period for water abstraction from the Commissioners’ system. A second algal bloom, combined with a dense mass of Rigid Hornwort required removal from the watercourse between Horsey Toll sluice and Farcet overspill following harvest.

Monks Lode (New Dyke Junction – Connington Fen Bridge) – emergent and submerged vegetation were removed from the channel during the late summer 2016 using a contractor’s long reach machine. The weed mass was placed along the landward side of the bank and will be left to compost over the winter months.

Whittlesey Dyke (Whittlesey Sewerage Treatment Works – Lattersey Hill Farm Paddocks) – the dredgings arising from last year’s desilting works were spread to bank and left to dry sufficiently to be bucket spread and levelled using a contractor’s hydraulic machine. Items of debris were hand-picked and removed from site.

New Dyke (Speed the Plough Junction – Holme Winding Hole) – an algal bloom combined with dense growths of submerged aquatic vegetation required clearing at the end of July 2016, in order to provide a clear passage for navigation.



Old River Nene – Ramsey St Mary’s (Lodes End Lock – Nightingales Corner Junction) – maintenance dredging works were undertaken in the New Year to remove a build-up of sediment and siltation from the water channel, using a contractor’s long reach machine. The resultant dredgings have been placed along the adjacent banks and will be levelled in preparation for incorporation back into arable cultivation in the autumn months.

Where the Commissioners’ bank level survey indicates banks are low, the dredged material will be utilised to raise low sections of existing bank, most notably along the south bank from Ramsey St Mary’s bridge to Nightingales Corner junction.

10.13 *Clay Puddling/Bank Raising/Penetrations*

Emergency Clay Puddling Store – this scheme, which involves the MLC taking a lease of a small area of land at a peppercorn rent from the Wildlife Trust, was long delayed due initially to the terms of the draft lease proposed by the Trust's Solicitor and latterly by the need for the Trust to obtain approval from the Crown, as former owners of the land. Those issues were resolved and works commenced on site during February to construct the access roadway and entrance to the Clay Store utilising materials from the nearby Whittlesey brick yards. Clay was brought onto the site, stockpiled and 'tracked-in' to prevent it drying unduly whilst it is being stored. An entrance gate and stock proof fencing have been installed around the perimeter of the site, to demarcate the store boundary and prevent grazing stock accessing the site in the future. Unfortunately road planings, that had been pre ordered to top off the access roadway, were not available when the construction of the store was being undertaken. These will be added when the planings and a hydraulic excavator are next available in the local area.



Kings Dyke to Briggate West – bank raising works to raise a low lying section along the south bank of Kings Dyke, between the Railway Bridge and Briggate West, were completed last year. Clay material was imported to the site and the adjacent access road was raised and topped off with recycled aggregate material.

Old River Nene, Chalderbeach Farm – a short length of bank raising was completed during September along the north west bank. Approximately 200 tonnes of clay material was imported and delivered to site by haulage contractor's lorries, whilst bank conditions were suitable.

Old River Nene, Greenvale Factory – approximately 470m of bank raising work was completed along the east bank of the Old River Nene during the late summer last year, taking advantage of free suitable material from the adjacent Greenvale factory. A contractor's hydraulic machine and trailers were utilised to cart and place the material along the newly raised embankment.

10.14 *Bank Slips and Seepage*

Ramsey High Lode - bank slip repair works will be required to address a bank slip approximately 10m in length along the east bank of Ramsey High Lode. The bank slip is located to the rear of the industrial units on the Stocking Fen Estate. It is anticipated the necessary bank revetment and channel clearance works will be undertaken shortly

Old River Nene, Ramsey St Mary's – a short length of bank seepage was evident following last year's harvest along the north west bank of the Old River Nene.

Approximately 100 tonnes of clay were imported to the site and placed into a puddle trench along the bank using a contractor's machine.

Great Raveley Drain – bank seepage approximately 100m upstream of Green Dyke Pumping Station was reported to the engineers before harvest last year. It was necessary to import clay material to site and puddle approximately 40m of the east bank to staunch the seepage. At the time of reporting the bank remains sealed.

11. Telemetry

The existing Telemetry Master Station is now in excess of 10 years old and run on the Windows XP operating system, which is no longer supported. Therefore it is being replaced with an up to date unit running Windows 10. The upgrade should be complete by the time the Board meet.

As previously reported the planned replacement of the older telemetry outstations is being put in hand as these units fail. These stations are considered beyond end of life and can no longer be repaired or relied upon over the short or medium term.

It is also proposed to install WebWAX as a backup system for critical sites which will provide a redundancy measure in that all sites will send data through to the WebWAX server as well as to the Master Station. This will ensure that in the event of Master Station failure the critical sites will still be transmitting data which will be viewable on a web browser.

The critical sites that have been identified are as follows:

- Abbey Farm
- Bevills Leam
- Control Sluice
- Ransonmoor
- St Germans
- Burrowmoor
- Wild Goose Leys Rain Gauge
- Holme Rain Gauge

This will be implemented during the summer following commissioning of the new Masterstation.

12. Property

12.1 Depot – only routine maintenance has been required.

12.2 Offices – thought has been given to emergency event management and the potential for loss of power to the office. At the November meeting it was proposed that the 2017/18 budget included for some modest expenditure on equipment, such as a mobile generation unit, that can be used to power emergency lighting, phones and key computers in this scenario.

A quotation for a permanent silenced genset was obtained which is summarised below:

SDMO J44K Standby Generator	£6800.00
Delivery	£455.00
125A Manual Changeover Switch	£585.00
Electrical Installation	£4,308.00
Building and Civil Works	£2,500.00
	<hr/>
Total	£14,648.00
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Optional Extended Run Fuel Tank 230 litre	£647.00
Optional Extended Run Fuel Tank 420 litre	£749.00
Optional Canopy Colour Change	£341.00

- 12.3 *Electrical Testing*** - Portable Appliance Testing was carried out at the Depot, Office, St Germans, Bevills Leam and Control Sluice sites during September 2016.
- 12.4 *Salter's Lode Lock House*** – the heating system serving the property is a combination of oil fired and wood burner with back boiler. The wood burner required replacement and the whole system required modifications to meet minimum safety standards. These works have been completed. Also recently, following a failure, it was discovered that the on-site package foul treatment works were in a poor state of repair and required refurbishment. These remedial works are being put in hand.
- 12.5 *6 Deerfield Road, March*** – this property was previously purchased as our sub-office adjacent to the former depot, prior to our move to Whittlesey Road. Since the move to the present offices and the depot also now being on the Whittlesey Road site, the property has ceased to be operational and planning permission for change of use back to a dwelling was obtained and the property let out.

The present tenant enquired whether the MLC would be prepared to sell the property to her, subject to valuation and the price being within her financial range. Based upon a valuation from William H Brown it was suggested that the property should be worth in the order of £150,000. The Board resolved to place the house on the market to allow it to gain its maximum return for ratepayers. Three estate agents then inspected and valued the property at £150K, £160 and between £177.5K and £180K. The property was placed on the market in early spring with Harrison Murry, at the upper valuation. There has not been a large amount of interest but it is pleasing to be able to report that an offer for £166K was made by a cash buyer. This initial offer was rejected and a final offer of £168K was made and has been accepted.

13. Plant & Vehicles

- 13.1 *General*** – on the whole the plant and vehicles operated well during the period.
- 13.2 *Vehicles*** – delivery was taken in April 2016 of a New Ford Transit 350 (ordered through Anglia Farmers). It replaced the 2005 registered transit van, used by the workshop fitters, the old transit was sold by auction on ebay for £2440 including VAT.

Two trucks were replaced during the year and a further two will be replaced this year.

- 13.3 *Mowers*** – see item 10.9 (Flail Mowing) and Appendix 9.
- 13.4 *Weed Boats*** – all boats have generally operated satisfactorily with only the usual maintenance requirements and repairs to the cutting heads being necessary.

Draft guidance, produced by AINA, for a Standard for Inland Waterway Non Passenger Vessels has been received which appeared to be excessive when related to the weed boats we use. Hemos (the manufacturers of our boats) were consulted and agreed with our opinion and as a consequence made an official CE-declaration referring to the guidance produced by AINA.

- 13.5 *Miscellaneous Items*** – also purchased this year were a sweeper bucket for the teleporter, a replacement chipper, and a replacement flail head for the newer Herder. An agricultural trailer will be purchased this year to allow us to transport spoil and other materials.

14. Asset Records

Nothing further has been heard on the EA AIMS system of asset recording. The Commissioners have surveyed all known penetrations through their maintained banks, some of which are now redundant and in some cases in poor condition. Where one or more of these identified structures is owned by an IDB they are being contacted and asked to discuss the best course of action.

15. Improvements and Surveys

15.1 *St Germans New Pumping Station* – as has been the case for some time, the position regarding the outstanding claim of Mr Loades remains that Mr Loades' agent Jonathan Fryer has not sought to progress the matter. This matter has been outstanding for some years with no contact from Mr Fryer and is likely soon to be time barred. The District Valuer has recently contacted the Chief Executive and has proposed that the case be closed for this and all other land related claims.

15.2 *River Works* – the extent of bank raising works is described elsewhere in this report.

15.3 *Bevills Leam Pumping Station* – the priorities for this Station are:

1. The replacement of the main pump control components that are generally now obsolete. This has been partially achieved through the backup generator installation scheme. Further improvements planned by way of replacement of the Station's auxillary generator/controls have been completed.
2. What to do about the Dorman engines and gearboxes for pumps 4, 5 & 6 will need to be addressed within the medium term. However this would likely trigger the eel regulations requiring replacement pumps to be installed, it is therefore recommended that any major changes to the Station are postponed until further clarification is obtained from the EA.
3. The lack of smoke/heat detection and fire alarm equipment needs to be reviewed and action taken if necessary.
4. Permanently stop the rain ingress through the Station roof.

15.4 *Embankment Raising Works* – to underpin the business case for a bank raising scheme it has been necessary to commission a refresh of the Middle Level Strategy. This work is taking the shape of an addendum to the existing strategy. It addresses issues such as changes in legislation, changes in climate change guidance, changes in methods of analysis and scheme choice development utilising the Treasury's 5 Business Case rules. In addition the ISIS computer model is being improved and updated to reflect the changes made to the system since 2004, including bank raising, the Aqueduct works and, of course, the replacement of St Germans Pumping Station. Work is advancing steadily and is being undertaken by Peter Brett Associates at a cost of just around £50K. 50% of this cost is being recovered through GiA.

15.5 *Sixteen Foot Survey* – a channel bed survey of the river was undertaken in-house and indicated deposits of sediment and siltation averaging around 600mm above the design bed level. Although this does not seem excessive considering the timescale since dredging was last undertaken, it may be a contributing factor to the sluggish flows which have been noted following heavy rainfall and pumping operations at St Germans Pumping Station. The results are under review and it is likely that a scheme for planned dredging will be proposed within the next three years.

16. Environment Agency (EA) Studies/Works/Plans

16.1. Ouse Washes Reservoir Works

The Board will recall that, in addition to the Nene Washes being a 'large raised reservoir' under the control of a Panel Engineer, the Ouse Washes has similar status. The Panel Engineer has issued a report "in the interests of safety", under the 1975 Reservoirs Act section 10, requiring certain works to be undertaken by 2021. These, we have been advised, will involve the raising of the Middle Level Barrier Bank to above the 1 in 1,000 years event levels. The Panel Engineer has stated that flows above this level would not be able to enter the washes hence do not need to be considered. Works are also expected on the South Barrier Bank, but these will offer a lesser level of protection and are simply

addressing an issue of low spots. Works should span three years and will be designed to fit in with the 'conservation window'.

16.2 Cranbrook Drain/Counter Drain (Welches Dam Pumping Station) Strategy Study – there is nothing further to report at this time.

16.3 Whittlesey Washes – work to reinforce the South Barrier Bank to meet the design standard required by the Reservoirs Act Panel Engineer is complete.

16.4 Stakeholder Representation and/or Consultation - is maintained in respect of the following:

- i. Cambridgeshire and Peterborough Local Flood Warning Planning Group – Chief Exec
- ii. Great Fen Steering Committee – Chief Exec
- iii. Wet Dredgings – Operations Engineer
- iv. British Standards Institute CB501 – Chief Engineer representing ADA
- v. EA National Asset Management Technical Advisory Group (AMTAG) – Chief Exec representing ADA
- vi. CIWEM (Chartered Institute for Water and Environmental Management):– Rivers and Coastal Group committee Vice Chair – Chief Exec
- vii. Updating Freeboard Allowance Steering Group – Chief Exec
- viii. AINA Wet Dredgings Group – Operations Engineer
- ix. Huntingdonshire Local Plan & SFRA – Planning Engineer
- x. Fenland Local Plan – Planning Engineer
- xi. Peterborough Flood & Water Management Partnership – Planning Engineer
- xii. KL&WN Local Plan – Planning Engineer
- xiii. East Cambs Local Plan, SFRA & WCS – Planning Engineer
- xiv. Peterborough Local Plan, SFRA & WCS – Planning Engineer
- xv. South Cambs Local Plan – Planning Engineer
- xvi. Fenland Developers Forum – Planning Engineer and Assistant Engineer
- xvii. March Flood Investigation Group – Planning Engineer
- xviii. Cambs County Flood & Water SPD Steering Group – Planning Engineer (recently completed)
- xix. EA Small Scheme Streamlining Grant Working Group – Chief Exec
- xx. EA/IDB Eel Liaison Group – Chief Exec as Co-Chair
- xxi. Anglian Water Natural Capital Workshop – Chief Exec
- xxii. Cambs ACRE, Giving Nature The Edge – Chief Exec and Environmental Officer
- xxiii. Well Creek Trust – Operations Engineer

17. Planning

17.1 Planning Applications – feedback from discussions with Councillors during the Board's Tour of Inspection was positive. Meetings with a senior officer of Peterborough City Council and the joint head of Planning Services for Peterborough and Fenland Councils have been held, but it is clear that the planning authorities have suffered from the severe cuts implemented and that there is a lot of pressure on them to support development and expansion. Whilst it is hoped that improvements can be made in provision of a joined up approach (with the planning authorities) on flood risk and consenting matters, it must be recognised that the Commissioners have limited resources and the Councils' officers limited understanding of technical issues, hence there is no simple fix available.

17.2 Sustainable Drainage Systems (SuDS) – the position with SuDS remains unsatisfactory in relation to the adoption and long term arrangements for maintaining them. I wrote recently to all our local MPs on this matter and obtained a response from Andrea Leadsom MP, via Elizabeth Truss MP, suggesting that the policing of SuDS maintenance will be down to the planning authorities. Copies of correspondence are included in Appendix 12.

17.3 *Riverside Enhancements Ramsey Basin* – the planned works for installation of a 180m length of piling along the southern end of High Lode on the eastern bank to create new moorings have been delayed, but may well (at least partially) be implemented by the County Council in late 2017. An application for consent has been received and approved.

18. Recreation

18.1 *Navigation* – an incident occurred when a narrow boat ran aground at the Holme winding hole at New Dyke, Connington Fen in December last year. This required the intervention of a MLC 4x4 vehicle to free the vessel, which had become wedged between the bank and the island at the site, whilst attempting a turning manoeuvre. The island has since been removed to prevent the reoccurrence of the situation in the future.

The illegal mooring of boats is starting to become a problem at certain locations, particularly by 'live aboards'. Many public moorings have a time restriction ie mooring for 36 hours only, however a number of these boats moor up for days at a time before being asked to move on. This was highlighted this winter by a boat mooring on the town moorings for over four months, despite various requests for him to move. Although the MLC own the river frontage the moorings are controlled by FDC who has said it does not have the powers to move boats on! The owner of this particular boat has engine problems and is not in a position to move on his own. We understand he also does not have a boat safety certificate or insurance. MLC are currently in discussion with FDC as if we take possession of the boat after serving notice we would be making the owner homeless.

18.2 *Removal of Sunken Boat Kings Dyke*

No further communication has been received on this matter and as a result the matter is therefore deemed to be closed.

18.3 *Horseway to Old Bedford*

A presentation on this project was given to the Board by the IWA at its November 2016 meeting.

Iain Smith sat on the EA's Regional Navigation Panel (now the Anglian Waterways Group) where issues relating to local navigations are discussed and it is anticipated that the MLC will continue to be represented on this panel. The current matter perhaps of most interest to the MLC remains the position regarding the Project (Project Hereward) to make Welches Dam Lock serviceable and reopen the navigation of the Forty Foot between Welches Dam and Horseway Lock.

18.4 *Passing of EA Navigation Assets to CRT* – the Board will recall that, some 10 years ago, there was a proposal by the then Government to transfer the navigations under the jurisdiction of the EA to British Waterways and that, while this proposal was at the time not proceeded with, it remained the Government's longer term intention, subject to it being acceptable to the Trustees of the Canal and River Trust (CRT) (which has taken over the British Waterways functions) and being "affordable". We have been informed that this matter is back on the agenda and is now being reconsidered but that discussions are at an early stage. It appears that funding may be the sticking point at present.

