

SAWTRY INTERNAL DRAINAGE BOARD

At a Meeting of the Sawtry Internal Drainage Board
held at the Old School Hall, Green End Road, Sawtry on Wednesday the 7th June 2017

PRESENT

S J Custance Esq (Chairman)	C Evans Esq
A G Darby Esq	S R Juggins Esq
D R Elmore Esq	S T Raby Esq
D M Tysoe Esq	

Miss Lorna McShane (representing the Clerk to the Board) and Mr R Laxton (District Officer) were in attendance.

Apologies for absence

Apologies for absence were received from M J Broughton Esq and R G Tuplin Esq.

Prior to the meeting, the Chairman presented an engraved whisky decanter to Mr Tony Darby, in recognition of his services to the District as Chairman. He reported that Mr Darby had been Chairman of the Board for 17 years and thanked him, on behalf of the Board, for his services and also gave his personal thanks to him for leaving the Board in good order when he had taken over as Chairman.

B.1064 Declarations of Interest

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

Mr Raby declared an interest (as a Member of the Middle Level Board) in agenda item 39.

B.1065 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 8th June 2016 are recorded correctly and that they be confirmed and signed.

B.1066 Clerk to the Board

a) Further to minute B.1026, Miss McShane reported that Mr David Thomas had been appointed as Clerk to the Board and she had been appointed Solicitor/Assistant Clerk.

Miss McShane reported that the Chairman had authorised a donation of £200 towards the gift to mark Iain Smith's retirement and that Mr Smith had asked that his thanks be passed on to the Board for their generous contribution towards his retirement gift and would like it recorded that it had been a pleasure for him to serve the Board and that he wished them all the best for the future.

b) Changes to bank mandate

Further to minute B.1049, Miss McShane reported that, as most of the invoices raised came through the engineering department, the Internal Auditor had advised that David Thomas should not be named on the bank account and that the Treasurer and Assistant Treasurer of the Middle Level Commissioners should be the officers authorised to make payments of authorised accounts and that in pursuance of minute B.1049, the Chairman had authorised the appropriate changes to the mandate.

RESOLVED

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

B.1067 Appointment of Chairman

RESOLVED

That S J Custance Esq be appointed Chairman of the Board.

B.1068 Election of Members of the Board

Miss McShane reported that, as the number of candidates for membership of the Board did not exceed the number of persons to be elected (eight), the following candidates were elected as Members of the Board for a period of three years from the 1st November 2016, viz:-

BROUGHTON Malcolm John	ELMORE David Ralph
CUSTANCE Stephen John	EVANS Chris
DARBY Anthony Gerald	JUGGINS Stephen R
RABY Samuel Terence	

Miss McShane reported that Chris Evans, Woodwalton Fen NNR Manager, had replaced Catherine Weightman as Natural England's representative.

Miss McShane also reported that there was currently one vacancy on the Board.

The Chairman welcomed Mr Evans.

B.1069 Land Drainage Act 1991
Huntingdonshire District Council

Miss McShane reported that Huntingdonshire District Council had re-appointed Councillors D M Tysoe and R G Tuplin to be Members of the Board under the provisions of the Land Drainage Act 1991.

Miss McShane also reported that Mrs Riddle and Mr Allen were not re-appointed.

B.1070 Vacancy in Membership

Further to minute B.995(ii), consideration was given to the filling of the vacancy on the Board.

RESOLVED

That the Chairman, or a nominee of Sawtry Parish Council, be invited to become a member of the Board.

B.1071 Great Fen Project

Further to minute B.1031, Mr Evans advised that he had been in post since January 2017.

He reported that the Great Fen capital works on drainage had been completed at Holme Fen. He advised that funding for the next stage of the project was to be sought from the Heritage Lottery Fund and that they needed to review works which they funded.

Mr Evans agreed to e-mail a copy of a map to members and also them to visit the Great Fen.

RESOLVED

That the Chairman arrange a visit to the Great Fen in late Summer/Autumn 2017.

B.1072 Water Framework Directive

Further to minute B.1032, Miss McShane reported that there had been no further developments, apart from Mr Paul Sharman being appointed as the IDB representative following the retirement of Mr Iain Smith, but advised that, due to the Environment Agency no longer being able to support it, the River Basin Liaison Panel had since been disbanded. She also reported that the Clerk was satisfied that there were other partnerships in place and would continue to update Members when required.

