

OVER AND WILLINGHAM INTERNAL DRAINAGE BOARD

At a Meeting of the Over and Willingham Internal Drainage Board
held at the Over Community Centre, The Doles, Over on Thursday the 2nd May 2017

PRESENT

B R Burling Esq (Chairman)	L M Cook Esq
K Bird Esq	R D Holland Esq
M Church Esq	J Thorp Esq

Mr Robert Hill (representing the Clerk to the Board) was in attendance.

The Chairman welcomed Mr Holland who was attending his first meeting of the Board.

Apologies for absence

Apologies for absence were received from S O Burling Esq, C J Cross Esq and T Henshaw Esq.

B.82 Declarations of Interest

Mr Hill 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 Church declared an interest in agenda items 16 and 41.

Mr Cook declared an interest in flail mowing contractors and in matters relating to the pump attendant.

B.83 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 5th May 2016 are recorded correctly and that they be confirmed and signed.

B.84 Clerk to the Board

- a) Further to minute B.44, Mr Hill reported that Mr David Thomas had been appointed as Clerk to the Board and that Miss Lorna McShane had been appointed Solicitor/Assistant Clerk.

Mr Hill reported that the Chairman had authorised a donation of £150 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 it all the best for the future.

b) Changes to bank mandate

Further to minute B.68, Mr Hill 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.68, 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.85 Election of Board Members

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

RESOLVED

That the Register be approved.

B.86 Filling of vacancies

Consideration was given to the filling of the two vacancies on the Board.

RESOLVED

That no action to be taken at the present time and the position be reviewed at the next scheduled meeting of the Board.

B.87 Water Framework Directive

Further to minute B.48, Mr Hill 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. He also reported that the Clerk was satisfied that there were other partnerships in place and would continue to update Members when required.

B.88 Water Transfer Licences

Further to minute B.49, Mr Hill 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.

Mr Hill 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.89 Provision of automatic weedscreen cleaning equipment at the pumping station

Further to minute B.50, the Chairman reported that four quotations had been received, of which, Stainless Metalcraft of Chatteris was the cheapest. He further reported that, with the District Officer, he had viewed a recent installation and, having been satisfied with the construction and suitability for the Board, an order had been placed and installation works were due to commence within the next week and were anticipated to be finished by the end of May.

The Chairman also reported that, further to minute B.50(ii), and after consideration of future possible capital expenditure at the pumping station, he had approved for a loan of £30,000, repayable over 10 years, to be taken from the Public Loan Works Board. Mr Hill reported that he had spoken to the Public Loan Works Board and they confirmed that the loan would be deposited with the Board on Thursday, with an interest rate of 1.47%.

The District Officer reported that, following the installation of the automatic weedscreen cleaning equipment, the Board would need to decide how they would deal with the material deposited by the new equipment. Members discussed the benefits of the use of a tractor and trailer as opposed to a skip. The District Officer referred to the pump attendant, whose services, following the installation of the automatic weedscreen cleaning equipment, would no longer be required, and that he had discussed this with him.

RESOLVED

- i) That the actions of the Sub-Committee in accepting the quotation from Stainless Metalcraft of Chatteris be approved.
- ii) That the actions of the Chairman in authorising a loan of £30,000, repayable over 10 years, from the Public Works Loan Board be approved.
- iii) That the Chairman and District Officer be authorised to find the most cost effective way of disposing of the material from the automatic weedscreen cleaning equipment and to take any further action they consider appropriate in relation to this.
- iv) That the pump attendant's service contract be ended at the time the automatic weedscreen cleaning is commissioned and is seen to be working satisfactorily.

B.90 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.91 National Flood Resilience Review

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

B.92 District Work Report

The District Officer reported that the standard maintenance programme had been completed in 2016 and he proposed the same standard maintenance regime for 2017, with the possible additional of the section Overcote to the pumping station. He reported that there were some issues with willows and saplings around point 46 which would need to be attended to before maintenance works could take place in that area.

The District Officer reported that following the replacement of the electricity meter he had expected higher electricity charges, as there had been problems concerning the operation of the old meter, but he was pleased to see that the bills were not as high as anticipated, although he accepted 2016/2017 was a dry year.

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 Clerk write to the landowner at Point 46 instructing that the willows and saplings be removed prior to drain maintenance operations.