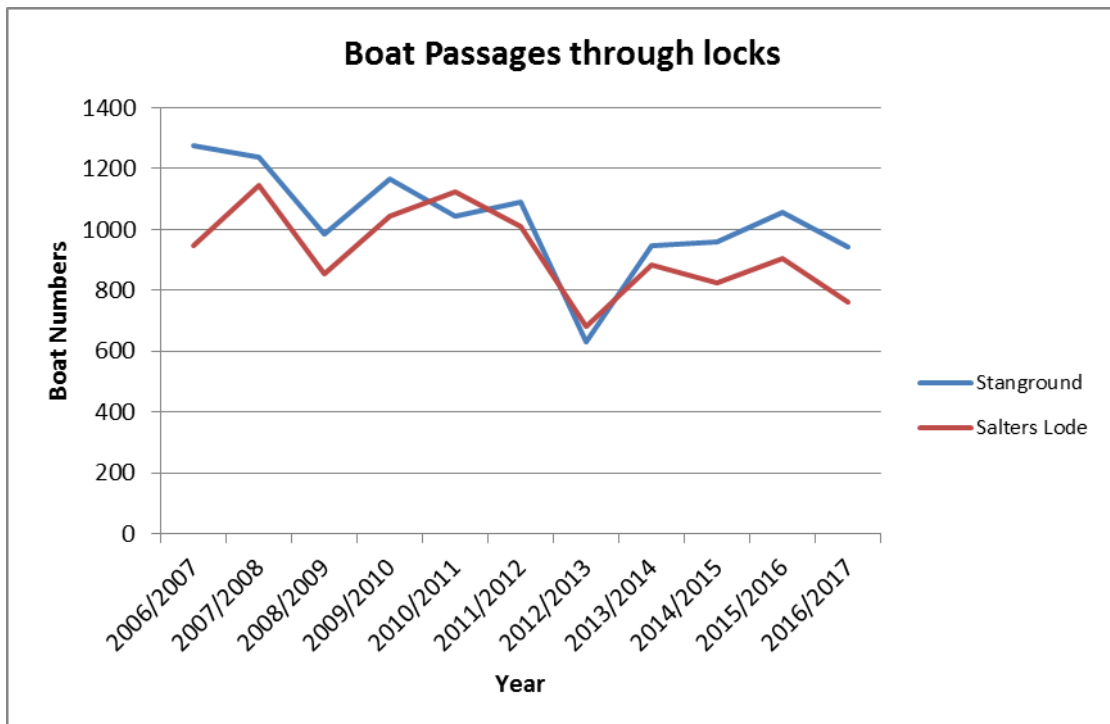
18.5 *Well Creek Trust Moorings at Salter's Lode* - these moorings have partially collapsed. Given the new Act the Board is pursuing it may be appropriate to offer to take over these moorings, if they are put in a good order.

18.6 *General* – we continue to seek to discuss with local planning authorities how navigation corridors will be protected and enhanced within Local Development Strategies and are pushing for appropriate local policies relating to navigation to be included within those Strategies.

18.7 Inland Waterways Association (IWA) Volunteering - a meeting to plan for the second season of voluntary work with the Peterborough branch of the IWA was held last autumn. The site meeting identified the work site along the Horseway arm of the Forty Foot River, and the scope of the works required. Planned lower bank bush trimming works continued along the north bank of the channel last season, to clear overhanging branches and bushes from the water line of the channel. The voluntary work was supervised and directed by an IWA trained Health and Safety advisor.

18.8 Boat Passages - boats movements through Stanground and Salter's Lode Locks were as shown below (figures for the previous year are shown in brackets):

Boat Passages – 2016/2017				
Month	Salter's Lode Lock		Stanground Lock	
	In	Out	In	Out
April	26 (34)	32 (38)	39 (34)	44 (43)
May	46 (46)	44 (54)	42 (81)	63 (79)
June	50 (76)	61 (69)	70 (72)	57 (89)
July	77 (78)	85 (91)	84 (94)	82 (89)
August	86 (103)	70 (91)	94 (116)	113 (109)
September	66 (60)	65 (61)	81 (78)	50 (61)
October	13 (27)	19 (28)	41 (31)	24 (27)
November	2(6)	6 (5)	6 (13)	4 (6)
December	1 (1)	2 (1)	2 (2)	3 (3)
January	2 (0)	2 (0)	4 (0)	3 (0)
February	0 (2)	1 (1)	1 (0)	1 (1)
March	14 (27)	8 (13)	14 (9)	20 (18)
TOTAL	383 (460)	395 (452)	478 (530)	463 (525)



18.9 Angling

National Fishing Matches – the 2016 National Pike Angling was held in November along Glassmore Bank and Whittlesey Dyke, hosted by Whittlesey Angling Association. Match results were mixed, however some fine specimen fish were landed during the competition

Club Reports – no match reports other than the National Pike Angling Championships have been received during the reporting period. Winter league match venues continue to favour the sheltered swims along the Old River Nene through March Town centre and Benwick Village, both reaches showing signs of the good sport that is available on the Commissioners' watercourses.

World Angling Championships – the proposed bid to host the championships on the Commissioners' Main Drain was abandoned after Kings Lynn AA withdrew its offer to host the event due to a capital funding shortfall from the organising bodies.

18.8 Middle Level Waterways Users Committee - the Committee met on the 15th April and the 21st October 2016. They will meet again on 21st April 2017.

19. Conservation – this is covered in detail in the Environmental Officer's Report.

19.1 The Operations Manual – this is reviewed annually.

19.2 The Commissioners' and local Drainage Boards' Biodiversity Action Plans – are largely implemented and development of the next wave of plans is being prepared. As previously reported these are likely to have a heavy emphasis on data gathering and monitoring.

19.3 Conservation Committee - the Committee met on the 16th March 2016, 29th September 2016 and 16th March 2017.

19.4 Woodwalton Fen Alternative Storage – discussions on the removal and replacement of the flood storage facility linked with Woodwalton Fen continue, but a scheme and funding for it are still considered some way off. A scheme to raise the Fen's southern bank to reduce frequency of flooding is considered more imminent.

19.5 Great Fen General – a memorial service for the Spitfire pilot who crashed into what is now part of the Great Fen in 1940 was held on 15th September. The Chief Executive attended on behalf of the Commissioners.

19.6 Eel Studies – the Chief Engineer continues to Co-Chair an EA/IDB liaison group on behalf of ADA which is looking into the matter of eels and IDB pumping stations which have been identified as priority sites. Defra's position statement was withdrawn in May 2016. Its replacement is awaited but is being delayed due to Brexit. It is, however, understood that whilst the targets and approach will most likely remain unaltered the timeframes set have been removed, hence there is no limit on how long an asset can be out of compliance as long as it has an exemption from the EA. Works to improve or replace a station or remedial works on elements linked with the passage of water will, however, trigger the regulations and require consideration of how eel passage can be offered or improved.

Within the St Germans pond, and at the Station itself, eel movement monitoring and physical eel passage through pump trials have been carried out. As part of this exercise 21 eels were placed in the upstream intake of the Pumping Station and the pumps turned on. The findings have concluded that the pumps can be classified as eel friendly.

In the wider area eel research is throwing up some interesting findings which do tend to show the feelings of affected IDBs that, without a full understanding of eel movements, investment in solutions is likely to be wasteful. For this reason it was recommended that the Board supported calls for further research and continued to offer involvement in terms of

staff time. The Commissioners resolved to contribute £500 towards this research at their November meeting. To date over £20K has been committed by IDBs towards this project.

20. Internal Drainage Board Works

20.1 *Weed Control & Channel Maintenance*

Inspections/advice/assistance – recommendations on weed control were made to 13 Internal Districts. Middle Level operatives undertook herbicide applications on 11 Internal Districts, as weather conditions allowed, on a contract basis during 2016/17.

Maintenance Dredging and Associated Channel Works – work was organised and co-ordinated in 14 Board's areas.

20.2 *Pumping Station Maintenance*

Service Visits – the Commissioners' engineers made 357 visits to IDB pumping installations to carry out routine inspections/maintenance and/or rectify breakdowns.

Other Maintenance Works – carried out, or in progress, at pumping stations:

Various IDB's	<ul style="list-style-type: none">• Automatic weedscreen cleaner repairs.
Bensons Pumping Station (Curf & Wimblington Combined IDB)	<ul style="list-style-type: none">• Automatic weedscreen cleaning equipment and security fencing - complete
Binnimoor Pumping Station (March East IDB)	<ul style="list-style-type: none">• Pump replacement - specification prepared, quotations obtained.
Burrowmoor Pumping Station (March Third DDC)	<ul style="list-style-type: none">• Telemetry system - specification prepared, quotation obtained, order placement in hand.
Cock Fen Pumping Station (Upwell IDB)	<ul style="list-style-type: none">• Automatic weedscreen cleaning equipment - tenders prepared and returned.
Copalder Pumping Station (Benwick IDB)	<ul style="list-style-type: none">• Replacement discharge isolation valve and flap valve - quotes obtained damming of for survey in hand• Investigations of discharge valve fault and replacement alternatives - ongoing.
Curf Pumping Station (Curf & Wimblington Combined IDB)	<ul style="list-style-type: none">• Automatic weedscreen cleaning equipment and security fencing - complete
Duncombes Pumping Station (March West & White Fen IDB)	<ul style="list-style-type: none">• Pump overhaul - complete
High Causeway Pumping Station (Swavesey IDB)	<ul style="list-style-type: none">• Telemetry system - specification prepared, quotation obtained, Board's decision awaited.
New Fen Pumping Station (Ramsey Upwood & Great Raveley IDB)	<ul style="list-style-type: none">• Modification to delivery pipework due to surge chamber subsidence.
Nordelph Pumping Station (Upwell IDB)	<ul style="list-style-type: none">• Resolution of metering issues with SSE/UKPN - issue now appears resolved.
North Creek Pumping Station (March Fifth IDB)	<ul style="list-style-type: none">• Pump lifted for inspection - complete.
Over Pumping Station (Over & Willingham IDB)	<ul style="list-style-type: none">• Automatic weedscreen cleaning equipment and security fencing modifications - tenders

prepared and returned, order being placed. Installation planned for April 2017.

Pidley Pumping Station
(Warboys, Somersham & Pidley IDB)

- Replacement Pump Control Equipment and Telemetry system - complete

Polver Pumping Station
(East Of Ouse Pover & Nar IDB)

- Replacement level control equipment - complete

South Creek Pumping Station
(March Fifth IDB)

- Replacement level control equipment - complete

Stonea Fen Pumping Station
(Curf & Wimblington Combined IDB)

- Replacement inlet penstock – complete.

Upwell Fen Pumping Station
(Upwell IDB)

- Automatic weedscreen cleaning equipment – tenders prepared and returned,

Upwood Common Pumping Station
(Ramsey Upwood & Gt Raveley IDB)

- Replacement inlet penstock – complete.

Westmoor Pumping Station
(Warboys Somersham & Pidley IDB)

- Automatic weedscreen cleaning equipment and structural modifications – complete.

White Fen Pumping Station
(March West & White Fen IDB)

- Replacement automatic weedscreen cleaning equipment, quotation obtained, Board's decision awaited.

Wimblington Common Pumping Station
(Curf & Wimblington Combined IDB)

- Weedscreen Cleaner overhaul - complete

Periodic Electrical Testing – re-testing of fixed equipment and remedial works at IDB pumping stations continue as and when required.

20.3 *Improvement Works*

IDB Projects - progress is as follows:

Bensons Pumping Station
(Curf and Wimblington IDB)

- Weedscreen cleaner installation - complete.

Catchment Improvement Works at A47
(Hundred of Wisbech IDB)

- The Highways Authority has advised that it will be progressing a scheme design and then installation of an upsized A47 culvert. The EA has allocated money for 2016/17 for an IDB scheme. Business case under development.

Curf Pumping Station
(Curf and Wimblington IDB)

- Weedscreen cleaner installation – complete.

Inlet Structures – modifications to inlet structures and access platforms.
(Hundred Foot Washes IDB)

- Further phases expected.

Green Dyke Pumping Station replacement
(Ramsey, Upwood and Great Raveley IDB)

- Financial assessment carried out to see what grant might be worth pursuing. Report to be issued.

Ransonmoor Pumping Station
(Ransonmoor DDC)

- Major improvement – complete.

Stow Bardolph Pumping Station
(Downham & Stow Bardolph IDB)

- Business case development for a replacement pumping station completed and grant approval received. Design work begun.

Washways Pumping Station
(Warboys, Somersham & Pidley IDB)

- Major improvement - complete.

Work organised by the Works Department and carried out by Middle Level Labour - assistance has been given with the following:

Benwick IDB

- Herbicide application to Board's drains.
- Assist contractor with installation of replacement culvert in Board's Drain.
- Arrange and oversee machine cleansing works to Board's drains.
- Fence repairs to Ibbersons Pumping Station.

Curf & Wimblington Combined IDB

- Herbicide application to Board's Drains.
- Arrange and oversee machine cleansing works to Board's drains.
- Assist contractor with 165m bank piling works to Board's drains (3 sites).

March East IDB

- Herbicide application to Board's drains.
- Arrange and oversee machine cleansing works to Board's drains.
- Remove fly-tipping from Board's drains.
- Assist contractor with bank piling works.

March Fifth DDC

- Herbicide application to Commissioners' drains.
- Clear debris from weedscreen deck at South Creek Pumping Station.
- Arrange and oversee machine cleansing and bank trimming works to Commissioners' drains.

March Sixth DDC

- Herbicide application to Commissioners' drains.
- Arrange and oversee machine cleansing works to Commissioners' drains.

March Third DDC

- Herbicide application to Commissioners' drains.
- Arrange and oversee machine cleansing works to Commissioners' drains.
- Remove maple tree at Gaul Road development site.

March West & White Fen IDB

- Herbicide application to Board's drains.
- Assist Contractor with approximately 400m bank piling works.
- Arrange and oversee machine cleansing works to Board's drains.

Needham & Laddus IDB

- Assist contractor with side culvert installation.
- Arrange and oversee machine cleansing works to Board's drains.

Nightlayers IDB	<ul style="list-style-type: none"> • Assist contractor with bank repair and piling works to Board's Drain at Laddus Bank.
Ramsey First (Hollow) IDB	<ul style="list-style-type: none"> • Herbicide application to Board's drains. • Arrange and oversee machine cleansing works to Board's drains. • Assist contractor to install approximately 25m timber piled revetment works.
Ransonmoor DDC	<ul style="list-style-type: none"> • Herbicide application to Commissioners' drains. • Arrange and oversee machine cleansing works to Commissioners' drains. • Sapling removal and disposal works. • Remove fly-tipping from Commissioners' drains.
Sawtry IDB	<ul style="list-style-type: none"> • Flail mowing Board's drains.
Swavesey IDB	<ul style="list-style-type: none"> • Herbicide application to Board's drains.
Waldersey IDB	<ul style="list-style-type: none"> • Assist contractor with installation of 2no.replacement culverts. • Arrange and oversee machine cleansing works to Board's drains.

21. **Engineering Fees**

21.1 **Fees** – the fee outlook for this next financial year again remains steady, with the largest income generators likely to be the design of the new Stow Fen Pumping Station scheme and Green Dyke Pumping Station.

22. **ADA**

22.1 **Meetings** - the Chief Engineer and Environmental Officer continue to attend the ADA Technical and Environmental Committee meetings. The Chief Engineer also continues to represent ADA on the BSi panel and EA/defra – national AMTAG (Asset Management Theme Advisory Group) and most recently the EA/IDB Eel Liaison Group.

22.2 **The Annual ADA Conference** – will this year be held on 16th November at One Great Georges Street, Westminster. Members who wish to attend should let the office know well in advance.

23. **EA Sanctioned Project List**


23.1 **A list of the EA 'Sanctioned Project List'** follows, covering all MLC and MLC consultancy projects for 2017/18:

▪ Great Fen	Water Level Management Restoration Scheme
▪ MLC	Bank Raising and Strategy Review
▪ Downham and Stow IDB	Stow Pumping Station Replacement
▪ March East IDB	Binnimoor pump replacement
▪ Hundred of Wisbech	A47 downstream channel improvements
▪ Ramsey, Upwood & Great Raveley IDB	Green Dyke Pumping Station Replacement

24. **Renewable Power**

At present the savings and FITs payments linked with the office PV cells installation remain ahead of predictions.

13 April 2017

A handwritten signature in black ink, appearing to read 'D Thomas', with a long horizontal flourish extending to the right.

David Thomas
Clerk, Chief Engineer & Chief Executive

RAINFALL - April 2016 - March 2017

Month	Albion Rippon	Charteris	March	Stanground Leck	Tribbles Bridgils Lawn	Monthly Average	Cumulative Monthly Average		Standard Average	Cumulative Standard Average		Excess of rainfall over standard average	Cumulative difference
							Apr - Sept	Oct - Mar		Apr - Sept	Oct - Mar		
2016													
April	53.7	90.9	49.0	43.2	90.0	51.76	51.8	44.01	44.0	44.0	7.1	7.1	
May	20.4	92.5	40.0	40.1	30.5	38.30	90.1	46.52	90.7	90.7	-7.8	-0.7	
June	60.3	60.1	91.0	83.3	80.0	76.54	96.6	47.50	97.8	97.8	29.4	29.8	
July	48.3	30.7	26.0	27.3	25.0	31.46	99.1	54.67	99.5	99.5	-29.2	0.0	
August	27.1	34.5	28.0	39.5	30.0	31.82	29.9	56.30	302.8	302.8	-36.5	-18.9	
September	42.8	45.7	43.0	49.5	42.5	44.70	24.6	46.41	305.2	305.2	-11.7	0.0	
October	21.3	17.9	27.0	37.7	27.0	26.16		60.86	306.74	306.74	-34.7	-62.5	
November	63.5	90.8	53.0	62.0	65.0	60.06		53.79	309.0	309.0	6.2	-46.4	
December	31.4	30.3	35.5	32.0	22.0	30.24		45.53	317.04	317.04	-14.9	-62.8	
January	36.7	35.5	44.5	28.7	40.0	37.08		47.73	325.77	325.77	-40.7	-40.2	
February	44.0	31.0	34.5	45.5	35.5	38.10		33.78	339.55	339.55	4.2	-61.4	
March	41.5	28.1	38.5	35.5	35.0	35.72		34.49	374.04	374.04	1.2	-48.6	
TOTAL	491.0	481.9	510.0	524.3	502.5	501.94	24.6	571.04	303.2	371.0	1.2	-48.6	

The standard average is for the current standard reference period 1986-2015.