B.1073 Water Transfer Licences

Further to minute B.1033, Miss McShane reported that ADA had met with Defra officials, including Sarah Hendry, on the 11th October to discuss the Water Transfer Licences and it appeared that the Minister was keen to avoid over regulation. ADA had proposed certain points to Defra, including that ADA would hold one licence for the industry or that the opportunity should first be given for the information which the Environment Agency allege that they do not have to be provided other by regulation but perhaps through a form similar to the present IDB1. Defra officials had, it was understood, agreed to consider these proposals.

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

B.1074 Consulting Engineers' Report

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

Sawtry I.D.B.

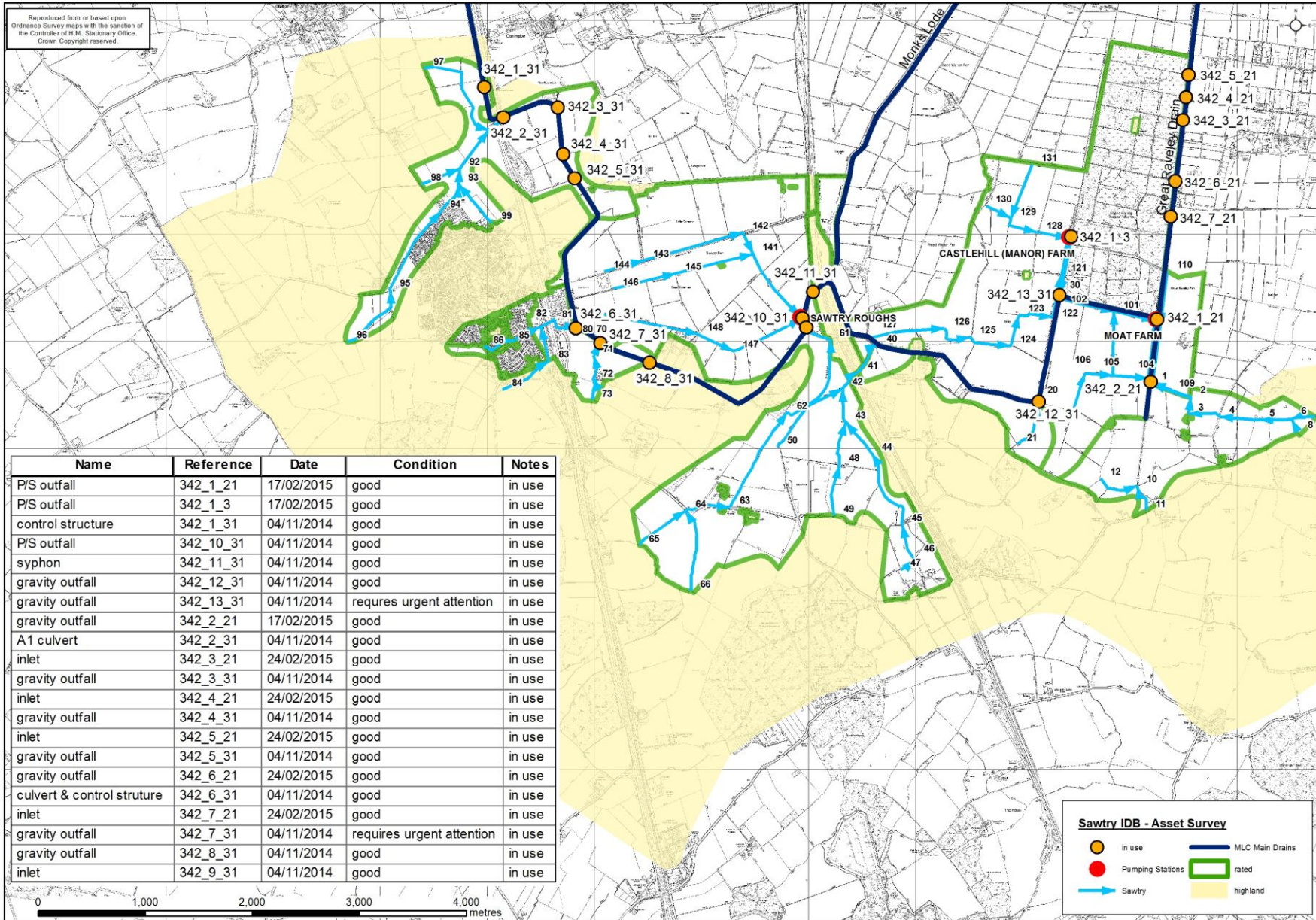
Consulting Engineers Report – May 2017

Health & Safety

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

Asset Survey

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



Pumping Stations

Only routine maintenance has been carried out since the last meeting and the pumping plant at each of the stations is mechanically and electrically in a satisfactory condition.