B.93 Dockerell Brook/Willingham Lode

Further to minute B.53(iii), Mr Hill reported that the Clerk had contacted the Environment Agency but there had been no further update from them concerning this matter.

The Chairman reported that the issue concerning Dockerell Brook related to discharges from the sewage works, which resulted in loss of conveyance in the channel. This, in high flows, caused the channel to back up, with localised flooding in the Albany Farm Area, and water to discharge into the drainage board at Point 30. He added that the matter had been taken up with the District Council and raised concerns over a potential 800 additional houses that could discharge through the sewage works into Dockerell Brook.

The District Officer reported that the Environment Agency had carried out maintenance works on Willingham Lode last year and provisionally agreed to slub it out every three years.

RESOLVED

That the Clerk write to the Environment Agency expressing the Board's concerns regarding flooding from Dockerell Brook/Willingham Lode, due to the lack of routine maintenance.

B.94 Environmental Officer's Newsletter and BAP Report

Mr Hill referred to the Environmental Officer's newsletter dated December 2016, previously circulated to members.

Members considered and approved the most recent BAP report.

B.95 District Officer's Fee

The Board gave consideration to the District Officer's fee for 2017/2018.

RESOLVED

That the Board agree that the fee of the District Officer remain as at present and the sum of £1,500 be allowed for the services of the District Officer for 2017/2018.

(NB) – The District Officer declared an interest when this item was discussed.

B.96 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.97 Agreements between the Drainage Board, Hanson Aggregates and RSPB

Further to minute B.57, Mr Bird reported that following receipt of the draft agreement he had instructed Hanson's to review it and, although some concerns were raised, it was considered that the RSPB would have more concerns. He advised that the RSPB's solicitor who had been instructed to review the agreement had since moved areas and although his replacement had started to get to grips with the matter, he had recently been on a period of paternity leave, but was due back shortly when the matter would be progressed further.

RESOLVED

That the current arrangements between the Board and Hanson Aggregates continue for 2017/2018.

B.98 Gravel Extraction programme for 2017/2018

Further to minute B.58, Mr Bird reported that market levels had started to improve but that due to insufficient reserves only about 50% of last year's planned works had been completed. He also reported that the planned diversion of the IDB drain had been completed in accordance with the Board's requirements.

Mr Bird advised that as a Cambridgeshire archaeologist had recently identified some sites of potential importance, it had been agreed, in principle, to leave these areas unworked and that the planned diversions to the IDB drain were likely to provide protection to these areas.

For the coming year, it was still planned to put in an access across the site and, although last year it had been proposed to put in a new permanent IDB drain, it had now been decided to continue with temporary diversions as works progressed. The workings for the coming year were going to be a continuation of last year's programme with an additional area added. However, this new area had a bridleway across it and objections had been received concerning proposals to stop this up to allow extraction works. Due to this, it was likely that works would take place in phases until the matter could be resolved. Mr Bird detailed proposals to re-route the bridleway and, in response to Mr Holland, detailed the turning/parking area that was to be created.

Mr Bird reported that next year's workings were expected to be a larger area than normal due to the likely archaeological implications. The District Officer expressed concern that, by moving the IDB drains, the water had to travel a lot further to reach the pumping station and that he would need to study any proposals in more detail to assess possible implications to the drainage board.

RESOLVED

That Hanson's proposals be approved in principle and the details be forwarded to the Clerk.

B.99 Tidal River Action Plan Scoping Workshop

Further to minute B.63, Mr Hill reported that the Environment Agency had planned to start a water injection trial to dislodge silt on the Stowbridge Hump last year. However, due to problems over MMO licencing and the Kings Lynn Conservancy Board not giving consent (as they required a commitment from the Environment Agency to remove any build-up of silt resulting from the project), works had not yet commenced. He advised that it was still planned to commence the trials this year if possible.

B.100 Flail Mowing

The Board considered the tenders received from L A Burton and M D Contractors to undertake flail mowing operations on behalf of the Board in 2017/2018.

Mr Thorp confirmed that the L A Burton machine did also swap from left to right hand cut.

The District Officer reported that L A Burton had informed him that they were likely to invest in a new machine, but would like some certainty of work, and had offered to keep the rate the same if the Board could offer a three year agreement.

RESOLVED

That the tender received from L A Burton in the sum of £28 per hour to undertake flail mowing operations for a 3 year period commencing in 2017 be accepted by the Board.