Average rainfall in recent years

April 2016 - March 2017	274.6mm
April 2015 - March 2016	544.0mm
April 2014 - March 2015	573.0mm
April 2013 - March 2014	673.0mm
April 2012 - March 2013	794.0mm
April 2011 - March 2012	768.0mm
April 2010 - March 2011	459.8mm
April 2009 - March 2010	603.5mm
April 2008 - March 2009	590.3mm
April 2007 - March 2008	506.1mm
April 2006 - March 2007	605.1mm
April 2005 - March 2006	467.1mm
April 2004 - March 2005	582.8mm
April 2003 - March 2004	514.6mm
April 2002 - March 2003	660.0mm
April 2001 - March 2002	621.1mm
April 2000 - March 2001	708.3mm

HYDROLOGY AND PUMPING - April 2016 - March 2017

Month	Rainfall			Estimated Potential Evaporation (mm)	Soil Moisture Deficit (mm)	Rain Days		Pumping			Minimum Water Levelling A.D.			
	Monthly Average (mm)	Standard Average (mm)	Deficit (mm)			Surplus (mm)	Area Average *	Standard Average *	Days	St. Germans Mega Litres pumped	Estimate Run-off (mm)	Bodils Leam Mega Litres pumped	Bodils Realty Bridge	Great Realty Drain
April	51.76	44.65	7.15	58	21	18	13	26	6714	9.00	1856	96.63	96.60	
May	33.30	46.32	7.82	60	54	14	12	17	2070	3.90	863	96.72	96.65	
June	76.64	47.90	28.44	46	32	19	12	22	4777	6.00	724	96.72	96.63	
July	31.48	54.67	23.21	62	62	13	12	30	630	1.20	271	96.06	96.61	
August	31.82	56.30	24.48	62	126	12	12	6	725	1.00	280	96.06	96.62	
September	44.70	46.41	1.71	45	130	11	11	20	2815	4.00	464	96.06	96.57	
October	26.16	60.86	34.70	96	123	11	14	2	2959	3.30	471	96.67	96.54	
November	60.06	63.78	6.27	6	70	21	16		4461	6.40	1091	96.62	96.54	
December	30.24	46.98	14.94	52	66	12	15		4459	6.40	822	96.61	96.52	
January	37.68	47.73	10.65	8	32	19	16		7068	10.10	1579	96.65	96.53	
February	38.10	33.78	4.32	3	19	14	14		13093	16.00	2966	96.04	96.52	
March	35.72	34.46	1.23	15	24	12	13		9428	13.60	1649	96.61	96.53	
TOTAL	601.94	671.04	66.10			176	100	101	66649	81.10	13140			

* Standard average (1986 - 2015) rain days taken from available information

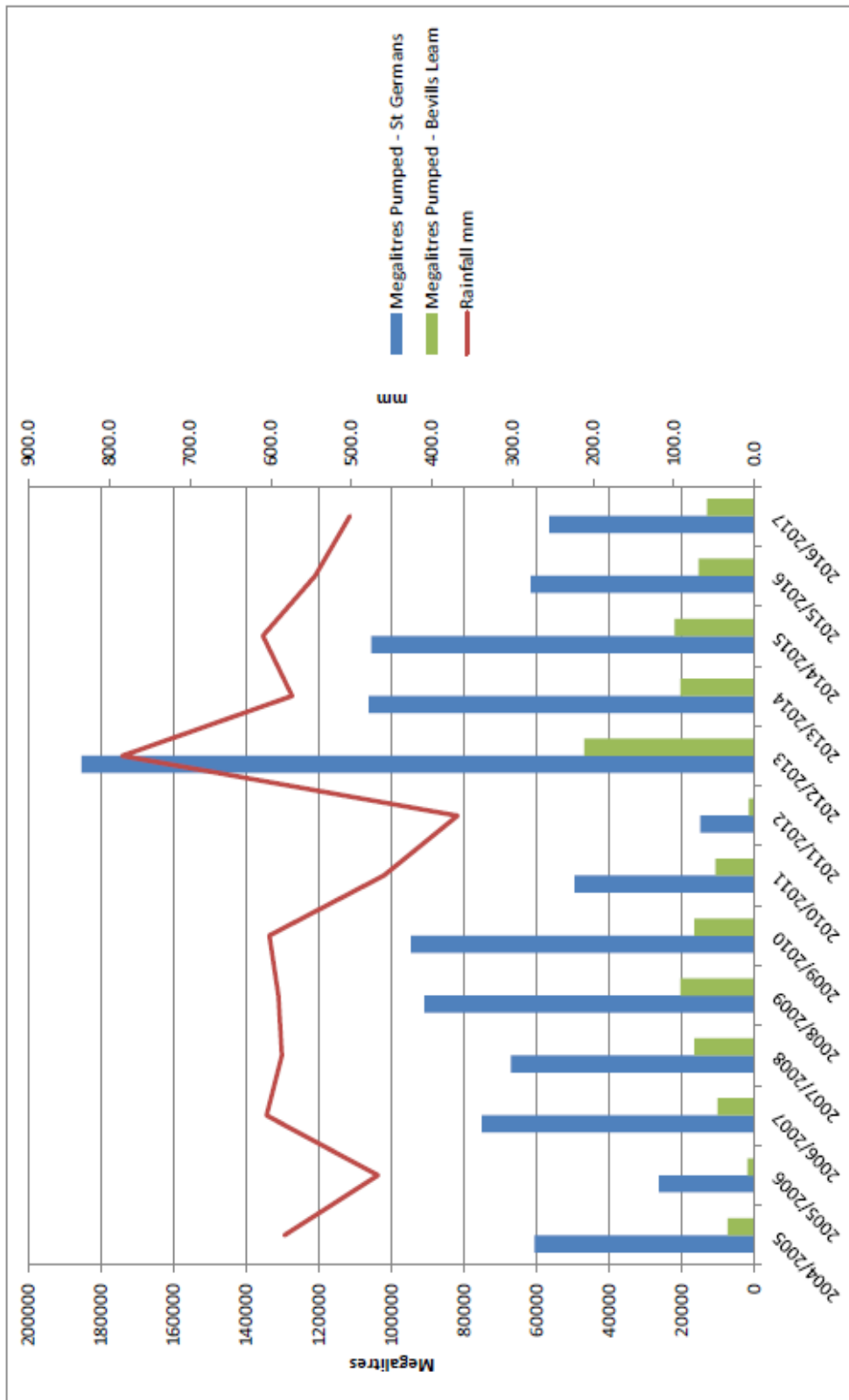
Mega Litres Pumped at St Germans

April 2016 - March 2017	66649
April 2015 - March 2016	61672
April 2014 - March 2015	106588
April 2013 - March 2014	109200
April 2012 - March 2013	186408
April 2011 - March 2012	14900
April 2010 - March 2011	46563

Mega Litres Pumped at Bodils Leam

April 2016 - March 2017	13140
April 2015 - March 2016	15362
April 2014 - March 2015	22047
April 2013 - March 2014	20422
April 2012 - March 2013	46951
April 2011 - March 2012	1960
April 2010 - March 2011	10773

APPENDIX 3
 Rainfall and Pumping at
 St Germans and
 Bevills Leam



Plant Replacement Strategy - Revised April 2017

Plant/Vehicle	Reg.	Comments or Present Condition	FINANCIAL YEAR																													
			05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30				
Traitors and Rails																																
Top Mower 1																																
Trail Mower (Hender)																																
John Deere Tractor																																
New Holland Tractor '08																																
Missisy Tractor																																
Spearhead 1																																
Missisy Tractor & Header																																
Wheat Boats																																
Hemco Lifer Boat '03																																
Hemco Lifer Boat '04																																
Hemco Cutter/Lifer '04																																
Hemco Combil Boat '05																																
Hemco Combil Boat '05																																
Larries and Trudels																																
Neco Lorry & Alas Crane																																
Neco 1.1 Tonne Tipper																																
Ford Tractor - Woke																																
Ford Pick-up - Works																																
Mitsubishi Pick-up Works																																
Ford Pick-up - Works																																
AE59 AN74																																
AE13 MW4																																
Mitsubishi Pick-up - Works																																
Ford Connect Van - Works																																
Ford Connect Van - Works																																
Toyota Pick-up - (Cops Man)																																
Nissan Pick-up (Foreman)																																
Ford Pick-up (Conservation)																																
AM6B MMV3																																
Ford Pick-up (Assist Ops Man)																																
Other																																
New Trailer																																
JCB Teleporter																																
Fork Lift																																
Front Bucket and a weep																																
Misc Equipment																																
Plant Sales																																

KEY: 1 Date of registration/manufacture 2 Actual replacement cost for year just ended
 15 Est. replacement year and cost 2 Plant sale estimate
 13 Previous replacement year and cost

The aim of the plant strategy is to allow financial planning for investment in major items of plant.
 The plant strategy is reviewed annually and adjusted based on the factors listed below

- i) Requirements
- ii) Plant reliability
- iii) Plant reliability
- iv) Residual value of existing plant items (ie it may more economic on balance to sell an item whilst it has a reasonable residual value)

Plant and Vehicles - March 2017

		Date of Purchase	Approx. Hours/ Miles	Estimated Insured Value (£)	Present Condition
New Holland T5060 Tractor	AE08 LMU	Aug'08		18000	Very Good
Votex Mower 2			3045	2300	Very Good
Votex Mower		Nov'10	2925	2300	Very Good
SPV 3		Sep'15	905	180000	Very Good
Massey Ferguson Tractor	AE60 FVF	Oct'10		30000	Very Good
		Oct'10	6290	10000	Good
Hemos Weed Lifting Boat		Aug.'03		7000	Good
Hemos Weed Lifting Boat		Aug.'04	8925	7000	Good
Hemos Combi Boat		Nov.'05	6642	11000	Good
Hemos Combi Boat		Apr.'08	7044	15000	Good
Hemos Combi Boat		May'15	1450	40000	Very Good
Hilux pick-up	AK57 UFH	Sep.'07	94391	5000	Fair
Nissan Pick-up	AE66 MXJ	Nov'16	4480	13500	Very Good
Iveco Tipper	BL12 LCZ	Aug'12	17417	15000	Good
Mitsubishi L200	AE13 MDV	Apr'13	36830	9500	Good
Ford Connect	AE63 DHU	Sep'13	35921	7000	Very Good
Mitsubishi L200	AE64 NSN	Sep'14	25216	10000	Very Good
Toyota Hilux	AO64 ZNV	Feb'15	17606	13000	Very Good
Transit Van	AK16 HYH	May'16	5028	16000	Very Good
Ford Pickup	AM58 MWG	Dec'08	120313	2000	Very Poor
Hilux pick-up	AU62 YAD	Sep'12	108771	11000	Good
Ford Ranger	AE63 DJY	Nov'13	70944	13000	Very Good
Nissan Pickup	AE66 MVS	Sep'16	18000	18000	Very Good
Ford Iveco Lorry & Atlas Crane	S411 YEW	Jan.'99	152695	12000	Fair
Caterpillar Fork Lift Truck		June '09		1000	Fair
JCB Teleporter	KX56 MHV	March '07		20000	Very Good

APPENDIX 6
Engineering Fees

Engineering Consultancy Fees - 2016/2017

	£
Benwick IDB.....	3,049.15
Bluntisham IDB.....	266.25
Churchfield & Plawfield IDB.....	1,437.27
Conington & Holme IDB.....	811.30
Curf & Wimblington Combined IDB.....	7,002.92
Downham & Stow Bardolph IDB.....	13,913.26
East of Ouse Plover & Nar IDB.....	2,593.00
Ely Group of IDB's.....	0.00
Euximoor IDB.....	171.12
Farmcare.....	34.25
Feldale.....	464.75
Haddenham Level DC.....	110.50
Holmewood & District DDC.....	331.50
Hundred Foot Washes IDB.....	53.00
Hundred of Wisbech IDB.....	10,163.42
Manea & Welney DDC.....	984.85
March West & White Fen IDB.....	6,829.32
March East IDB.....	5,137.40
March Fifth DDC.....	2,179.94
March Sixth DDC.....	1,004.39
March Third DDC.....	2,394.44
Needham & Laddus IDB.....	2,487.00
Nightlayers IDB.....	2,274.25
Nordelph IDB.....	118.15
Over & Willingham.....	1,849.46
Ramsey Upwood & Great Raveley IDB.....	3,870.10
Ramsey First (Hollow) IDB.....	2,012.26
Ramsey IDB.....	129.25
Ramsey Fourth (Middlemoor) IDB.....	619.72
Ransonmoor DDC.....	4,125.35
Sawtry IDB.....	2,390.20
Skeggins Fen (Private) DD.....	55.25
Swavesey IDB.....	2,503.00
Sutton & Mepal IDB.....	3,204.72
Upwell IDB.....	3,429.84
Waldesey IDB.....	1,974.50
Whittlesey IDB.....	1,335.78
Warboys Somersham & Pidley IDB.....	7,692.55
Woodwalton DC.....	42.00
Sub total	99,045.41
Above figures do not include:	
Mechanical & Electrical (pumping station maintenance).....	42,900.94
Third party & Pre-application advice.....	13,516.53
Soakaway certificates.....	900.00
Surface water/effluent discharge certificates.....	480.00
Total	156,842.88

APPENDIX 7
Solar Returns

assumes savings of £4k per year.

Half Year Figures

Year	Reading		Unit Cost (p)	Night (KWh)	Unit Cost (p)	Total Cost	Saving	Energy Generated (KWh)	Maint. Cost	FITS (p)	FITS earned	Total Saved	Investment Minus Savings		
	Day (KWh)	Reading											Actual	Target	
-1	111,500	29,870	9.77		6.01	N/A									
0	170,507	49,932	9.77		6.01	£6,970.71	NA	N/A			£0.00	N/A	£28,215.00	£28,215.00	
1	209,556	66,738	9.77		6.01	£4,825.13	£2,145.58	24,755		12.57	£3,668.69	£5,814.27	£22,400.73	£24,215.00	
2	246,485	83,621	9.77		6.01	£4,622.63	£2,348.08	47,775		12.57	£3,411.56	£5,759.64	£16,641.08	£20,215.00	
3	284,232	99,669	9.77		6.01	£4,652.37	£2,318.34	68,978		12.57	£3,142.28	£5,460.63	£11,180.46	£16,215.00	
4						£0.00	£0.00	75,327		12.57	£940.92	£940.92	£10,239.53	£12,215.00	
5						£0.00	£0.00				£0.00	£0.00	£10,239.53	£8,215.00	
6						£0.00	£0.00				£0.00	£0.00	£10,239.53	£4,215.00	
7						£0.00	£0.00				£0.00	£0.00	£10,239.53	£215.00	
8						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£3,785.00	
9						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£7,785.00	
10						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£11,785.00	
11						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£15,785.00	
12						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£19,785.00	
13						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£23,785.00	
14						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£27,785.00	
15						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£31,785.00	
16						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£35,785.00	
17						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£39,785.00	
18						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£43,785.00	
19						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£47,785.00	
20						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£51,785.00	
21						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£55,785.00	
22						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£59,785.00	
23						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£63,785.00	
24						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£67,785.00	
25						£0.00	£0.00				£0.00	£0.00	£10,239.53	-£71,785.00	

* readings taken when FITS applied for

** half year readings so savings cannot be estimated

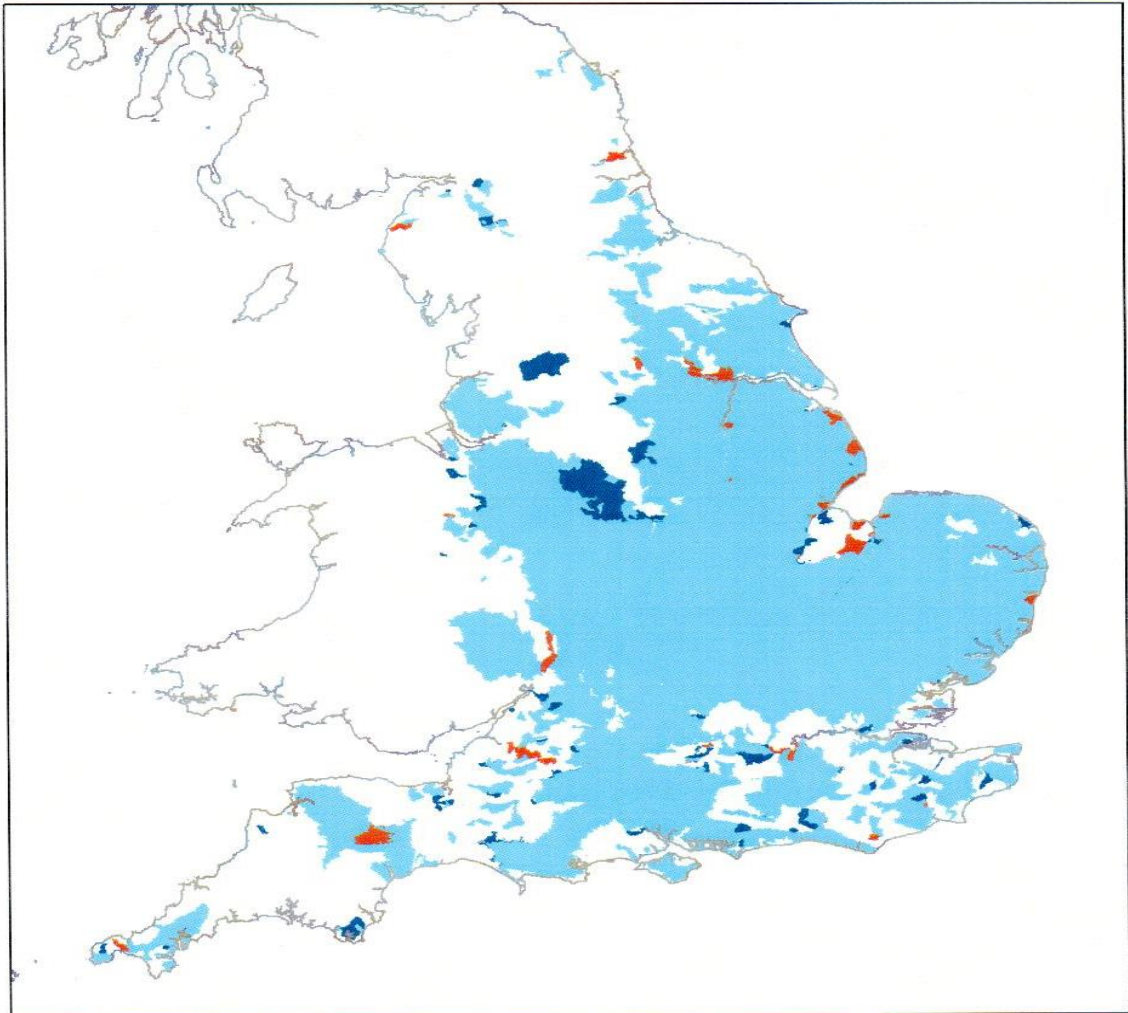
Total Units Generated as of 13th April 2017

Predicted income at year 25 (allowing for say £10K maintenance)

75327 kWh

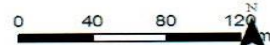
£51,545.47

**Proposed Nitrate Vulnerable Zones for
2017 to 2020 (England)**



Legend

-  Continued from 2013
-  New in 2017
-  Removed since 2013



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Middle Level Commissioners

Flail Mowing Plant Replacement Strategy Review

Current Flail mowing/Top-mowing Fleet Overview

2015 Spearhead Energreen SPV3 Self Propelled – 17 metre reach

Board members will be aware of the Commissioners' acquisition of the Spearhead Energreen SPV3 machine, earlier this year. This has filled the mowing capacity left by a previous mowing arrangement when approximately 45% of the Commissioners' flail mowing workload was undertaken by contractor, R & C Ashman.