Pumping Hours

Pumping Station	Total hours run May 11-Mar 12	Total hours run Mar 12-Apr 13	Total hours run Apr 13-Apr 14	Total hours run Apr 14-Mar 15	Total hours run Mar 15-Mar 16	Total hours run Mar 16-Apr 17
Castlehill	230	356	195	162	51	108
Moat Farm	19	622	315	262	94	79
Sawtry Roughs	5	450	210	184	76	85

Eel Regulations

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

The IDBs and ADA have been pushing for further research to better understand eel movement and explore all options in relation to providing methods which would allow the mature (silver) eels to escape closed systems and hence travel to their breeding sites in the most cost effective manner. ADA has asked if IDBs would join with the EA in funding this project and so far the response has been positive. The Board is therefore asked if it would wish to offer some financial support over one or two years. Other Boards have committed between £50 and £1000 for either one or two years.

Development within the Floodplain

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

The matter of development within the floodplain has been discussed at several sites within our areas of interest, and the Clerk to the Commissioners/Boards has advised that the definition and extents of a "floodplain" are matters for the planning authority to resolve with the relevant authority who prepared the hazard map, be it the Environment Agency (EA) for its various flood maps, the Local Planning Authority (LPA), for its SFRA, and/or the Lead Local Flood Authority (LLFA) for its SWMP. It is acknowledged that whilst there may be specific issues relating to future proposed

aspects of development within our catchment we will not oppose it simply because it is within the floodplain. The Commissioners/Boards have policy statements, available on the Middle Level website, which set out the Standard of Protection (SoP) that they will seek to provide, floodplain or not.

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

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

Internal Consultation with the Board

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

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

Changes to Planning Procedures Update

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

Pre- and Post-Application Consultation

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

Notes/Informatives on planning decision notices

Following a concern raised by one of the Boards administered by the Commissioners, a brief review of a random, yet representative, sample of planning application Decision Notices made by

the Huntingdonshire District Council (HDC) that have primarily been granted in the last two years has been undertaken.

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

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

It is understood that the principle of using notes/informatives on Planning Decision Notices is based on the Court of Appeal which remarked following the case of *Slough Borough Council v Secretary of State for the Environment and Oury* [1995] "The general rule is that, in construing a planning permission, regard may only be had to the permission itself, including the reasons stated for it."

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

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

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

Local Land Charges Register (LLCR)

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

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

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

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

Developers are becoming increasingly aware of the Supreme Court's decision that any connection to a public sewer under Section 106 of the Water Industry Act 1991 or agreement to construct a public sewer under Section 104 of that Act also requires our consent where our systems would be affected. Therefore, in addition to any permission from the LPA, the EA and AWS, the consent of the Board/Commissioners is also required for the acceptance of any increased flows or volumes to our system. Such consent will not be given unless we consider that the discharge can be properly dealt with within our system and the costs of accommodating that discharge are met.

Planning Applications

In addition to matters concerning previous applications, the following 22 new applications have been received and dealt with since the last meeting:

<i>MLC Ref.</i>	<i>Council Ref.</i>	<i>Applicant</i>	<i>Type of Development</i>	<i>Location</i>
506	H/16/00696/HHFUL	Mr & Mrs Boden	Residence (Extension)	Woodfield Drive, Sawtry
507	H/16/80139/COND	Linden Homes Eastern	Conditions C9	Gidding Road, Sawtry*
508	H/16/01109/REM	Linden Homes Eastern	Residential (80 dwellings)	Gidding Road, Sawtry*
509	H/16/80216/COND	Lady Una Miller	Day Nursery and Beauty Salon	Old Great North Road, Sawtry
510	H/16/01622/PMBPA	AgReserves Ltd	Residential (3 dwellings)	Church End, Woodwalton
511	H/16/01666/HHFUL	Mr M Robinson	Residence (Extension)	Fen Lane, Sawtry