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

B.101 Application for byelaw consent

Mr Hill reported that the following application for consent to undertake works in and around watercourses had been approved and granted since the last general meeting of the Board, viz:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
Hanson Quarry Products	Diversion of watercourse for a period not exceeding 12 months	9 th September 2016

RESOLVED

That the action taken in granting consents be approved.

B.102 Environment Agency – Precept

a) Mr Hill reported that the Environment Agency had issued the precept for 2017/2018 in the sum of £14,801 (the precept for 2016/2017 being £14,582).

b) Local Choices Precept

Further to minute B.60(b), Mr Hill referred to the Environment Agency's newsletter dated October 2016.

B.103 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Mr Hill reported that the sum of £450.68 (£1,887.82 less £1,437.14 paid on account) (inclusive of supervision) had been received from the Environment Agency based on the Board's actual expenditure on maintenance work for the financial year 2015/2016 together with the sum of £1,555.59 in respect of 80% of the Board's estimated expenditure for the financial year 2016/2017.

(b) Further to minute B.61(b), Mr Hill referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

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

B.104 Determination of annual value for rating purposes

The Board considered the following recommendation for the determination of annual value for rating purposes, viz:-

OVER & WILLINGHAM

Determination of Annual Values for Rating purposes

April 2017

2017-2018

			Transfer value to Special Levy - £159.95 per hectare	Area (Hectares)	Agricultural Land	Special Levies	
						South Cambs	TOTAL
Opening Values (£)			672.784	64,006	58,806	122,812	
Opening %				52.12%	47.88%	100.00%	
Hanson Aggregates	<u>Location</u>	<u>Reason for change.</u>					
	Over Fen	Gravel Extraction	-20.3	-1,931	3,247	0	1,316
						0	0
						0	0
						0	0
						0	0
						0	0
						0	0
						0	0
						0	0
						0	0
Total determinations			652.484	-1,931	3,247		1,316
Closing Values (£)				62,075	62,053	124,128	
Closing %				50.01%	49.99%	100.00%	

RESOLVED

- i) That the determination recommended be adopted by the Board.
- ii) That the Clerk 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 Clerk be empowered to authorise appropriate action on behalf of the Board in connection with any appeal against the determination.

B.105 Association of Drainage Authorities

Mr Hill reported:-

a) Annual Conference

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

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

Mr Hill 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 £536.

RESOLVED

That the requested ADA subscription for 2017 be paid.

d) Floodex 2017

Mr Hill 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

Mr Hill 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 £50 per year for two years towards further research on eels.

B.106 Governance of Water Level Management in England

Mr Hill 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.107 Access to Over Pumping Station

The District Officer reported that although the gate was not locked it was still too close to the road which would cause issues for larger vehicles and that the Council had issued a notice for the gate to be removed last September, but it was still there.

RESOLVED

- i) That the District Officer forward the details of the Local Highways Officer for the Clerk to write to Cambridgeshire County Council concerning the removal of the gate.
- ii) That, following the local elections, the Chairman confirm the new Councillor and the Clerk write requesting their assistance in resolving the matter.

B.108 Health and Safety Audits

Mr Hill 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.

Mr Hill 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.109 Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.66, Mr Hill 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.110 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.111 Potential Changes in Rating Valuation

Mr Hill 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. He 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. Mr Hill 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 Mr Hill 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.112 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.113 Governance and Accountability for Smaller Authorities in England

Mr Hill 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.114 Budgeting

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

B.115 Review of Internal Controls

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

B.116 Risk Management Assessment

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

B.117 Transparency Code for Smaller Authorities

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

B.118 Exercise of Public Rights

Mr Hill 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.119 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.120 Payments

The Board considered and approved payments amounting to £36,608.97 which had been made during the financial year 2016/2017.

(NB) – Mr Church declared an interest in the payments made to him and to Haddenham Level DC.

(NB) – Mr Cook declared an interest in the payments made to B Cook.

B.121 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.122 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 Mr Hill 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 50.01% and 49.99%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £32,274 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 £16,140 and £16,134 respectively.
- iv) That a rate of 26.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £16,134 be made and issued to South Cambridgeshire 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 levies referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levies by such statutory powers as may be available.

B.123 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.124 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday the 1st May 2018.