2010 Massey Ferguson 6495 fitted with 2010 Herder Grenadier mid mounted mower – 9 metre reach

The 2010 Massey Ferguson 6495 and Herder Grenadier unit have continued to operate successfully during the year. The tractor and mowing unit are now working in their sixth season, and have completed 4,822 hours



2004 New Holland TM155 fitted with 2002 Herder Grenadier mid mounted mower – 8.5 metre reach

The 2004 New Holland TM155 and 2002 Herder Grenadier mower have reached a point where both units have become increasingly unreliable. The tractor has completed 8804 hours work, and the mower in excess of 10000 hours. Intermittent transmission faults with the tractor gearbox, and general wear on the tractor mounting sub frame, combined with fatigue and wear on the Herder mower head and electronic control system have been problematic and led to considerable downtime. Recent indications from the New Holland dealership indicate a new 'back end' transmission unit will cost in the region of £8-10K plus fitting, with additional expenditure required on the mowing unit for a replacement flail head and various hydraulic ram seals and electronic components.



2008 New Holland T5060 fitted with 2011 Vortex top mower (A) – (3.0m width cut)

Both units continue to operate satisfactorily this season. Downtime has been minimal. The tractor has completed 3520 hours work.

2011 Vortex top mower (B) – (3.0m width cut)

The unit has been stored in the Commissioners' Depot following the dispersal sale of the John Deere 6320 tractor earlier this summer. Its condition is good. The machine has a universal headstock and gearbox input shaft and can be readily adapted to either a rear or front mounted machine.

Plant Replacement Strategy

The Commissioners' current plant replacement strategy, approved by the Board at their April 2016 meeting, includes estimated expenditure of £160k for a second self-propelled Spearhead Energreen flail mower in the next financial year. It was originally envisaged this might be a smaller Spearhead Energreen SPV2 machine with similar mowing reach to the Massey Ferguson/Herder Grenadier mowing unit. However the Board resolved at their meeting in April to dispose of a top mowing tractor following the purchase of the 2015 Spearhead Energreen SPV3 machine. The John Deere 6230 tractor was subsequently sold during the summer.

It may be possible to source a suitable hire tractor during the winter works period, to be worked in conjunction with the New Holland T5060, for duties including bush cutting/chipping work, trailer work, piling works and winch operation, but this is unlikely to prove a cost effective option in the longer term.

Consideration has been given to replacing the TM155/Herder mower, like for like. A larger power unit would allow for mounting the 2011 Votex top mower (B) on a front linkage, and will return cost savings and mowing efficiencies with both labour and fuel savings. In addition it will have the ability to mow bank tops and side slopes simultaneously. The power requirement to operate a similar sized Herder Cavalier mower, (1.8m head width) and Votex top mower, (3.0m mowing width) is in the region of 200hp (147kw). The tractor could also be utilised during the winter work period for duties mentioned above with the Herder flail mower and Votex top mower units removed.

Machine Options

For the purpose of providing a comprehensive report to the Board, an approach has been made to Spearhead Energreen for a quotation for a SPV2 970XT, self-propelled flail mower with a front linkage. This would allow for the Votex top mower (B) to be operated on the self-propelled unit. Following the issues experienced with the Commissioners' SPV3 machine, a 5 year warranty and 2,500 hour service contract has been included in the purchase price. The quotation is valid for 30 days from 30/09/2016.

Spearhead Energreen SPV2 970XT

£184,836.62

Approaches have been made to both New Holland and Massey Ferguson dealerships, for quotations of 200hp tractors suitable for mounting a Herder Cavalier flail mower in conjunction the Commissioners' Votex top mower. Careful consideration has been given to the Maximum Gross Vehicle Weight (plated weight) of both makes of tractor with both the mowing units attached. Both dealerships have provided 'actual weighbridge' weights for their respective tractors including front linkage/PTOs. An adjustment has been made for the larger tyre/rim configuration. Mastenbroek has indicated that the weight of the Herder Cavalier mower, sub frame, counterbalance weights and changes to fuel tanks etc, to allow for left hand fitment, will be around 4000kg. The weight of the Votex mower is indicated on the manufacturer's plate as 1020kg, giving a combined weight of mowing equipment of 5020kg.

Following advice from Mastenbroek, John Deere and Case tractors have also been considered. However, detailed investigation revealed that the tractors within the suitable power range (200hp) would not fall within the Maximum Permitted Gross Vehicle Weight limits with both mowing units attached, and have therefore been discounted. Mastenbroek has further advised Herder has a reluctance to fit its mid-mounted mowers to other tractor makes as the sub frame required to secure the mid mounted mowers would have to be built as a bespoke unit, making the initial purchase price much higher.

Massey Ferguson 7720 tractor Dyna VT, fitted front linkage and PTO, including 5 years/6000 hours warranty

Tractor weight - including front linkage and PTO	8320kg	
Combined weight of Herder mower and Votex top mower and sub frame	5020kg	
Allow 240kg for fitment of 650/65R42 & 540/65R30 wheel equipment	240kg	

Total Gross Vehicle Weight	13580kg	
Maximum Permitted Gross Vehicle Weight	14000kg	£91,875.00

New Holland T7.230 LWB T4B Tractor Auto-Command CVT, fitted front linkage and PTO, including 5years/5000 hours TracCare cover

Tractor weight including front linkage and PTO	8060kg	
Combined weight of Herder mower and Votex mower and sub frame	5020kg	
Allow 240kg for fitment of 650/65R42 & 540/65R30 wheel equipment	240kg	

Total Gross Vehicle Weight	13320kg	
Maximum Permitted Gross Vehicle Weight	13000kg	£98,975.00

Overweight + 320kg

A quotation has been procured from Mastenbroek for a Herder Cavalier MBK418 7.5 metre reach mower, with 1.8metre eco-mower fitted. This quotation is valid until 30/11/2016

Herder Cavalier MBK418 c/w 7.5 metre reach telescopic arm.

1.8 metre eco-mower head

180 degree rotating arm, folding to the rear for transport

Fully proportional electronic joystick control

Float system

Hydraulic front flap on mower head

Axle lock system

Counter balance weights

New fuel tank for left hand mounting

Prolec height restrictor

Demount kit to remove machine from tractor

£64,050.00

Conclusion

Following the Commissioners' acquisition of the Spearhead SPV3 machine with long reach flail mowing capabilities, a standard reach flail mowing arm, combined with a top mower can be considered. Although the Spearhead Energreen SPV2 machine would provide a perfectly adequate replacement for the older Herder mower, it cannot be considered as a universal power unit that could be used for duties other than flail mowing, and therefore cannot be considered a replacement for the John Deere 6230 tractor that was recently sold.

As this report indicates, the Massey Ferguson and New Holland ranges are the preferable options for mounting both flail and top mowers. However, the New Holland with both mowers fitted exceeds the Maximum Permitted Gross Vehicle Weight and must be discounted. The Massey Ferguson, by virtue of the Fendt Vario transmission has an additional 1000kg payload and can be further counterbalanced to make best use of any unused weight allowance, should this be required to stabilise the machine at full reach. As the report indicates, the purchase price of the Massey Ferguson also shows a considerable saving over the other machines.

The Commissioners' Herder mowers have generally proved to be reliable and solidly constructed, and are not averse to mowing the heavy grass swards we have experienced in the last few years.

Recommendation

It is recommended the Commissioners purchase a Massey Ferguson 7720 Dyna VT tractor and Herder Cavalier MBK418 left hand mounted flail mower. The Commissioners' 2011 Votex (B) top mower can be fitted and operated on the tractor front linkage.

It would be preferable, given the volatile financial climate, to secure these deals as soon as possible following the Board's anticipated approval. This will give certainty of the total cost price, and also allow for the manufacturers to deliver the machines in time for the Commissioners' 2017 mowing season, which is programmed to commence in mid-March.

Massey Ferguson 7720 Dyna VT Tractor	£91,875.00
Herder MBK 418 Flail Mower	£64,050.00

Total	£155,925.00


The contractor's observations and works carried out are detailed below:




Allen Gwynnes 1000 mm Axial Flow Pump



Serial No. C5/55096/2



Service Contract No. SC2762



One of the motor-driven pumps from the above site was returned for inspection. The pump has been dismantled, and we comment on some of the major components. Item numbers refer to sectional arrangement drawing P2001925.

Item	Description	
	Pump (As removed from site)	

Item	Description	
	Pump (as received)	<p data-bbox="619 152 1342 255">Very heavily encrusted with mussels, corrosion product and tubercules. Bolt heads inaccessible before extensive cleaning.</p>   <p data-bbox="619 1417 1342 1485">Even after scraping to enable dismantling, further extensive cleaning will be required.</p> 

Item	Description	
1	Impeller/Rotor	<p data-bbox="619 154 1129 188">Good condition. Minor wear on blade tips.</p>  <p data-bbox="619 1066 820 1099">Clean and reuse.</p>
2	Rotor Fairing	<p data-bbox="619 1106 820 1173">Good condition. Clean and reuse.</p>
3	Rotor Fairing Stud	<p data-bbox="619 1180 820 1211">Clean and reuse.</p>
4	Rotor Nut	<p data-bbox="619 1218 820 1249">Clean and reuse.</p>
5	Nut Locking Screw	<p data-bbox="619 1256 820 1288">Clean and reuse.</p>
6 & 7	Locking Tab and Screw	<p data-bbox="619 1294 820 1326">Clean and reuse.</p>
11	Pump Shaft	<p data-bbox="619 1332 820 1400">Good condition. Clean and reuse.</p>
12	Pump Shaft Sleeve	<p data-bbox="619 1406 1406 1473">Dimensions indicate it to be 0.5 mm undersize, but no visible sign of wear.</p>  <p data-bbox="619 1917 1118 1951">It is suggested that this sleeve is retained.</p>

Item	Description	
13	Gland Sleeve	<p>Scored in region of gland packing. Wear is slightly eccentric.</p>  <p>Recommend sleeve is replaced to suit skimmed bush (item 39).</p>
14	'V' Ring	Replace
15	Impeller Key	Clean and reuse.
16	Sleeve Keys	Retain/replace as required (not dismantled).
17	Coupling Key	Clean and reuse.
18	Thrust Bearing Nut	Clean and reuse.
19	Locking Screw (18)	Replace.
20	Locking Screw (13)	Replace.
25	Pump Casing	<p>Good condition. Internal passageways clear.</p>  <p>Clean and reuse.</p>
26	Rotor Casing	Minor wear. Recommend clean and reuse.
29	Thrust Bearing	Aged. Replace as a matter of course. Re-grease as necessary.
30	Pedestal	Good condition. Clean and reuse.

Item	Description	
31	Bearing Cap	Clean and reuse.
32 & 33	Bolts & Nuts (30-59)	Clean and reuse.
34	Setscrew (31-30)	Clean and reuse.
35	Pump Bearing Bush	<p>Minor wear.</p>  <p>Recommend clean and reuse.</p>
36	Pump Bearing Housing	Clean and reuse.
37	Setscrews (36-25)	Recommend replace as a matter of course.
38	Lock screw (35)	Not dismantled. Reuse unless bush replaced.
39	Neck (Gland) Bush	<p>Eccentric wear.</p> <p>Recommend machine-skim and new sleeve (13) to suit bush.</p>
40	Anti-rotation Screws	Not dismantled. Reuse unless bush replaced.
41	Stuffing Box	Clean and reuse.
42 & 50	Studs (41)	Clean and reuse.
43	Lantern Ring	<p>Minor rub on shaft.</p> <p>Recommend clean and reuse.</p>
44	Gland Packing	Replace.
45	Gland (Follower)	Clean and reuse.
46 & 47	Fitted Bolts (45)	Clean and reuse.
48 & 49	Gland Studs	Clean and reuse.
50	Nuts	See 42
54	Bellmouth	Good condition. Heavily tuberculed. Clean and reuse.
55	Rising Suction Main	Heavily tuberculed. Clean and reuse.
56 & 57	Fasteners	<p>Galvanising lost on exposed sections.</p>  <p>Possible re-use after (extensive) cleaning. Replacement recommended possibly in stainless steel.</p>
58	Suspension Main	Heavily tuberculed. Clean and reuse.

Item	Description	
59	Delivery Bend	<p>In excellent condition where above the water line. Tuberculed below. Heavily grease-laden on inside.</p>  <p>Clean and reuse.</p>
60 & 61	Rising Main Bolts	As 56 & 57.
62	Spigot Pins	Good condition. Reuse.
63	Plugs	Not dismantled. Do not disturb.
64	Air Release Plug	Not dismantled. Do not disturb.
65	Support Foot	<p>Appear to be in good condition. Not dismantled.</p>  <p>Continue use.</p>
66	Setscrews (65)	Not disturbed. Appear to be in good condition. Not dismantled to avoid possible damage to delivery bend.
67	Foot Setscrews	Replace.
68	Tunnel Tube	Appears to be in good condition. Clean and reuse.
69	Locking Screw (68)	Clean and reuse.
70	'O' Rings (68)	Replace.

Item	Description	
71-73	Joints	All broken on disassembly. Replace.
74-75	Washers	Not disturbed. No action.
77	Window covers	Not returned. Assumed re-useable.
78-80	Fasteners (77)	As above.
81-87	Soleplates etc.	Not returned.
	Pump Half Coupling	Clean and reuse.
	Coupling Pins	Rubbers worn. Recommend replacement.
	Grease Pipes (pump)	Recommend replacement of pipes and fittings.
	Grease	Recharge tunnel tube and grease lines with grease before re-use.

The external, wetted, parts of the pumpset were significantly affected by mussel growth and corrosion. These parts will need to be further cleaned or blasted before re-use.

The original fasteners were galvanised. After this period of time the external galvanising has been lost but the fastener heads are still sound. Nevertheless, the bolts require cleaning and possibly recoating before re-use. Replacement is recommended.



National Audit Office

Report

by the Comptroller
and Auditor General

Department for Environment, Food & Rural Affairs

Internal Drainage Boards

HC 1080 SESSION 2016-17 21 MARCH 2017

Our vision is to help the nation spend wisely.

Our public audit perspective helps Parliament hold government to account and improve public services.

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National Audit Office

Department for Environment, Food & Rural Affairs

Internal Drainage Boards

Report by the Comptroller and Auditor General

Ordered by the House of Commons
to be printed on 20 March 2017

This report has been prepared under Section 6 of the
National Audit Act 1983 for presentation to the House of
Commons in accordance with Section 9 of the Act

Sir Amyas Morse KCB
Comptroller and Auditor General
National Audit Office

16 March 2017

HC 1080 | £10.00

This report addresses concerns about Internal Drainage Boards' (IDBs') activities and practices brought to our attention through correspondence with us. These focused on governance and oversight arrangements for IDBs, processes for raising concerns about IDBs and the potential for conflicts of interest.

Investigations

We conduct investigations to establish the underlying facts in circumstances where concerns have been raised with us, or in response to intelligence that we have gathered through our wider work.

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The National Audit Office study team consisted of:
Jennifer Bayliss, Richard Davis and Freddie Wong, under the direction of Simon Helps.

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What this investigation is about

1 Internal Drainage Boards (IDBs) are local independent public bodies responsible for managing water levels in low-lying areas where there is a special drainage need and contributing to flood risk management and the protection and enhancement of biodiversity in urban and rural areas. IDBs raise funding mainly through drainage rates paid directly by farmers and landowners and through special levies on district councils and unitary authorities.

2 This report addresses concerns about IDBs' activities and practices that were brought to our attention through correspondence with us. These concerns focused on three issues:

- governance and oversight arrangements for IDBs;
- processes for raising concerns about IDBs; and
- the potential for conflicts of interest.

3 We have explored these concerns with the Department for Environment, Food & Rural Affairs (the Department), the Environment Agency and the Association of Drainage Authorities, a sector-based membership organisation. We have drawn on information provided by our correspondents and work already undertaken in this sector.

4 It is not within the National Audit Office's remit to investigate the affairs of an individual local body. We have therefore reviewed concerns at a sector level and focused primarily on the role of the Department. We have not examined individual IDBs beyond previously documented information.

Summary

1 Internal Drainage Boards (IDBs) vary in scale and range of responsibilities. There are 112 IDBs in England, covering 1.2 million hectares (9.7% of the total land area of the country), where they seek to reduce the risk of flood to homes, industries of national importance and much of the UK's critical infrastructure, including oil refineries, power stations, major industrial premises, motorways and the rail network. They operate and maintain pumping stations, watercourses, sluices and weirs. IDBs' budgets for 2015-16 ranged from as little as £7,000 to £3.7 million. Together, IDBs spent more than £61 million in 2015-16.