512	H/5010/16/CC	Cambridgeshire County Council	Education	Sawtry Infant & Junior Schools
513	H/16/01747/HHFUL	Mr & Mrs A Barr	Residence (Extension)	Farfield Close, Sawtry
514	H/16/01089/FUL	The Cromwell Veterinary Group Ltd	Animal physiotherapy unit	Green End, Sawtry
515	H/16/01974/EXTDET	Mr E Pearce	Residence (Extension)	Gidding Road, Sawtry
516	H/16/02393/FUL	Mr G & Mrs E Widdows	Residence	New Road, Woodwalton
517	H/16/10208/SCRE	Anescon Ltd	Solar Farm	Double Bank Lane, Sawtry
518	H/16/02471/HHFUL	Mr R Alderman	Residence (Extension)	Aversley Road, Sawtry
519	H/16/02630/PMBPA	AgReserves Ltd	Residence	Church End, Woodwalton
520	Enquiry	Client of Waterman Infrastructure & Environment	Residential	Gidding Road, Sawtry
521	H/16/02731/PMBPA	Miss T Belcher	Residence	Glatton Road, Sawtry
522	H/17/00028/HHFUL	Mr R Sanigar	Residence (Extension)	Green End Road, Sawtry
523	H/17/00148/HHFUL	Mr & Mrs Maher	Residence (Extension)	Tinkers Lane, Sawtry
524	H/17/00077/OUT	Kier Group	Residential (up to 295 dwellings)	Gidding Road, Sawtry*
525	H/17/80030/COND	Lodge Park Ltd	Residential (43 dwellings)	St Andrews Way/Chapel End, Sawtry*
526	H/17/00376/HHFUL	Mr T Upson	Residence (Extension)	Church Street, Sawtry
527	H/17/00725/OUT	Mr & Mrs P Evans	Residential (2 dwellings)	High Street, Upwood

Planning applications ending 'HHFUL' relate to Householder applications for Full Planning Permission

Planning applications ending 'COND' relate to the discharge of relevant planning conditions

Planning applications ending 'RM' relate to Reserved Matters applications

Planning applications ending 'PMBPA' relate to Prior Approval Agricultural to Dwellings

Planning Applications ending 'CC' relate to County Council matters

Planning applications ending 'SCRE' relate to screening/scoping opinions

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

No further correspondence has been received from the applicants or the applicants' agents concerning the following development and no further action has been taken in respect of the Board's interests.

- *Extension to existing motel at Redwings Lodge Motel, Old Great North Road, Sawtry – Redwings Lodge Ltd (MLC Ref No 412)*

Residential development at and to the south of Marshalls Bros Garage, Gidding Road, Sawtry – Client of Royal Haskoning (MLC Ref No. 307), Fox Land & Property (MLC Ref Nos 325, 339 & 343) Persimmon Homes (EM) (MLC Ref No 405), Persimmon Homes &

Bellway Homes East Midlands (MLC Ref No 409) and Charles Church (East Midlands)
(MLC Ref No 439)

It is not known whether the long-standing issues of long term funding, management and maintenance arrangements for the upkeep of both the on-site surface water system and the private receiving watercourse in perpetuity has been resolved to the Board's satisfaction.

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

Residential development on land at and including 12 Fen Lane, Sawtry – Mrs D Younger
(MLC Ref Nos 360, 389 & 449)

The replacement outline planning permission for this site expired on 9 August 2016 and no subsequent applications to renew this have been submitted to the District Council.

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

Development at Nordic House, Old Great North Road, Sawtry - Tesco Pension Trustees Ltd (MLC Ref No 424) & *NFI Industries* (MLC Ref No 441)

Planning permission for this site expired on 20 February 2016 and no subsequent applications to renew this have been submitted to the District Council.

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

Construction of sewage treatment works at land off Raveley Road, Woodwalton - Anglian Water Services Ltd (MLC Ref No 447)

See the Wood Walton First Time Sewerage Scheme entry later in this report.

Erection of 43 dwellings at land between St Andrews Way & Chapel End, Sawtry - Davidsons Developments Ltd (MLC Ref No 456) & *Lodge Park Ltd* (MLC Ref No 525)

Further to the Board's 2015 report, planning permission was granted by the District Council in June subject to the imposition of conditions including surface water disposal and flood risk.

It is pleasing that the Council's Decision Notice included the following:

"31. Note to applicant.