2 It is the responsibility of each IDB to have arrangements in place to ensure that its business is conducted in accordance with the law and proper standards, set by the Joint Practitioners Advisory Group, the sector-led body responsible for producing proper practices for smaller authorities in England. Each IDB must also ensure that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. IDBs should be accountable to the communities they serve, incorporating local residents, businesses and landowners and the relevant local authority or authorities.

Key findings

Governance and oversight

3 **There is no statutory governance standard for IDBs, and the government has no legislative powers to ensure that IDBs, as public bodies, meet expectations for good-quality internal governance and sound financial management.** IDBs are independent public bodies and, under the relevant legislation, no government department has a direct oversight role in their day-to-day activities or operations. The Association of Drainage Authorities (ADA), a sector-based membership organisation, has developed non-statutory governance standards with the support of the Department for Environment, Food & Rural Affairs (the Department). Under the legislation, the Environment Agency, an executive non-departmental body sponsored by the Department, has a supervisory role, and powers to act if an IDB injures the land, but prefers to work in partnership to address issues and share knowledge. Although IDBs have to comply with relevant local authorities' Local Flood Risk Management Strategies and local authorities may review and scrutinise the exercise of IDBs' risk management functions, local authorities have no legal powers to directly influence IDBs' governance and administration (paragraphs 2.3 to 2.8 and 2.10).

4 There is limited oversight of IDBs' operations. IDBs' annual reporting requirements consist of summary financial statements and compliance declarations. These are reported using a standard form that is returned to the Department. The Department reviews the information provided, identifies any issues arising and shares them with ADA. However, the information is not routinely subject to detailed analysis and is not used to engage with IDBs or to trigger activity by the Department itself. It is not subject to any standard checks or verification for consistency with other information that is held on IDBs. ADA may carry out its own analysis of the returns and determine any actions it may feel are required. Where an IDB does not declare compliance in its report to the Department or is given a qualified opinion by its external auditor, the Department initiates a follow-up investigation, working with ADA and the Environment Agency to encourage and support IDBs to address issues. The Department does not use the data in the statements and declarations to identify areas where IDBs need support or guidance. ADA may identify the need for action independently (paragraphs 2.15 to 2.22).

5 ADA supports the Department in overseeing the sector and addressing concerns and the Department supports ADA in providing advice and support to IDBs. Although there is no memorandum of understanding or documented agreement, the Department and ADA have developed a good working relationship. ADA has become an important part of the framework supporting IDBs and aims to operate as a central hub to support good practice. The Department, working with ADA, has achieved some improvements in the governance arrangements for IDBs in recent years, for example, through increased uptake of ADA's model governance documents. ADA takes the lead in ensuring that individual IDBs comply with the guidance it has developed with the Department. However, the Department cannot compel ADA to take action against any IDB and ADA, as an advisory body, does not have authority or powers to compel an IDB to implement good practice. Although ADA has a role in defining the requirements for annual reporting, it cannot enforce them (paragraphs 2.9 to 2.14).

Skills to support governance

6 Most IDBs report that they do not have board members with appropriate environmental expertise, instead accessing the skills they need through consultants. Almost three-quarters of IDBs report that they have no board members with appropriate environmental expertise. Eighty-one per cent report having no directly employed staff with environmental expertise. More widely, it is a challenge for IDBs to find willing individuals with appropriate knowledge and experience of key matters such as public finance, environmental regimes or legislative controls. It is not always possible for IDBs to identify these skills gaps and fill them and 60% of IDBs reported that they had not provided any training to their board members in the last year. Although many IDBs identify interest and enthusiasm in the board's activities as a more reliable driver for success than technical expertise, ADA acknowledges the need for IDBs to have access to the right specialist expertise on environmental as well as other relevant local issues and has produced a best practice guide on accessing environmental skills. (paragraphs 1.19, 1.20, 2.23 and 2.24).¹

¹ Available at: www.ada.org.uk/wp-content/uploads/2017/01/IDB_Best_practice_guide_on_accessing_environmental_expertise.pdf

7 Some smaller IDBs have reported benefits from merging with each other, forming consortia or working collaboratively. Other IDBs have not merged or formed consortia, despite being close to one another or very similar in nature. This means they have not benefited from the better technical and administrative support and shared best practice that these measures offer. ADA actively encourages mergers and consortia working, where such arrangements are appropriate. The number of IDBs has reduced from 172 in 2006 to 163 in 2010 and 112 in 2016 (paragraph 1.21).

Raising concerns

8 If an individual has a concern about an IDB's conduct, it is not always clear whom they should approach, and no government department has a role under the legislation in ensuring that any concerns raised are addressed. Some IDBs' websites have no information on what to do if an individual wishes to make a complaint. The Department advises individuals that approach it with a complaint first to complain to the relevant IDB and, if they are not satisfied with the way the IDB handles the complaint, then to refer it to the Local Government Ombudsman (paragraph 2.25).

Conflicts of interest

9 The requirements for oversight and assurance of IDBs are not sufficient to ensure that IDBs are able to meet the expectations associated with public expenditure and leaves them vulnerable to potential conflicts of interest. Potential conflicts of interest may arise, for example, if a board's elected members pursue their own local interests or if appointed managing agents are part of a wider group of companies that can bid for contracts specified by the agent. ADA has encouraged IDBs to adopt a register of interest, and all but one IDB reports having now done so. Because IDBs rely so much on bought-in expertise, there is a risk that they will not get the best advice to achieve value for money. IDBs can seek advice or guidance from ADA, but this is at their discretion. Neither the Department nor the Environment Agency has a statutory role in addressing these possible conflicts of interest, but both support the work that ADA has done to draw attention to the potential for such conflicts to arise. Increasing use of public sector cooperation agreements between IDBs, the Environment Agency and local authorities is helping to improve transparency and should allow IDBs to get better assurance of value for money (paragraphs 2.28 to 2.32).

Part One

What are Internal Drainage Boards?

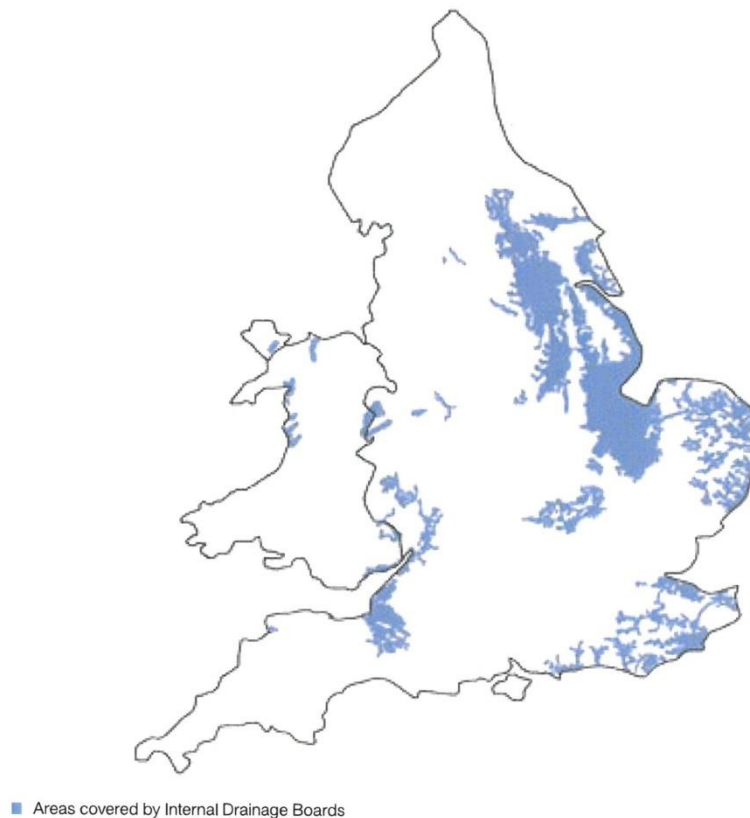
1.1 Internal Drainage Boards (IDBs) are local independent public bodies. They are responsible for managing water levels in areas of special drainage need. Historically, their main role was to ensure the drainage of agricultural land. But their responsibilities have evolved, and now include contributing to managing flood risk and protecting and enhancing biodiversity in urban and rural areas. IDBs are responsible for ordinary watercourses and the surrounding land that will derive benefit or avoid danger as a result of drainage operations. IDBs are not responsible for watercourses designated as 'main rivers', usually larger rivers and streams, within their drainage districts, the supervision of which is undertaken by the Environment Agency working in partnership with IDBs. The Environment Agency levies a precept on IDBs to contribute towards the Agency's costs in respect of water that enters the main river network from an IDB.

1.2 In 1991, the then Ministry of Agriculture, Fisheries and Food introduced water level management plans. These plans are produced by flood authorities for areas where it is necessary to manage water levels, giving priority to the conservation objectives of wetland Sites of Special Scientific Interest but also taking into account local flood risk management and agricultural interests. Natural England works with IDBs to produce the plans for Sites of Special Scientific Interest where water level management is important for managing habitats and species. IDBs are responsible for any hydrological investigation necessary, installing water control structures and putting a water level management plan in place. IDBs must ensure that they are working in alignment with landowners and other relevant agencies. They are responsible for the core measures in the plans, but other agencies may have to carry out specific actions.

1.3 There are currently 112 IDBs in England, covering 1.2 million hectares (9.7% of the total land area of the country). Their remit is to reduce flood risk to 900,000 homes, industries of national importance and much of the UK's critical infrastructure, including oil refineries, power stations, major industrial premises, motorways and the rail network. They operate and maintain more than 500 pumping stations, and contribute to the maintenance of 22,000 kilometres of watercourses.

1.4 Figure 1 shows the geographical distribution of IDBs. Some areas have several adjacent IDBs, for example around the Wash, the lower reaches of the Trent and the Yorkshire Ouse, and the Somerset Levels. But in other parts of the country, such as Norfolk, Suffolk, Sussex and the northern Vale of York, IDBs stretch in narrow 'fingers' up river valleys, separated by areas of higher ground. The boundaries of IDBs are largely determined by low-lying flood-prone ground, as defined by the Ministry of Agriculture, Fisheries and Food's 'Medway Letter' of 1933.² This definition of the boundaries determines the properties for which rates are levied for each IDB. However, boundaries may sometimes be modified to manage water levels, and flood risk in particular.

Figure 1
Geographical distribution of Internal Drainage Boards



Source: Association of Drainage Authorities

² The Medway Letter states that "the areas which may be brought within the limits of drainage districts are those which will derive benefit or avoid danger as the result of drainage operations". The letter can be found at: www.lowersevernidb.org.uk/downloads/Medway%20Letter.pdf

1.5 The annual expenditure of IDBs ranged from as little as £7,000 in 2015-16 to as much as £3.7 million. In total, IDBs spent £61 million in 2015-16 and the 14 largest IDBs accounted for more than half of this. **Figure 2** shows how IDBs spent their money.

Legislation

1.6 The Land Drainage Act 1991 (the Act) requires IDBs to manage water levels within their districts, and to use the powers and fulfil the duties set out in the Act. These duties include:

- exercising a general supervision over all aspects of land drainage within the district;
- general duties with respect to the environment and recreation; and
- general duties in respect of the natural and built environment and public access.

1.7 The Act also grants permissive powers to IDBs, which include:

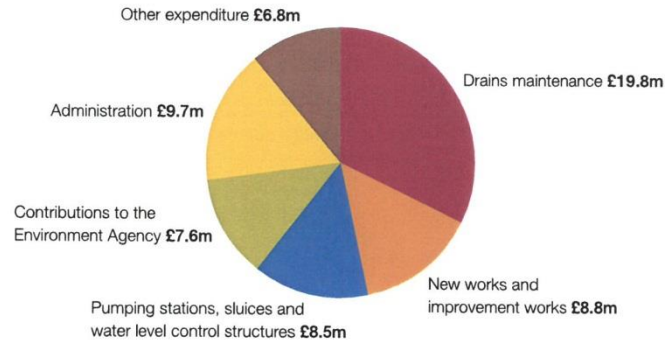
- undertaking works to alleviate flooding;
- improving and maintaining the drainage system, including operating pumping stations, weed screens and sluices;
- regulation and control of activities in and alongside the drainage system to ensure that flood risk management and land drainage standards are not impaired by the actions of others;
- creating by-laws (which have to be approved by the minister); and
- raising income through general charging arrangements to cover the costs of flood and water level management schemes and other work related to land drainage.

1.8 Under legislation for specific districts, some IDBs may also be granted other duties, powers and responsibilities. For instance, some IDBs are also navigation authorities, with responsibility for navigable canals or rivers.

1.9 The general environmental duties of IDBs under the Act need to be carried out alongside related obligations that arise under nature conservation legislation, particularly the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Habitats Regulations 1994. The 1994 regulations make specific provision that requires IDBs to undertake conservation works within European Union-designated protection sites. IDBs have responsibilities associated with 398 Sites of Special Scientific Interest that fall within IDB boundaries, plus other designated environmental areas.

Figure 2
IDB expenditure 2015-16

Almost half of IDB expenditure was on maintaining drains, pumping stations, sluices and other structures



Source: Analysis of IDB1 forms

Funding

1.10 IDBs are financed in two main ways:

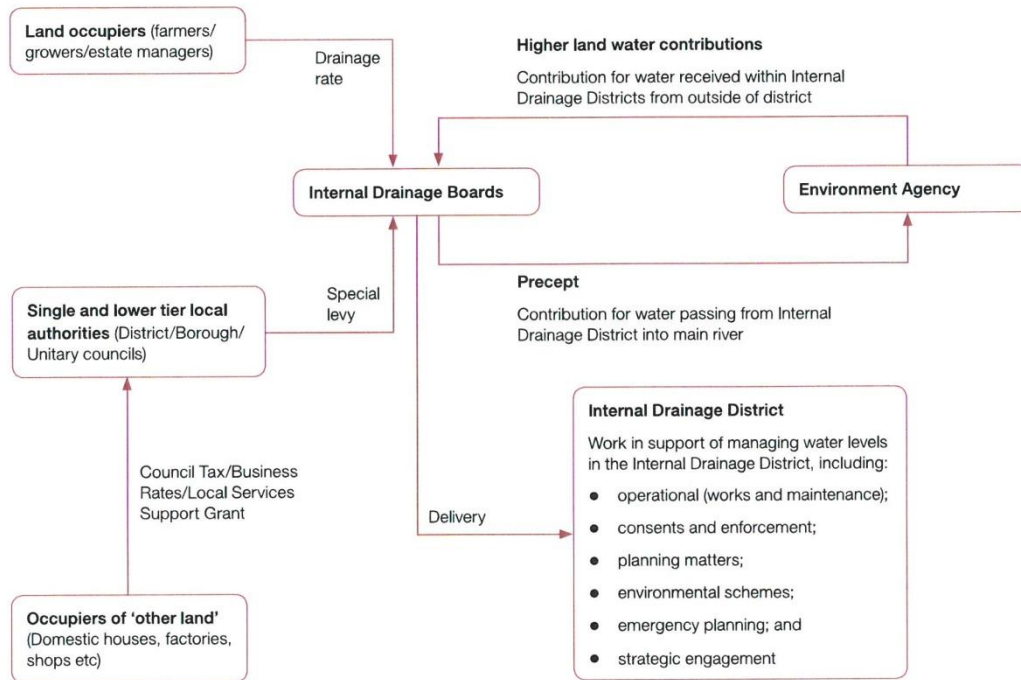
- drainage rates levied on owners of farmland; and
- special levies on district councils and unitary authorities.

1.11 These funds are collected through district councils or unitary authorities. The split of levies reflects the ownership and use of land within an IDB district. The special levies collected by district and unitary authorities and the drainage rates are set in public meetings by the IDB board.

1.12 The Department for Environment, Food and Rural Affairs (The Department) currently also provides funding for IDBs through the Environment Agency. This funding is mainly capital grants for specific capital projects. The amount varies depending on the projects being carried out in any given year, but it usually amounts to around £5 million per year.

1.13 The Environment Agency also provides 'high land or higher land' payments to IDBs. These vary depending on rainfall and the cost to the IDB of transporting main river water through their area, but they are generally around £3 million per year.

Figure 3
How Internal Drainage Boards are funded



Source: Association of Drainage Authorities, *An Introduction to Drainage Boards (IDBs)*

Composition of the boards

1.14 Most IDBs operate as independent bodies with a board. IDBs are responsible for ensuring that their board operates correctly and that its members are clear about their responsibilities. The composition of each board depends on the IDB's catchment area. Boards contain a locally determined mix of interested parties, drawn from landowners (elected members), the local authority (appointed members) and specific interest groups (co-opted members). The number of people involved or employed by an IDB varies considerably, depending on its area, income and the complexity of its operations. The largest boards consist of several dozen members. Smaller boards with only six or seven members generally have a majority of elected members, primarily local landowners (**Figure 4**).

1.15 IDBs employ nearly 600 people in total. However, some have only administrative staff employed on a permanent basis and use contractors or volunteers for the majority of their work, while others may directly employ maintenance workers and environmental specialists.

Figure 4
Board composition

Board membership of the five Internal Drainage Boards with the largest boards

	Total members	Elected members	Appointed members	Co-opted members
Axe Brue	57	28	29	0
Parrett	47	23	24	0
Ouse and Derwent	45	22	23	0
Broads (2006)	39	19	20	0
Haddenham Level Commissioners	35	33	2	0

Board membership of the five Internal Drainage Boards with the smallest boards

	Total members	Elected members	Appointed members	Co-opted members
Stringside	7	5	1	1
Feldale	7	6	1	0
Muston and Yedingham	6	5	1	0
Northworld	5	5	0	0
Goole Fields	5	5	0	0

Source: Department for Environment, Food & Rural Affairs and Association of Drainage Authorities, *Internal Drainage Board Membership and Representation Survey Analysis*, 2012

1.16 Board members need a wide range of skills and knowledge, including an understanding of the local area and knowledge of public finance and procurement, the social and economic impact of IDBs' operations, and environmental and legislative controls. Although the boards draw from a wide range of stakeholders, many elected board members, including local land or business owners, have limited experience in at least some of these areas. It is not always possible for IDBs to identify and fill these skills gaps. The survey of IDBs by the Department and the Association of Drainage Authorities (ADA) also highlighted the issue of ageing membership and the need to attract younger board members.³

1.17 Levy-paying local authorities appoint a number of members outside the IDB election process. These members generally sit on the board for three years although some local authorities appoint members annually. The number of appointments relates to the proportion of the IDB's income derived from the special levies. The number of unelected appointed members may not exceed the number of elected members by more than one. Across all boards, 63% of members are elected, 36% are appointed and 1% are co-opted. Many boards are constituted with a majority of elected members, primarily local land and business owners.

³ Department for Environment, Food & Rural Affairs and Association of Drainage Authorities, *Internal Drainage Board Membership and Representation Survey Analysis*, 2012.

1.18 Some local authorities are able to appoint a good spread of councillors that complement the elected members, including members of the planning or finance committees on the local council. However, others find it challenging to find councillors or specialist officers willing to sit on an IDB. Most appointed members on IDBs are councillors (77%). Only 4% are council officers. The remainder include specialists in areas such as the environment, industry, infrastructure or recreation and representatives of the wider local community.

1.19 The appointment of technical experts (such as drainage engineers or conservation representatives) could enhance the value of appointed members to the boards. However, analysis of the 2012 membership and representation survey suggests that interest in and enthusiasm for the board's area and functions is often a more reliable factor in successful board membership than technical expertise.⁴ Although the work of IDBs is a key part of flood management, many councillors and council officers may feel that it is not sufficiently high profile or interesting to merit the high level of commitment it requires.

1.20 ADA reported that training and support available to board members varies widely. Some have received training in finance, governance, health and safety, and responsibilities and duties. This training has created a strong basis for their board's ability to conduct itself appropriately. Other boards are reported to receive far more limited training. Information on training provided is collected through the IDB1 forms and, in 2015-16, 60% of IDBs reported that they had not provided any training for their members during the last year. ADA provides a range of other support and resources, including its website, the quarterly magazine, *Gazette*, and a monthly news stream and it is committed to extending the resources it provides to support training of IDB officers and board members.

1.21 The Department commissioned a review of IDBs in 2005, with a particular focus on organisational arrangements and their efficiency, accountability and ability to represent levy-payers and wider interests. This was undertaken by JBA, an environmental consultancy, and the report was published in 2006. Following this, many IDBs rationalised their operations through mergers or by forming consortia. In 2010, this review was followed up by ENTEC, an environmental and engineering consultancy. ENTEC found that it remained reasonable to expect IDBs that are close to one another or of a similar nature to combine or operate as consortia.⁵ It also found that IDBs that are geographically isolated or different from others should be encouraged to join a consortium. This would ensure that they receive appropriate technical and administrative support, and benefit from sharing best practice. There is still the potential for further amalgamation of smaller IDBs. The number of IDBs has reduced from 172 in 2006 to 163 in 2010 and 112 in 2016. ADA suggests that this is beneficial to the sector and anticipates that the number of individual IDBs will continue to fall.

⁴ See footnote 3.

⁵ *Internal Drainage Board Review: Extension*, ENTEC, December 2010.

Part Two

Governance and oversight

2.1 The policy and operational responsibilities of Internal Drainage Boards (IDBs) are split between two government departments. When the Department of Environment, Transport and Regions was disbanded in the 1990s, policy responsibility for the IDBs remained with the Department for Environment, Food & Rural Affairs (the Department). However, as IDBs operate as local bodies (similar to small authorities such as parish councils), they were formerly under the remit of the Audit Commission, but are now classified as relevant authorities under the Local Audit and Accountability Act 2014 and subject to limited assurance. As of April 2015, the Comptroller and Auditor General has published the Code of Audit Practice and guidance to support reviews carried out by external auditors, such as those of the IDBs.

2.2 The Department has policy responsibility relating to IDBs. It has no statutory powers to intervene in their day-to-day activities or management, as IDBs are local independent bodies. However, IDBs are ultimately answerable to the minister, as defined in the Land Drainage Act 1991 (the Act). This is currently the Secretary of State for the Environment, Food and Rural Affairs. IDBs do not fall within the Department's accounting boundary and their activities and finances are not included in the Department's accounts.

Governance

2.3 The governance of an IDB varies depending on the legislation under which it is constituted and its management arrangements:

- IDBs created under the Act are governed by a board, with a chairman and vice-chairman elected by the board members from their own membership.
- IDBs constituted under earlier local legislation such as drainage commissioners. Most provisions of the Act apply to these commissioners, and they are statutory public bodies. The commissioners are anyone who owns more than a defined amount of land in the district.
- Currently, one IDB is administered by the Environment Agency. This IDB has no elected or appointed members. The Environment Agency board acts as the IDB, and the Environment Agency carries out the work, which is overseen by the Regional Flood and Coastal Committee, a committee established by the Environment Agency under the Flood and Water Management Act 2010.

2.4 Under the Act, an IDB has a duty to provide the relevant minister and the Environment Agency with a copy of its annual report (known as the IDB1 form). The minister exercises a limited power of control over the governance of IDBs by stipulating what information must be included in their annual reports.

2.5 The Department is responsible for the legislation that creates, abolishes, amends and manages IDBs. It has a policy team covering IDBs within its flood risk management team. IDBs operate under their own individual set of financial regulations and standing orders. The policy team deals with statutory orders and any queries about IDBs and their operations. For each IDB, matters such as standing orders, by-laws and chair's allowances are approved and signed off by the team on behalf of ministers and reviewed each year by the Association of Drainage Authorities (ADA).

2.6 The Department has a policy advisory group whose members include ADA, the Environment Agency, RSPB and the National Farmers Union. The group meets three times a year and the Department told us that it provides a forum for discussion, an opportunity to exchange ideas and to identify and drive forward actions in the interests of IDBs. The Department also attends ADA's board of directors and Policy and Finance Committee meetings.

2.7 Under the Act, the Environment Agency has a supervisory role, and powers to give directions to IDBs to secure, for example, the efficient working and maintenance of existing drainage works and the construction of new drainage works as necessary, and the power to act if an IDB injures the land. In some circumstances, the Environment Agency can become the drainage board for a district. However, it prefers to work in partnership with IDBs to address issues and share knowledge. The Environment Agency also has a role in administering capital grants under the Floods and Coastal Erosion Risk Management Partnership Funding mechanism.

2.8 Local authorities do not have the authority to direct the IDBs in their area. If councillors or officers sit on the board, they must act in the best interests of the IDB, and not seek to impose the local authority's preferences. Local authorities typically aim to work in partnership with their IDBs to achieve common objectives. IDBs have a duty to comply with the relevant local authorities' Local Flood Risk Management Strategies and a local authority may review and scrutinise the exercise of relevant IDBs' risk management functions. If the local authority grants planning permission that results in agricultural land being taken out of agricultural use, it is dependent on the IDB to manage water levels for it. This typically increases the IDB's costs and therefore the amount of the special levy paid.

The Association of Drainage Authorities

2.9 ADA is an important part of the framework supporting IDBs. It is a membership organisation, established in 1937. Its members include most of the IDBs in England and Wales, interested local authorities, the Environment Agency, Northern Ireland Rivers Agency and Natural Resources Wales, as well as contractors, consultants and suppliers who work in the sector. The Department is not a member of ADA, but actively engages with it.

2.10 ADA's core role is to provide national leadership and support for IDBs. It is keen to be a central hub for sharing good practice, disseminating information and making sure that guidance is appropriate, codes of practice are up to date and smaller boards understand their duties. For example, it has developed non-statutory governance standards with the support of the Department. It also extends its assistance to non-member IDBs. The Department is very supportive of ADA's role in providing advice and support on many governance and operational matters and has made some progress through its work with ADA to improve the governance of IDBs. For example, uptake by IDBs of model governance documents has increased from 89% in 2013-14 to 97% in 2015-16.

2.11 ADA is the IDB sector representative of the Joint Practitioners Advisory Group (JPAG), which is responsible in statute for producing proper practices for smaller authorities in England regarding accounting, governance and financial management. These practices are incorporated in a 121-page Practitioners' Guide, produced with support from the Department for Communities and Local Government (DCLG), the Audit Commission, Wales Audit Office and the Environment Agency. The Guide was first published by ADA in 2006 and is soon to be relaunched to comply with recent legislative changes.⁶ Other members of JPAG include the Society of Local Council Clerks and the National Association of Local Councils, together with stakeholder partners representing the Department, DCLG, the Chartered Institute of Public Finance and Accountancy, the National Audit Office and a representative of the external audit firms appointed to smaller authorities.

2.12 Although there is no memorandum of understanding or documented agreement, the Department and ADA have developed a good working relationship. ADA is an advisory body and has no authority or powers to compel an IDB to make changes. Instead, it relies on its influence. If an individual or organisation raises concerns about an IDB, ADA would approach the chair of its board to discuss the matter.

⁶ Joint Practitioners Advisory Group, Governance and Accountability for Smaller Authorities in England: A Practitioners' Guide to Proper Practices to be applied in the preparation of statutory annual accounts and governance statements, March 2016.

2.13 The Department cannot compel ADA to take action against any IDB. However, it recognises that ADA plays an important role in supporting good practice and takes a lead role in reviewing procedures for good governance. ADA oversees the sector through its Policy and Finance Committee, of which the Department and the Environment Agency are members. ADA also has a Technical and Environment Committee, which is attended by the Environment Agency and Natural England. ADA's current chief executive officer was previously with the Environment Agency and this has helped further align working partnerships.

2.14 ADA recognises that public awareness of IDBs is very limited and is working to raise their profile.

Oversight

2.15 Each year, IDBs must submit an annual return to the Department (the 'IDB1 form') and undergo a 'limited assurance review' by their auditor.

The IDB1 form

2.16 An IDB makes an annual return to the Department via a standard IDB1 form. This reports on the IDB's finances and confirms that it has been run according to good practice over the previous year. There are three parts to the return:

- financial information from their internal audit report setting out income (for example, drainage rates, special levy, Environment Agency contributions) and expenditure, and a forecast of next year's levy incomes; and
- a series of declarations that the IDB has complied with relevant guidance and best practice for the sector during the preceding year.

2.17 Most IDBs make their IDB1 form publicly available through their websites and it is the Department's expectation for them to do so to improve transparency and public accountability. Those IDBs that do not declare compliance are targeted by the Department for follow-up investigation through ADA.

2.18 The Department manages the IDB1 process through ADA, which sends the forms out each year. IDBs make the returns to the Department, which then reviews the information, identifies any issues arising and shares them with ADA. However, the information is not routinely subject to detailed analysis or used to engage with IDBs or trigger activity by the Department itself. Nor is it subject to any standard checks or verification to ensure consistency with other information on the IDB such as the limited assurance review (see below). ADA may carry out its own analysis on the returns and determine any actions it feels are required.

Limited assurance reviews

2.19 Under the Local Audit (Smaller Authorities) Regulations 2015, audit arrangements for all smaller authorities are put in place by Smaller Authorities' Audit Appointments Ltd (SAAA) unless the authority has given notice that it wishes to make its own arrangements. SAAA is an independent company set up to procure external audit services for smaller authorities following the closure of the Audit Commission. Smaller authorities, such as IDBs and parish councils, receive a 'limited assurance review' designed to meet the statutory requirements for annual reporting.

2.20 The reviews are carried out according to the National Audit Office's code of audit practice and supporting guidance from the Comptroller and Auditor General. IDBs state whether they have complied with the proper practices set by JPAG, which have regard to the principles set out in HM Treasury's *Managing Public Money*. The external auditors then provide a basic level of review of a summary financial statement and an annual governance statement. The external auditors can also undertake further work if they identify risks or questions or objections have been raised. The auditors would also report any information regarding an IDB failing to meet compliance standards, but they are not required to routinely test the veracity of all statements every year. The reviews must also consider any qualified opinions given by the IDB's internal auditors, and to set out the background to any qualified opinions by the external auditor during the past year.

2.21 The limited assurance review is separate from the IDB1 regime. The externally appointed auditors that undertake the review are not responsible for reviewing the IDB1 form. The limited assurance reviews are submitted to the Department. However, as IDBs are locally funded and do not fall within the Department's accounting boundary, the reviews are of limited interest to the Department. An IDB may take information from the audited limited assurance review to populate its IDB1 form, but there are no standard checks in place to confirm that the two returns are consistent.

2.22 Each year, Public Sector Audit Appointments Limited notifies the Department of those IDBs that have received a qualified opinion from their external auditors (4% of IDBs in 2015-16). ADA follows these up with IDBs to discover the reasons for the qualification and reports these to the Department. The Department told us this exercise has not warranted any follow-up action as the reasons for qualification have been of a technical nature and have not raised any substantive issues.

Skills and expertise

2.23 Given the wide range of challenges that IDBs face, it is important that they have access to the skills and expertise they need to fulfil their role. The IDB1 form gives IDBs an opportunity to give their own assessment of the skills they have at their disposal. In their 2015-16 returns, 85% of IDBs reported that they have no board members with appropriate environmental expertise and 76% that they have no directly employed staff with the environmental expertise required.

2.24 More widely, it is clearly a challenge for IDBs to recruit board members or members of staff with sufficient expertise. This challenge is exacerbated by the low level of awareness of their function, and means that most IDBs rely heavily on buying in skills and expertise. ADA acknowledges the need for IDBs to have access to the right specialist expertise on environmental as well as other relevant local issues and has produced a best practice guide on accessing environmental skills.⁷

Raising concerns

2.25 IDBs are intended to be accountable to the communities they serve. These are made up of local residents, businesses and landowners within the district and the relevant local authority. The structures described in this report generally facilitate this accountability, but do not provide a way for individuals or organisations to raise concerns about an IDB. The Department advises individuals that approach it with an issue or complaint first to complain to the relevant IDB and, if they are not satisfied with the way the IDB handles the complaint, then to refer it to the IDB's external auditor. They also have recourse to the Local Government Ombudsman. **Figure 5** sets out the channels available to someone wishing to raise a concern, but our review has highlighted a need for better support for complainants and for IDBs to resolve any concerns raised.

2.26 The Wales Audit Office published a report regarding the Caldicot and Wentlooge Levels IDB in 2012. It was initiated in response to a number of concerns raised by former officers and a former member of the board relating to the IDB's operation. It found that:

- governance arrangements were inadequate and ineffective;
- some members and officers acted in a way that was likely to undermine public confidence in how the IDB operated;
- the IDB did not exercise good financial control at a corporate level;
- the IDB failed to demonstrate that it had achieved value for money; and
- the IDB had acted unlawfully in some key areas.

2.27 Although the Department no longer has policy responsibility with regard to Welsh IDBs, it worked alongside ADA to ensure that these concerns were addressed both with individual English IDBs and across the sector as a whole. ADA circulated material on the report's findings to IDB chairs and chief executive officers, advising them on the matters that they should check. It also produced model governance documents for its members to address the concerns raised.⁸ ADA encouraged all its members to adopt this guidance as good practice and offered support to IDBs through their local area meetings. However, as ADA is not a mandating authority, it could only advise its members to adopt this good practice. The existing legal framework means the Department also lacks legal powers to require IDBs to adopt this guidance. The information provided in the limited assurance reviews and the IDB1 returns and the limited use that is made of it are insufficient to prevent similar problems in the future.

⁷ Association of Drainage Authorities, *Best Practice Guide for IDBs on accessing environmental and other specialist expertise*, January 2015. Available at: www.ada.org.uk/wp-content/uploads/2017/01/IDB_Best_practice_guide_on_accessing_environmental_expertise.pdf

⁸ Links to a range of model government documents can be found at: www.ada.org.uk/key-topics/governance-and-accountability-for-idbs

Figure 5**Steps available to raise a concern about an Internal Drainage Board (IDB)**

1 Raise it with the IDB in the first instance	The complainant should put their concerns to the IDB, to give board members the opportunity to address them. Members should give a response explaining their findings and any actions to be taken. Some IDBs with an appointed managing agent prefer matters to be raised with the agent. Board members, however, must recognise that responsibility for the operation and activities of the IDB remains with them and that it is their duty to seek to resolve concerns raised.
2 Raise it with the IDB's external auditor	Where there is good reason not to approach the board directly, or if the board is unwilling or unable to resolve the concerns, the complainant may raise their concerns with the IDB's external auditor. The external auditor will consider whether the concern is relevant to their responsibilities. They will take any action that they consider appropriate for relevant concerns and provide a response to the complainant.
3 Raise it with the Local Government Ombudsman (LGO)	The LGO will expect concerns to have been raised with the IDB directly before it will review them. Provided this is the case, the LGO will decide whether there is a matter to investigate. If there is, it will explore the concerns with the IDB and any other relevant organisations. The LGO will explain its decision as to whether or not to investigate the matter. If it does investigate, its findings will be published on the LGO's website. ¹

Other possible approaches

Environment Agency	If the LGO cannot resolve the concerns raised and they are significant enough to challenge the IDB's operational capability, the Environment Agency can, as a last resort, take over some or all of the IDB's responsibilities. ²
Association of Drainage Authorities (ADA)	ADA works collaboratively with the sector to disseminate good practice and support IDBs in carrying out their role effectively. ADA has no authority to investigate complaints and no power to compel IDBs to change. However, it can issue guidance and use its influence to persuade IDBs to implement it.

Notes

- 1 A search of the LGO website reveals four complaints against IDBs since January 2005. Two of these were not upheld and the others were closed after initial enquiries.
- 2 The Environment Agency would review the concerns raised with the IDB and also with the Department, which would raise them with ADA through the Policy Advisory Group. At this point, any major issues would be flagged to the minister.

Source: National Audit Office analysis

Managing conflicts of interest

2.28 This review has highlighted that the oversight and assurance of IDBs are not sufficient to ensure that IDBs are able to meet expectations that all public sector organisations have good-quality internal governance and sound financial management. IDBs may also be vulnerable to conflicts of interest in their proceedings.

2.29 Some IDBs have professional support and operational staff, but others are too small. In some cases, operational support is provided by contractors, who consider their own interests as well as those of the board. Often these contractors are part of a larger group that offers a range of relevant services through different companies. Such situations need to be managed robustly to ensure that value for money is achieved through good practice. IDBs can seek advice or guidance from ADA, but this is at the board's discretion.