Note in relation to Condition 8

Advice for the Applicant

In order to discharge the above surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) The results of infiltration testing undertaken on site in accordance with BRE Digest 365, to confirm whether the use of infiltration drainage is feasible.
- b) A clearly labelled drainage layout plan showing pipe networks and any SUDS features, including any attenuation ponds (with the volume of these indicated). This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- c) Confirmation of the critical storm duration.
- d) Where on site attenuation is achieved through attenuation ponds, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.
- g) Written confirmation that Sawtry Internal Drainage Board is willing to accept any proposed discharge into their drainage system.
- h) Confirmation of who will adopt and be responsible for future maintenance of all elements of the surface water drainage system."

A Discharge of Conditions Application was submitted in February and according to the District Council's Public Access webpage the status is "In progress".

In its letter to the District Council of 31 August, Cambridgeshire County Council, in its role as the LLFA, advised:

"We have reviewed the submitted information; however at present we are **unable to recommend discharge of condition 8** of planning permission 1301274FUL on the grounds that insufficient information has been provided to allow us to assess the proposals."

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

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

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

Residential development to the east of Glebe Road Farm, Gidding Road, Sawtry – Linden Homes North (MLC Ref Nos 463, 476, 507 & 508)

Further to the last meeting report two further planning applications have been submitted to the District Council. The Discharge of Conditions application (MLC Ref No 507) was submitted to the District Council in May but was later withdrawn. A Reserved Matters application (MLC Ref No 508) was refused permission by the District Council in October. The applicant has submitted an appeal to the Planning Inspectorate which is currently "In progress".

Representation continues to be received from a concerned resident of Coppins Close regarding the proposals and any possible adverse impacts the development could have upon the existing development.

Discussions continue as part of the pre-application consultation process and during the period of May 2016 – May 2017 have saved the Board approximately £170.00.

No applications for consent related issues have yet been submitted.

Development to create a 3FE (630 pupil) Infant and Junior School including extensions (following partial demolition of infant school), a new two storey block with covered walkways, a 60 place pre-school building, and associated works including the relocation of play area extensions to hard play areas, relocation of trim trail, provision of additional cycle and scooter parking spaces and alterations to access and removal of drop off to form a single access, with reconfiguration of car park at Sawtry Infants & Junior School, Middlefield Road, Sawtry - Cambridgeshire County Council (MLC Ref Nos 501 & 512)

Upon the receipt of a completed pre-application consultation form from Kier Construction (Eastern), the Commissioners, on the Board's behalf, responded during November to a submission concerning the proposed extension of an existing 2 Form Entry Infant and Junior School to create a 3 Form Entry Infant and Junior School with associated works. The response made highlighted several potential issues and offered guidance on how to proceed further to meet the Board's requirements. To date the use of the consultation procedure has saved the Board approximately £500.

Further to this a planning application was submitted to the County Council, as the relevant planning authority, in August and was subsequently granted planning permission in January subject to the imposition of conditions including surface water disposal and flood risk.

It is understood that the County Council, in its capacity as the LLFA, was content with the proposed SuDS scheme following the submission of further information.

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

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

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

Renewable Energy Development at land north west of Red House Farm on Double Bank Lane, Sawtry – Anescon (MLC Ref No 517)

A “Standard Response” was sent to the applicant in respect of the submission of a Screening Opinion associated this development. Unfortunately, neither the detail of the application nor the District Council’s decision are not readily available on its website.

It is presumed to be a solar farm in proximity to the recently completed farm on Double Bank Lane.

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

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

Outline planning application for the erection of up to 295 residential dwellings, access and associated works, all other matters reserved at land south west of Mill Cottage, Gidding Road, Sawtry – Waterman Infrastructure & Environment (MLC Ref No 520) & Kier Group (MLC Ref No 524)

An initial enquiry from the applicants’ engineering consultant was dealt with, on the Board’s behalf, in January but to date no instruction to undertake any of these processes has been received.

A planning application was submitted to the District Council in January for a residential development to the west of the Rowell Way (Persimmon) Estate and features a similar design and means of surface water disposal.

According to the District Council’s Public Access webpage, at the time of writing, a decision is pending. However, it is noted that neither the EA nor the LLFA are currently objecting to the proposal.

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

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

Development Contributions

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

Wood Walton First Time Sewerage Scheme

Following a period of in-activity a progress meeting was held, in late September, with representatives from AWSL to discuss the current position. Unfortunately, the landowner at Lodge Farm was not prepared to undertake the suggested channel improvement works to ensure that the receiving watercourse was in an optimum condition.