2.30 There are a number of areas that may lead to possible conflicts of interest:

- Some IDBs appoint managing agents to support their operations. These agents may handle all or some aspects of procurement and contract management. There is a risk that this may create conflicts of interest, as managing agents can be part of a wider group of companies, one of which could tender for the works the managing agent is specifying.
- An IDB or its agent may, intentionally or not, specify works in a manner that favours or appeals more directly to particular contractors. This may eliminate the opportunity for smaller, local contractors that do not reach predetermined benchmarks to tender for works for which they may be well suited. It may also provide an unfair advantage to contractors from the same group of companies, as they can more easily demonstrate their ability to match the tender requirements.
- If works are specified by a managing agent and delivered by another company in the same group, this could result in tensions between the interests of the IDB and those of the group.
- Elected members may be prejudiced towards making decisions in the interests of their own land or business, even though this is contrary to requirements of the Act.
- Flood risk management is a specialist area. This means there are a limited number of organisations that undertake some aspects of this work. The IDBs therefore can often have a limited pool of potential contractors to select from. This may lead to original contracts being extended or limited invitations to tender to only 'known' operators or even single suppliers. It raises risks of not achieving good value for money through open competition.
- There are potential conflicts of interest within the districts between the various interested parties, particularly with regard to environmental protection measures and issues of downstream water quality, for instance a wetland restoration project may raise water levels in one area and redefine the water course and siltation characteristics.

Figure 6
Scenario of where a conflict of interest may arise

An Internal Drainage Board (IDB) appointed 'Service Co' to act as its managing agent. Service Co is a member of a wider group of companies that includes consultancy and construction providers, Consult Co and Construct Co. Service Co defined the tender specifications on behalf of the IDB for an invitation to tender for construction works. It used its group standard format and in so doing gave an advantage to Construct Co in responding to the invitation. When Construct Co was appointed, the IDB expected Service Co to manage the contract in its best interests, but could not be certain that this was the case because of the relationship between the companies.

Source: National Audit Office analysis

2.31 Neither the Department nor the Environment Agency has a statutory role in addressing these possible conflicts of interest, but both support the work that ADA has done to draw attention to the potential for such conflicts to arise. There is no obligation for an IDB to maintain a register of board declarations of interest. ADA has encouraged all members to do so to assist the board's chair in managing potential conflicts of interest. According to IDBs' annual returns all but one IDB has now adopted a register of members' interests, and the remaining IDB intends to do so.

2.32 Most IDBs do not set up sub-committees such as audit committees or independent project boards to support the board in assuring good practice across their activities. However, the increasing use of public sector cooperation agreements between IDBs, the Environment Agency and local authorities is helping to improve transparency, open up the market to more suppliers and support more effective local working arrangements.⁹ By February 2016, the Environment Agency reported 59 such agreements with IDBs and a further five in development. These arrangements, although not universally adopted, should allow greater sharing of information. IDBs should therefore be able to get better assurance that they are achieving value for money from their expenditure.

⁹ A template for public sector cooperation agreements is available on ADA's website, available at: www.ada.org.uk/downloads/other/downloads_page/PSCA_March_2016.pdf



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NEWS RELEASE

22-03-2017

****IMMEDIATE RELEASE ****

ADA backs internal drainage boards' local governance of water level management

ADA firmly believes that internal drainage boards continue to provide a robust arrangement for the local governance of water level management in England following the publication of the National Audit Office's (NAO) report on internal drainage boards. The report focuses on governance and oversight arrangements; processes for raising concerns; and, the potential for conflicts of interest.

The sector has been making significant progress in recent years to address its visibility, governance and accountability, especially to the local communities being served. ADA appreciates the NAO's independent view of the sector and will work closely with our members and Defra to make further improvements. These will ensure IDBs deliver an efficient and cost effective service, whilst retaining their valuable local accountability.

Innes Thomson, ADA's Chief Executive, commenting on the publication of the report, said "The NAO report will help us to focus our attentions on those specific areas where further action can be taken to improve transparency and reduce potential conflicts of interest. We will continue to work very closely with Boards, Defra, the Environment Agency, local authorities and Natural England striving for excellence together. Today, ADA is proud to represent England's IDBs that provide a much needed local service, good value for money, and carry out work that benefits local economies, their communities and the environment"

The report serves as a very useful basis for industry discussion around how governance standards, sector oversight/assurance, and board training can be strengthened without adversely increasing administrative costs. However, ADA considers that the report does not fairly portray the access to environmental expertise at the disposal of IDBs. Boards currently utilise environmental advice through a range of complimentary means. These include via board membership, committees, employed staff, conservation bodies/authorities and contracted persons or consultants. ADA believes it is important that IDBs continue to be able to build access to environmental expertise that is most suitable to their local circumstances.

The report highlights the benefits that have already been achieved via consortia, collaborative working and amalgamation. ADA is pleased that partnership working mechanisms are now very much the local norm and are playing an important role in the scrutiny of IDBs' work and costs, and we commend this approach across the country to all risk management authorities.

ADA – representing drainage, water level and flood risk management authorities

Member of EUWMA – the European Union of Water Management Associations

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On the subject of further potential for mergers between IDBs in some areas of the country to achieve greater resilience of organisation and financial sustainability, ADA stands ready to assist neighbouring boards looking at closer working and amalgamation to secure their role delivering water level management within their respective catchments.

Finally, whilst we acknowledge the good efforts of many IDBs to enhance their profiles within the communities they serve, ADA strongly advocates increasing the publicity of IDB activities, both locally and nationally, to help the public to better understand the vital importance of the work they do to their, lives, livelihoods and local landscape.

ENDS

Notes to Editors

ADA is the membership organisation for those involved in drainage, water level and flood risk management. Its members include Internal Drainage Boards (IDBs), the Environment Agency, Regional Flood Defence Committees, Local Authorities, Natural Resources Wales, the Northern Ireland Rivers Agency, Consultants, Contractors and Suppliers.

ADA is involved in a wide range of work for and on behalf of its members helping to exchange ideas towards solving common problems and finding new, better ways of working. ADA responds to consultations from the Government, either on behalf of members or assisting with individual member responses. It represents all interests nationally and locally in relation to drainage, water level and flood risk management, for example, in relation to legislation and public inquiries. ADA acts together with other organisations to pursue the Association's objectives, including linking to Europe through ADA's membership of EUWMA, the European Union of Water Management Associations. ADA obtains and shares information on matters of importance and interest to members, and provides advice on technical and administrative problems. ADA is supported by a volunteer network of branches which bring together members for meetings at a regional level. ADA organises exhibitions and meetings for the benefit of members, maintains a website at www.ada.org.uk and publishes the quarterly ADA Gazette.

ADA is a limited company employing 6 staff with offices based at Stoneleigh Park in Warwickshire. ADA welcomes enquiries from the press and can be contacted during normal weekday office hours at 02476 992889 or by e-mail at admin@ada.org.uk.

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ADA – representing drainage, water level and flood risk management authorities

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For any other press enquiries please contact Stuart Booker, Kendalls 02476 992360 or
stuart.booker@kendallscom.co.uk. Issued on behalf of ADA by Kendalls

ADA – representing drainage, water level and flood risk management authorities

Member of EUWMA – the European Union of Water Management Associations
ADA is a Company Limited by Guarantee, Registered in England No. 8948603

MIDDLE LEVEL COMMISSIONERS



MIDDLE LEVEL OFFICES
85 WHITTLESEY ROAD, MARCH
CAMBRIDGESHIRE. PE15 0AH

Telephone: (01354) 653232
Fax: (01354) 659619
Email: enquiries@middlelevel.gov.uk
Website: www.middlelevel.gov.uk

Clerk, Chief Engineer & Chief Executive
D C Thomas B.Eng, M.C.M.I

Your Ref :

Our Ref :29

(Please quote this reference on any correspondence)

24th February 2017

Dear Stephen/Ms Truss/Mr Vara

Re: Flood Risk Management

You are no doubt aware that there is to be a joint parliamentary House of Commons debate on Flood Risk Management on the 27th February. We believe there are important issues at stake for the future of flood risk management in our area and felt you might find it helpful for us to share our and ADAs thoughts.

Obviously we welcome the increased certainty over CAPEX and OPEX spending, but with climate change providing wetter winters and more unpredictable (intense storm) weather patterns there will be a need to invest more year on year if we are to remain ahead of the game. We need our vision to be clear and the path to achieving it well defined. Whatever the approach taken, be it changes in land management, utilizing natural processes or the more traditional approaches there will be an increasingly large bill to pay. All systems, even those designed to work with nature have to be maintained which has a cost attached.

In terms of development then as this area is one with a high growth forecast the potential for increasing flood risk is significant and we are deeply concerned that sustainable drainage solutions (SuDS) are being promoted without the key element of long term maintenance being properly addressed. SuDS can be complex systems with the potential to deliver better water quality, increased biodiversity and reduced flood risk and hence their implementation is welcomed. The issue is that, unmaintained, they will deliver none of these in the long term and could actually lead to increased flood risk. The EFRA committee and Pitt recognised this as do local authorities, the IDBs, ADA and the EA. There are an increasing number of examples of failed systems, one of which is the Cardea site in Peterborough which has multiple balancing ponds, on site features and off site reed beds and despite the SuDS system being installed over six years ago there are still no long term maintenance arrangements in place. Across the country I believe there are numerous examples of management companies that have failed to deliver. The only long term answer is for a statutory body to take on the maintenance of any system serving more than a single property, just as is the case for dealing with foul water. For their part many IDBs would be prepared to adopt strategic SuDS facilities, subject to the payment of commuted sums.

Continued

Attached is the ADA response to the EFRA call for evidence for your information.

If you would like to discuss this matter further please do not hesitate to contact me.

Yours sincerely

Chief Executive

Stephen Barclay MP
House of Commons
London
SW1A 0AA

Rt Hon Elizabeth Truss
House of Commons
London
SW1A 0AA

Shailesh Vara
House of Commons
London
SW1A 0AA

Enc: ADA response to EFRA



Representing Drainage Water Level & Flood Risk Management Authorities

Rural Innovation Centre, Avenue H,
Stoneleigh Park, Warwickshire, CV8 2LG
Telephone: +44 (0) 2476 992889
Email: admin@ada.org.uk
Website: www.ada.org.uk
Twitter: @ada_updates

Consultation:	Post-legislative scrutiny: Flood and Water Management Act 2010		
By:	Environment, Food & Rural Affairs Committee, House of Commons Select Committee	Contact:	Ian Moodie, Technical Manager
To:	Submitted online	Tel:	024 76 992889
Date:	20 February 2017	Email:	ian.moodie@ada.org.uk

EFRA Committee Post-legislative scrutiny: Flood and Water Management Act 2010 Inquiry Written evidence submitted by ADA

0.01	Established in 1937, ADA is the membership organisation for drainage, water level and flood risk management authorities throughout the UK. Today ADA represents over 230 members nationally, including internal drainage boards, regional flood & coastal committees, local authorities and national agencies, as well our associate members who are contractors, consultants and suppliers to the industry.
0.02	Our purpose is to champion and campaign for the sustainable delivery of water level management, offering guidance, advice and support to the UK water level management industry, and informing members of the public about our members' essential work.
0.03	ADA's response focuses on two important aspects of the Flood & Water Management Act 2010: <ul style="list-style-type: none">a. the effectiveness of Defra's alternative approaches to commencing sustainable drainage systems measures set out in Schedule 3 of the Act, and;b. the benefits brought about by provisions for cooperation and arrangements contained within Section 13 of the Act, and the opportunity for increasing 'partnership working' between risk management authorities.
1.00	The effectiveness of Defra's alternative approaches to commencing sustainable drainage systems measures set out in Schedule 3 of the Act
1.01	ADA considers that Defra's alternative approach to commencing sustainable drainage systems measures have been a missed opportunity to provide clarity and certainty on ownership and are not delivering sustainable drainage that will be maintained.
1.02	Fundamentally, the alternative approaches have not dealt with adoption, the person or organisation that takes ownership and responsibility for the management and maintenance of SuDS components, which is essential. Currently, without a formal framework SuDS maintenance can fall to a maintenance company, local residents, the local authority or another undertaker and the difficulty of agreeing adoption on a

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- case-by-case basis has contributed to poor uptake of SuDS schemes, as uncertainty can cause delays in the planning process.
- 1.03 Resolving the adoption and maintenance of SuDS is a top priority to ADA's members. ADA considers that most practical way of ensuring that SuDS are maintained over the lifetime of a development is to have them adopted and maintained by a publically accountable statutory body, either a local authority, internal drainage board or sewerage undertaker. These bodies could then, if necessary, contract maintenance out to another organisation.
- 1.04 Establishing a robust source of income for the organisations adopting SuDS is also essential. Proper consideration therefore needs to be given by the Government, working with risk management authorities, to finding ways in which long-term funding can be secured, and an appropriate body or mechanism for doing so.
- 1.05 ADA has advocated the use of commuted sums collected from developers to help fund future maintenance. If commuted sums are used, the mechanism set out in Sections 33 and 34 of the Land drainage Act 1991 provide a good model. Under this provision, any person who is under an obligation imposed on them to do any work in connection with the drainage of land (whether by way of repairing banks or walls, maintaining watercourses or otherwise) can commute this obligation to the IDB. The sum to be paid is determined by the IDB and approved by Defra (this could alternatively be approved by a SuDS Approval Body as in Schedule 3, under guidance from Defra), payable either as a capital sum or a terminable annuity for a period not exceeding thirty years. This system has been proven to work well in practice (see Marston Vale case study below) and could be adapted easily to be applied by other risk management authorities.
- 1.06 Whatever system is adopted for paying for maintenance, it must be clear and transparent. Developers and householders, although not enthusiastic about paying for services, can accommodate reasonable charges if the system is open and in place from the start.
- 1.07 Instead of the current proposals, ADA's members believe the Government should look again at what Sir Michael Pitt reported and recommended, at current practice in Scotland, and at the key learning outcomes from the surface water management pilot projects especially the case study from Marston Vale, Bedfordshire (see section 3.00) which shows that a workable and affordable system for effective management of surface water is possible.
- 1.08 ADA would be pleased to continue to work with Defra to develop a system for implementing Sir Michael Pitt's recommendations on SuDS that is fit for purpose utilising the intended provisions of the Flood & Water Management Act 2010, Schedule 3.
- 2.00 Provisions for cooperation and arrangements contained within Section 13 of the Act, and the opportunity for increasing 'partnership working' between risk management authorities**
- 2.01 One key provisions within the Act, which has been of significant benefit to managing

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- flood risk in England and Wales, has been the empowering of greater partnership working between risk management authorities enabled by section 13. ADA has been working with the Environment Agency, IDBs and local authorities to encourage closer working in flood and water level management with the aim of achieve better and more efficient working practices that utilise local skills and expertise.
- 2.02 To utilise the provisions in section 13 and facilitate this ADA and the Environment Agency developed in 2013 a guidance document and agreement template for use by risk management authorities called a Public Sector Co-operation Agreement (PSCA). Each PSCA enables two public sector bodies to set out how they will deliver public tasks of mutual benefit together and places them on a sound legal basis to efficiently deliver river and coastal maintenance works and provide mutual assistance during flood events and subsequent flood recovery works.
- 2.03 As of 16 February 2017, 68 PSCAs are signed and in place between risk management authorities across England, with a further 14 agreed in principle, and others in development. These agreements, and local partnerships such as through the Lincolnshire Flood Risk & Drainage Management Partnership Framework, and in the areas of Central Bedfordshire, Milton Keynes and Northamptonshire, where the consenting role handed to Lead Local Flood Authorities under the Act is being undertaken by the appropriate local IDB under section 13(4) demonstrate the opportunity and local appetite to work together to find solutions to reduce flood risk and manage water levels.
- 2.04 One area where we would like to see partnership working developed further is in ongoing efforts to look at rationalising the main river network to enable the Environment Agency to focus its resources where they are most needed and ultimately ensure that the right people are managing the right watercourses and assets.
- 2.05 The Environment Agency has been looking at how it can reduce maintenance operation costs on some main rivers and associated assets which it has assessed as low or medium flood risk consequence. In many circumstances local communities, business and authorities may be willing to step in to maintain and manage them given their local and wider economic value.
- 2.06 In some circumstances, the responsibility for certain structures and systems could be transferred, allowing the assets and systems to be funded via local means, e.g. drainage rates and special levies raised by an IDB. In this instance, an IDB may have the resource to undertake the revenue operations needed (bank mowing). However, it is unable to resource the immediate cost of the work needed to restore an asset or system to ensure it is handed over in a good condition that gives local operators the best chance to extend the assets' lifespan to achieve maximum value and cost efficiency.
- 2.07 ADA believes that PSCAs can act as a helpful mechanism to agree a way forward to restore those systems cost effectively prior to transfer, enabling both parties involved to better understand the function and management of the system before a more definitive transfer is agreed.

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2.08 There are currently a number of potential pilot cases for de-maining that have local support from the local IDB, local authorities and the Environment Agency that offer the opportunity for Defra to develop its thinking in this area, further utilising section 13 and PSCAs. We look forward to receiving the Government's support for these pilots to proceed. ADA would like to extend an invitation to the EFRA Committee to see one such example in Lincolnshire in the near future.

3.00 SuDS maintenance and adoption case study: Marston Vale, Bedfordshire

3.01 The Bedford group of IDBs used a strategic approach to establish sub-regional integrated SuDS to align planners' aspirations of growth and IDB's requirements for sustainable drainage and flood risk management. This exemplar project delivered strategic and integrated drainage infrastructure that is maintainable in the future by a statutory authority for the benefit of the local community.