Neither Anglian Water nor the Board have the power to undertake the channel improvements to the section of channel concerned themselves, as it is entirely within the highland, hence it was considered that it would be a matter for the LLFA as the Board's interests relate primarily to its district.

The Board's position was clarified with the Clerk to the Board who advised that:

“The issue with the landowners is unfortunate. However, as you state, the ditches in question lie within the highland catchment of the Board and the only byelaw controls which the Board have and which relate to the highland area relate to the control of discharges. This aspect of the byelaws is also aimed at safeguarding the Board's system and District rather than applying to highland ditches.

Under the Flood and Water Management Act 2010, certain powers in relation to ordinary watercourses outside an Internal Drainage District were conferred on the County Council. It will be for them to confirm whether these powers, primarily sections 23-25 of the Land Drainage Act apply in this case.”

and added that:

“In the circumstances and with your confirmation that there should be no adverse impact on the District, I would be prepared to issue discharge consent

In view of this and upon the receipt of some outstanding submission documents and associated payment from AWSL together with confirmation that Natural England was content that, subject to sediment removal, there will not be an overall significant impact on Wood Walton NNR, the

previously submitted discharge consent application was recommended for approval in early December.

The contribution fee is based upon the design discharge from the Water Recycling Centre which in turn is based on the projected population within the catchment served. Members will be aware that, Wood Walton is a rural hamlet for which there are no significant “growth” plans. In addition, AWSL advised that it is likely that connection to its system will be low perhaps never achieving the design maximum discharge of 5 l/s. Therefore, any significant additional fees are unlikely.

Huntingdonshire District Council (HDC) Local Plan to 2036

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

The content of this strategic document went into extensive detail concerning the provision of wind turbines and their associated sensitivity and cumulative impacts within the landscape but did not consider the adverse impacts that this type of development and other related issues created, such as whether the infrastructure has the capacity to serve proposed turbines and wind farms or whether the uprating of existing or provision of new export cable routes, transport routes and associated remedial works are required. Any resultant adverse impacts on water level and flood risk management systems etc did not appear to have been considered.

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

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

Huntingdonshire Design Guide Supplementary Planning Document (SPD)

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

This SPD has been adopted by the District Council.

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

Housing and Economic Land Availability Assessment (HELAA): Additional Sites Consultation

A public consultation on the Council's HELAA, formerly known as the Environmental Capacity Study, was held between 26 September and 7 November.

Our reply to this document, made on behalf of both the MLC and Board, provided responses on the Assessment of Broad Locations including statements on the NPPF Floodplain extents; treated effluent disposal; nature designations and our position concerning the provision of FRAs; capacity calculations and illustrations; together with specific responses on 94 Great Whyte, Newtown Road and Biggin Lane. None of the specific sites are within the Board's area.

Huntingdonshire Strategic Flood Risk Assessment (SFRA) Update

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

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

No further correspondence has been received from the District Council's consultant concerning the Update and no further action has been taken in respect of the Board's interests. The current status of this document is not known.

Cambridgeshire Flood and Water Supplementary Planning Document (SPD)

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

The SPD was endorsed by the County Council and the completed document was circulated to the relevant planning authorities and risk management authorities (RMAs) for adoption where appropriate. The SPD was adopted by HDC on 17 April 2017. The document can be found at <http://www.huntingdonshire.gov.uk/media/2609/cambridgeshire-flood-and-water-spd.pdf>

Cambridgeshire and Peterborough Combined Authority

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

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

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

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

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

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

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

Cambridge Water Resources Management Plan (WRMP) Pre-Consultation

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

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

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

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

General Advice

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

- (a) Natural England submitted an application for consent for the replacement of a bailey bridge (with a 1.5 metre diameter weholite pipe) on the district drain (between Points 30 and 31) downstream of Castle Hill Pump Station. This proposal will improve access into the Fen for the transportation of livestock and was recommended for approval.

Consulting Engineer

22 May 2017

Sawtry (342)\Reports\May 17

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

The Chairman reported that:-

- 1, The sewerage outfall had been reported to the Consulting Engineers.
2. Due to the low rainfall the hours of pumping had been low.
3. Some maintenance had been carried out at the pumping station.
4. In times of high rainfall there was a problem with overtopping at Green End Road.

The Chairman discussed various planning applications:-

1. Gidding Road, Green End

350 houses were proposed and the advice received from Anglian Water that the event of flooding was 1:1000.

2. Development at The Mulberries.

The new sewers need consent and this matter should be raised with the Developer.

Before the sewers are formally adopted consent will be required from the Board and this may also be needed for the outfall.

3. Persimmon

The issue of discharge consent should be raised with Persimmon.

Concern was expressed by members about the capacity of the Board's drains to accept additional surface water as the Board had now been consulted on discharge into the system.

The development had been granted on appeal and no details of the drainage had been provided at the appeal stage.

The Middle Level Commissioners to take formal action or whatever is required to ensure long term maintenance of the drainage system and responsibility for this is accepted by the Developers.

Concerns were also expressed regarding the amount of development at Sawtry village west of the A1 and the capacity of Sawtry Brook to take the surface water.

The Board may consider relinquishing responsibility in the future.

Land was available for a reservoir and members suggested that consideration be given to future payments for Developers being used to fund the reservoir.

RESOLVED

- i) That the Report and the actions taken be approved.
- ii) That the Middle Level Commissioners be requested to arrange for health and safety signage to be supplied and installed at each of the Board's pumping stations to include notices indicating the risks; providing contact details in an emergency, together with the grid reference to identify each location.
- iii) That the Consulting Engineers be requested to investigate the problem with overtopping at Green End Road.
- iv) Development at The Mulberries

That the Clerk ask Huntingdonshire District Council's Planning Officer to pursue formal Enforcement Action if the Developer does not submit a drainage scheme for approval.

- v) That the Middle Level Commissioners take whatever formal action is required to ensure long term maintenance and that responsibility is accepted by developers.
- vi) That the Consulting Engineers note the Board's concerns regarding the amount of development at Sawtry village west of the A1 and the capacity of Sawtry Brook to take surface water.
- vii) That the Clerk give consideration to the Developers Contributions towards the cost of providing a Reservoir.

B.1075 Structures in Sawtry Brook

Further to minutes B.1035 and 1037, Miss McShane confirmed that letters had been sent to those householders whose properties had structures in the channel of the watercourse.

The Board considered that the Glebe Farm Development was going to have an effect on the capacity of Sawtry Brook.

The Chairman advised that the Linden Homes Development was currently subject to an appeal against the refusal of planning permission.

RESOLVED

- i) That the District Officer carry out a site visit at the beginning of July to see if the householders had removed the structures as requested and further instructions be given to the Solicitor.
- ii) That the Consulting Engineers consider the capacity of Sawtry Brook in light of the Glebe Farm, The Mulberries and Linden Homes developments.
- iii) That the Board consider if they should carry out work to clear the Brook of trees and shrubs and remove debris at a cost to the Board with contributions from Developers.

B.1076 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

RESOLVED

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

B.1077 National Flood Resilience Review

Miss McShane referred to the publication of the above review by the Government in September 2016 and to the response from ADA.

B.1078 District Officer's Report

The Board considered the Report of the District Officer.

The District Officer reported that slubbing and flailing work had been carried out.

He also advised that the Badger Setts had disappeared, although one remained at Redwood Farm.

The District Officer reported that one field away from Sawtry Brook in the bottom corner there were tree stumps and debris which had been left from previous clearance works.

RESOLVED

- i) That the Report and the actions referred to therein be approved and that the Officer be thanked for his services over the preceding year.
- ii) That the District Officer be authorised to arrange for flail mowing as he felt appropriate.
- iii) That the District Officer be authorised to arrange for a Contractor to clear out a section of Sawtry Brook where trees stumps had been left from previous clearance works.

B.1079 Environmental Officer's Newsletter and BAP Report

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

Members considered and approved the most recent BAP report.

B.1080 Allocation of District Officer's fees and expenses

Further to minute B.893, Members considered the allocation of the District Officer's fees and expenses.

RESOLVED

That the District Officer's fees and expenses remain unchanged at:-

Area 1	15%
Area 2	60%
Area 3	15%
Area 4	10%

and that the allocation be further reviewed in 2022

B.1081 District Officer's Fee and Pumping Station duties

- a) The Board gave consideration to the District Officer's fee for 2017/2018.
- b) The Board gave consideration to the payment in respect of pumping station duties for 2017/2018.

RESOLVED

- i) That the Board agree that the sum of £3,193 be allowed for the services of the District Officer for 2017/2018.
- ii) That the Board agree that the sum of £874 be allowed for the provision of pumping station duties for 2017/2018.