3.02 The area to the south of Bedford is a growth area with the aspiration to provide 35,000 new homes plus jobs between 2001 and 2031. To manage this pressure for development in a sustainable way the IDB worked with local planning authorities and other partners through the Marston Surface Water Group. The Group produced the Surface Waters Plan (2002), which promoted strategic, integrated and maintainable SuDS. The Group wanted to avoid piecemeal drainage in private ownership, so the IDB, as statutory authority agreed to adopt the SuDS infrastructure with commuted sums from developers, to make sure assets were maintained and continue to function in the future.

3.03 To facilitate good SuDS, the IDB carried out strategic modelling for the area, which the developers could adopt, develop the detailed design, and construct. This resulted in integrated SuDS for the whole development area, with individual developers responsible for the works on their land.

3.04 The integrated SuDS enabled the local planning authorities, Bedford Borough Council and Central Bedfordshire Council, to allocate sustainable sites for the new development, and to produce master plans that identify opportunities for aligning development aspirations with strategic surface water drainage and flood risk mitigation facilities.

3.05 The approach represents the spirit of the original intentions of the Flood and Water Management Act 2010, whereby the statutory body is responsible for approving and adopting the SuDS, working in partnership with other organisations.

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THE RT. HON. ELIZABETH TRUSS MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Iain Smith
Middle Level Commissioners
Middle Level Offices
Whittlesey Road
March
PE15 0AH

29 March 2017

Dear Mr Smith,

Elizabeth Truss MP has received the enclosed response from Secretary of State for the Environment, Food and Rural Affairs, the Rt. Hon Andrea Leadsom MP, regarding concerns raised on behalf of the Middle Level Commissioners.

I hope that you find the reply of assistance

Best wishes,

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a long horizontal line.

Letitia Davies
Office of the Rt. Hon Elizabeth Truss MP
Member of Parliament for South West Norfolk
Lord Chancellor and Secretary of State for Justice

Westminster Tel: 0207 219 7151 Constituency Tel: 01842 766155
Website: www.elizabethtruss.com Email: elizabeth.truss.mp@parliament.uk



Department
for Environment
Food & Rural Affairs

Nobel House
17 Smith Square
London SW1P 3JR

The Rt Hon Andrea Leadsom MP
From the Secretary of State

T 03459 335577
defra.helpline@defra.gsi.gov.uk
www.gov.uk/defra

Rt Hon Elizabeth Truss MP
House of Commons
London
SW1A 0AA

Our ref: MC424093/KM

29 MAR 2017
27 March 2017

Dear Liz,

Thank you for your email of 3 March on behalf of Iain Smith, Chief Executive of the Middle Level commissioners.

With regards to maintenance arrangements for SuDS, the expectation is that these are secured through the use of planning conditions or obligations, as part of the determination of the planning application by the local planning authority. For example, a local resident who believes that maintenance is not being properly carried out can report a possible breach of planning condition or obligation to the local planning authority, who is able to investigate and, where it considers appropriate, carry out enforcement action.

I welcome the recent announcement that Water UK is working to develop water industry standards for the adoption of sustainable drainage. Defra and Environment Agency officials are working with the Department for Communities and Local Government to help it deliver a review of national and local planning policies concerning sustainable drainage. The review will assess how recent changes to planning policy, in relation to sustainable drainage, are bedding in on the ground, including arrangements for ongoing maintenance. The Minister of State for Housing, Planning and London outlined the scope of the review on 27 October 2016: <https://goo.gl/xXdt1k>.

I hope that this reply is helpful.

Best wishes,

Andrea Leadsom

Andrea Leadsom MP
Secretary of State for the Environment, Food and Rural Affairs



APPENDIX 13
NBTA Petition against
Middle Level Bill

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2016–17

Middle Level Bill

Against – on merits – Praying to be heard by Counsel, &c.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

THE HUMBLE PETITION of National Bargee Travellers Association.

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House intituled “Middle Level Bill”.
2. The Bill is promoted by the Middle Level Commissioners (hereinafter referred to as “the Commissioners”). The Preamble to the Bill amongst other things recites that an Act of Parliament passed in 1810 established a body of Commissioners called the Middle Level Drainage Commissioners with power and jurisdiction to improve the drainage of the rivers, drains, lands and grounds, and that further Acts of Parliament amended the functions and reconstituted the body as Commissioners of drainage and navigation and transferred to them functions relating to navigation in the waterways of the Middle Level. The Preamble also claims that it is expedient to update the Commissioners’ powers to regulate navigation; to confer further powers to regulate other activities affecting the use of the waterways for navigation; to confer powers to levy charges in respect of vessels using the waterways; to confer powers requiring the registration of vessels using the waterways; to revise provision in relation to the auditing of the Commissioners’ accounts; to enact other provisions and that the objects of this Act cannot be attained without the authority of Parliament.
3. Your Petitioners object to the following Clauses:

Clause 2, which interprets the term “waterway”.

Clause 3, which would empower the Commissioners to fix and recover charges for the use of any waterway by any vessel; to provide services and facilities in respect of the waterways and their banks; to compel registration of any vessel under navigation byelaws and to make the use of services and facilities subject to terms and conditions.

Clause 4, which would empower the Commissioners to carry out reciprocal enforcement activities with other navigation authorities against boat owners and to carry out reciprocal registration and charges for navigation with other navigation authorities.

Clauses 5 and 6, which would empower the Commissioners to close parts of the waterways or to close locks to navigation by vessels.

Clause 8, which would empower the Commissioners to immediately remove any vessel that is sunk, without notice to the owner; to remove any vessel that is stranded or abandoned with only 14 days’ notice and any vessel that is moored without lawful authority with only 28 days’ notice; to seize such boats within 6 weeks and to charge the owner for the cost of removal.

APPENDIX 14
Quotation from Mastenbroek
for spare flail head



Sales - Quote

Page 1

MIDDLE LEVEL COMMISSIONERS
MIDDLE LEVEL OFFICES
85 WHITTLESEY ROAD
MARCH
PE15 0AH
United Kingdom of GB & NI

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Phone No. +44 (0)1205 311313
HomePage www.mastenbroek.com
E-Mail service@mastenbroek.com
VAT Registration No. GB737689377
Bank National Westminster Bank
Bank Sort Code 51-81-08
Account No. 04745159
Salesperson John Geelhoed

Bill-to Customer No. MI06
Quote No. SQ001264
Document Date 12. January 2017
Payment Terms 30 Days

No.	Description	Quantity	Unit of Measure	Unit Price	VAT Identifier	Amount
H-1210-1216	ECO MOWER KMUWK180.SS+AF (LEFT)	1	each	8,900.00	S	8,900.00
Total GBP Excl. VAT						8,900.00
20% VAT						1,780.00
Total GBP Incl. VAT						10,680.00

The Solicitor/Assistant Clerk reported on the Middle Level Navigation Bill. Unfortunately a number of petitioners had objected to the Bill and have received support from Christopher Chope MP, hence therefore the Bill was opposed. Next stage was therefore for the Bill to be discussed by Committee for which a Barrister is to be employed.

The Chief Executive reported on the problems experienced with backing up the virtual servers and that consideration had been given to entering into a support contract for the servers to reduce the burden on him (as he currently maintained them) and also to provide resilience for the Commissioners.

The Chief Executive advised that proposals to transfer the navigations under the jurisdiction of the Environment Agency to British Waterways (now Canal and River Trust) (CRT) were now being reconsidered, although discussions were at an early stage.

The Chief Executive reported that the Well Creek Trust moorings at Salters Lode had partially collapsed and asked for the Commissioners' view as to whether it would be appropriate to offer to take them over, if they were put in a good order.

The Chief Executive reported that the illegal mooring of boats had started to become a problem at certain locations. Public moorings had a time restriction, ie mooring for 36 hours only, but one boat had been moored on the town moorings for over four months, despite requests for him to move on. Although the Commissioners own the river frontage here, the moorings were controlled by Fenland District Council who had advised that they did not have the powers to move boats on. The Chief Executive advised that the owner of the boat had engine problems and was not in a position to move on his own and also, he understood, did not have a safety certificate or insurance.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Middle Level Navigation Bill
 - a) That the Executive Committee or the Chairman/Vice Chairman, on the advice of the Chief Executive, be authorised to deal with issues which arise at the Committee stage and other procedural stages of the Bill.
 - b) To fund from balances any such authorised work.
- iii) That the Chief Executive investigate a support contract for servers.
- iv) That ADA should be asked to become involved in the discussions to transfer the Environment Agency's navigation assets to the Canal and River Trust (CRT).
- v) That an approach be made to the Well Creek Trust to adopt the moorings at Salters Lode once they were repaired and put in good order.
- vi) That action be taken to remove the illegally moored boat at March Town moorings in consultation with Fenland District Council.

B.3390 Executive Committee

Members considered the minutes of the meeting of the Executive Committee held on the 7th February 2017.

RESOLVED

That the Executive Committee's minutes and recommendations be approved

B.3391 Treasurer's Report

The Treasurer reported on the likely out-turn figures for 2016/2017.

The Treasurer reported that the 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 had been updated.

The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2016.

RESOLVED

That the report of the Treasurer be approved.

B.3392 Expenditure estimate and special levy and drainage rate requirements 2017/2018

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2017/2018 and were informed by the Chief Executive 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 65.89% and 34.11%.

The Treasurer detailed the internal checks on expenditure which included the production of quarterly sheets for the Executive Committee's consideration.

Mr Boughton enquired whether the expenditure on St Germans Pumping Station was above or below target. The Treasurer advised that it was broadly on target.

Mr S Whittome asked about the options for renegotiating the loans the Commissioners have. The Treasurer advised that he expected there to be little scope but would check.

Mr Boughton raised concern in relation to Brexit and its impact on the forward programme if the farming community were financially challenged.

The Executive Committee recommended that the rate remains at 26.0p.

RESOLVED

- i) That the following recommendations be submitted to the Commissioners, viz:-
 - a) That the estimates be approved.

- b) That a total sum of £2,657,288 be raised by drainage rates and special levy.
- c) That a rate of 26.00p in the £ be laid and assessed on Agricultural hereditaments in the District.
- d) That Special levies totalling £906,464 be made and issued as follows for the purpose of meeting such expenditure, viz:-

£496,446 to Fenland District Council
 £206,829 to Huntingdonshire District Council
 £203,189 to the Borough Council of Kings Lynn and West Norfolk

- ii) That the Improvement Works as detailed be approved.
- iii) That the Chief Executive and Treasurer be authorised to deal with the purchase of a back up generator if the quotations were approved by the Executive Committee.

B.3393 Inspection of Works

The Chief Executive informed Members that the Inspection would be held on Wednesday 28th June 2017 and that the theme would be navigation and locks.

RESOLVED

That Mrs Pam Potts and Mr Peter Mitchell (previous local District Council representatives) be invited to attend the Inspection.

B.3394 Applications for byelaw consent

The Chief Executive reported that the following applications for consent to undertake works in and around watercourses had been approved and granted since the last meeting of the Board, viz:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
Cambridgeshire County Council	Installation of up to 200m length of steel sheet piled moorings, backfilled with inert stone and concrete path – Ramsey Mill footbridge , Ramsey High Lode	24 th November 2016
Amalgamated Construction (on behalf of Network Rail)	Undertake concrete repairs to the soffit of a railway bridge over Yaxley Lode, near Lord's Farm, Yaxley	24 th November 2016
Peter Kenneth Smith	Construct 10m landing stage and timber steps to provide access down the bank –River Nene (Old Course), March	1 st December 2016
Alfred Bagnall & Sons (East Midlands) Ltd	Maintenance work to National Grid's gas pipeline that crosses Holloways	18 th January 2017

	Bridge - Twenty Foot River	
Skanska UK Plc on behalf of Cambridgeshire County Council	Temporary works – scaffolding tower and pontoons to provide access for bridge investigation work and concrete testing – Cottons Corner Bridge, Sixteen Foot River	18 th January 2017
Skanska UK Plc on behalf of Cambridgeshire County Council	Temporary works – scaffolding tower and pontoons to provide access for bridge investigation work and concrete testing – Boots Bridge, Sixteen Foot River	18 th January 2017
REG (Ramsey Wind Farm) Ltd	Installation of Coir Rolls against the riverbank below the new Green Hall Bridge and erect 4 no lengths of timber post and rail fencing – River Nene (Old Course)	7 th February 2017
Alfred Bagnall & Sons (East Midlands) Ltd	Installation of anti-climb guards to National Grid's gas pipeline immediately upstream of Ramsey St Mary's road bridge, including the erection of temporary access scaffolding – River Nene (Old Course)	13 th February 2017
Peter and Jenny Rhodes	Construct 2 x 3m long timber landing stages – Well Creek, Upwell	2 nd March 2017

RESOLVED

That the action taken in granting consents be approved.

B.3395 Environment Agency – Precept
Local Choices Update

The Chief Executive referred to the Environment Agency's newsletter dated October 2016.

The Chief Executive reported that the Environment Agency were giving IDBs a massive amount of support because they were delivering a substantial quantity (in this area 2/3rds) of government targets for properties protected in the six year cycle.

B.3396 Water Resources Committee

Further to minute B.3368, Mr H Whittome reported on the water resources situation and noted that it had been a dry year with below average rainfall. He reported that the reservoirs were at an acceptable level and arrangements with Anglian Water over when and how much water they took from the Nene had so far been favourable, allowing the Commissioners more access to water when they needed it.

B.3397 Ralstonia Solanacearum – Brown Rot

Further to minute B.3377, the Chairman reported on potato brown rot.

The Chief Executive gave an update on the abstraction ban for potato growing.

There was much discussion over this issue and the problems associated with brown rot and future testing was discussed. This included the expectation that DEFRA would be carrying out system wide sampling this summer.

Mr H Whittome proposed a control trial to see if the Commissioners could eradicate Woody Nightshade.

The Chief Executive stated that to control it the Commissioners would have to remove entire reed fringes putting bank stability into question and undoing years of conservation works.

Members felt that they needed a briefing and wondered what the Dutch had done.

RESOLVED

- i) That a briefing on the subject be prepared for the next meeting of the Board.
- ii) That, in the meantime, the Chairman, Vice Chairman and Mr H Whittome be authorised to deal with the matter.

B.3398 Conservation Committee

Members considered and approved the minutes of the meeting of the Conservation Committee held on the 16th March 2017.

B.3399 Environmental Officer's Report and BAP Report

The Chief Executive referred to the Environmental Officer's Newsletter dated December 2016, previously circulated to Members.

Members considered and approved the Report of the Environmental Officer and the Commissioners' most recent BAP Report.

B.3400 Association of Drainage Authorities

a) Annual Conference

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

The Chairman reported that Henry Cator, the ADA Chairman, would be standing down later this year and asked for a contribution towards a donation towards his leaving present.

RESOLVED

i) That the Chief Executive be authorised to obtain a ticket for the Annual Conference of the Association for any Member who wishes to attend.

ii) That the Executive Committee be authorised to agree the contribution towards the leaving present for the ADA Chairman.

b) Annual Conference of the River Great Ouse Branch

The Chief Executive 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

The Chief Executive referred to an e-mail received from ADA dated the 16th December 2016 and reported that he had been advised that subscriptions for 2017 will remain unchanged at £609.

RESOLVED

That the requested ADA subscription for 2017 be paid.

d) Floodex 2017

The Chief Executive reported that Floodex 2017 will be held at The Peterborough Arena on the 17th and 18th May 2017 and referred to the free Health and Safety Seminars that will also be taking place.

e) Further Research on Eels

The Chief Executive 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.

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

RESOLVED

That the Board contribute £100 for the first year towards further research on eels and review in 2018.

(NB) – Lord De Ramsey (as ADA President) and Mr J Heading (as an ADA Director) declared interests when this item was discussed.

B.3401 Governance of Water Level Management in England

The Chief Executive 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.3402 Policy on Procurement

The Solicitor/Assistant Clerk advised that this was an update of an existing document.

Members reviewed and approved their Policy on Procurement.

B.3403 Review of Internal Controls and Risk Management

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

B.3404 Fisheries

Further to minute B.3375, the Chief Executive reported that the fishing rights on the Twenty Foot River, Bevills Leam, North West Cut, Kings Dyke, New Dyke, Hooks Lode, Monks Lode, Great Raveley Drain, Black Ham, Yaxley Lode, Yards End Dyke and Middle Level Main Drain had been let for the period from 1st April 2017 – 31st March 2020, viz:-

<u>Description</u>	<u>Lot No</u>	<u>Bid</u>	<u>Angling Club</u>
North East and North West Cuts (Iron House Farm to Conquest Lode), Trundle Mere (Black Ham), Yaxley Lode and Yards End Dyke	8) & 13))))	£85.35	Yaxley, Farcet, Holme & District Angling Club
Kings Dyke from Ashline Lock to Horsey Sluice	11))	£103.53	
Monks Lode, Hook's Lode, New Dyke and Great Raveley Drain	12))		
Twenty Foot River from Old River Nene Junction (Twenty Foot Corner) to Goosetree Corner	4	£550.00	March & District Angling Association
Twenty Foot River from Goosetree Corner to junction with Bevills Leam at Angle Corner	5)))		
Whittlesey Dyke from Floods Ferry to Angle Corner to Ashline Sluice	9 & 10) 6A)	£971.00	Whittlesey Angling Association
Bevills Leam from Angle Corner to Glassmoor House))	let under long term agreement expiring 2025	
Bevills Leam from Glassmoor House to Ponders Bridge	6B)))		
Bevills Leam from Pondersbridge to Mere Engine	7(pt))))		
North West Cut to Bevills Leam Junction	7(pt))		

Main Drain from Well Creek	29 to)		
Aqueduct to St Germans	33)		
)	£1,500.00	Kings Lynn Angling Association
Main Drain from Three Holes	34 to)		
Bridge to Well Creek Aqueduct	36 (pt))		

and that the following length be let for the period from 1st August 2017 – 31st July 2020

Sixteen Foot River from Bedlam	27	£100.00	British Pike Squad
Bridge to Middle Level Main Drain (Three Holes Bridge)			

(NB) – Mr Fountain declared an interest in Whittlesey Angling Association.

B.3405 Date of next Meetings

The Chief Executive reminded Members that the next meetings of the Commissioners and the Middle Level Board would be held on Thursday the 2nd November 2017.