(NB) –Messrs Darby and Broughton declared an interest when this item was discussed.

B.1082 State-aided Schemes

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

RESOLVED

That no proposals be formulated at the present time.

B.1083 Application for byelaw consent

Miss McShane reported that the following application for consent to undertaken works in and around watercourses has been approved and granted since the last general meeting of the Board:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
Natural England	Removal of old bailey bridge – construction of a culvert at Woodwalton National Fen Nature Reserve	19 th August 2016

RESOLVED

That the action taken in granting consents be approved.

B.1084 Environment Agency – Precepts

- a) Miss McShane reported that the precept for 2017/2018 had been set at £5,937.
- b) Local Choices Update

Further to minute B.1043(b), Miss McShane referred to the Environment Agency's newsletter dated October 2016.

B.1085 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) Miss McShane reported that the sum of £4,415.30 (inclusive of supervision) had been received from the Environment Agency (£4,737.48 representing 80% of the Board's estimated expenditure for the financial year 2016/2017 less £322.18 overpaid in respect of the financial year 2015/2016).
- (b) Further to minute B.1044(b), Miss McShane referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

That the position be kept under review.

B.1086 Contributions from Developers

With reference to minute B.219(ii), Miss McShane reported that the following contributions towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent had been received, viz:-

<u>Contributor</u>	<u>Amount</u>
C & S Fox Ltd	£300.00(g) £270.00(n)
Anglian Water Services	£10,926.54(g) £9,833.39(n)

B.1087 Association of Drainage Authorities

- a) Annual Conference

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

RESOLVED

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

b) Annual Conference of the River Great Ouse Branch

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

c) Subscriptions

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

RESOLVED

That the requested ADA subscription for 2017 be paid.

d) Further Research on Eels

Miss McShane 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.

e) General Election

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

B.1088 Governance of Water Level Management in England

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

B.1089 Health and Safety Audits

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

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

B.1090 Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.1047, Miss McShane reported that the main issues considered by the Partnership were:-

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

B.1091 Authorisation to appear in court to obtain distress warrants

RESOLVED

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

B.1092 Potential Changes in Rating Valuation

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

B.1093 Completion of the Annual Accounts and Annual Return of the Board – 2015/2016

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

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

B.1094 Governance and Accountability for Smaller Authorities in England

Miss McShane referred to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1st April 2017.

B.1095 Budgeting

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

B.1096 Review of Internal Controls

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

B.1097 Risk Management Assessment

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

B.1098 Exercise of Public Rights

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

B.1099 Annual Governance Statement – 2016/2017

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

RESOLVED

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

B.1100 Payments 2016/2017

The Board considered and approved payments amounting to £51,887.35 which had been made during the financial year 2016/2017.

(NB) – Mr Darby declared an interest in the payment made to T E Darby & Sons.

(NB) – Mr Broughton declared an interest in the payments made to AgReserves Ltd.

(NB) – Mr Raby declared an interest in the payment made to H Raby & Sons and (as a Member of the Middle Level Board) in the payments made to the Middle Level Commissioners.

B.1101 Annual Accounts of the Board – 2016/2017

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

RESOLVED

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

B.1102 Expenditure estimates 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 Miss McShane 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 Huntingdonshire District Council would be:-

Gravity Area – Area 1

Drainage rates	-	15.14%
Special levy	-	84.86%

Gravity Area (Flood Alleviation Scheme) – Area 2

Special levy	-	100%
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Pumped Area (Sawtry Fen) – Area 3

Drainage rates	-	99.89%
Special levy	-	0.11%

Pumped Area (Moat Farm) – Area 4

Drainage rates	-	100%
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RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £35,364 be raised by drainage rates and special levy.
- iii) That the amounts comprised in the sum referred to in ii) above to be raised by drainage rates and to be met by special levy are £25,697 and £9,667 respectively.
- iv) That drainage rates in the £ be laid and assessed on Agricultural hereditaments in the District as follows:-

AREA 1	-	2.23p
AREA 3	-	26.90p
AREA 4	-	41.42p

v) That a Special levy of £9,667 be made and issued to Huntingdonshire District Council for the purpose of meeting such expenditure.

vi) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution (v).

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

B.1103 Display of rate notice

RESOLVED

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

B.1104 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Wednesday the 6th June 2018.