

HADDENHAM LEVEL DRAINAGE COMMISSIONERS

At a Meeting of the Haddenham Level Drainage Commissioners
held at the Baptist Hall, Station Road, Haddenham on Thursday the 27th April 2017

PRESENT

M Church Esq (Chairman)	J Dennis Esq
G L P Wilson Esq (Vice Chairman)	K J Furness Esq
T B Chambers Esq	R J Lee Esq
S G Cheetham Esq	P Mappedoram Esq
A J W Darby Esq	S M Smith Esq
Mrs M E Darby	N E Tebbitt Esq
R J Darby Esq	R B Waddelow Esq
N R Wright Esq	

Miss Samantha Ablett (representing the Clerk to the Commissioners) was in attendance.

The Chairman welcomed Commissioners.

Apologies for absence

Apologies for absence were received from C H Bidwell Esq, P G Dennis Esq, D Gillett Esq, H C Hurrell Esq, T Lee Esq, G R W Wright Esq and A R Yarrow Esq.

Mr D Jordan (District Engineer) also apologised for being unable to attend today's meeting.

C.123 Declarations of Interest

Miss Ablett reminded the Commissioners of the importance of declaring an interest in any matter included in today's agenda that involved or was likely to affect any of them.

The Chairman declared an interest in agenda items 10(ii) and 33.

Mr Mappedoram declared an interest in agenda item 24.

C.124 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 11th November 2016 are recorded correctly and that they be confirmed and signed.

C.125 Health and Safety

Further to C.102 the Chairman reported that he had received the documentation from the Middle Level Commissioners which gave details of reports the Commissioners should be preparing to form part of their risk assessment. He advised that although it stated that if there were less than

5 employees, written assessments were not required, he felt that these should still be prepared and that he and the District Engineer would complete these in due course.

C.126 Contravention of Byelaws

Further to C.103, the Chairman was pleased to report that the hedge adjacent to the Main Drain at Mingay Solar Farm had been moved right back to the fence and all the spoil deposited on the drain side had also been cleared away, both to the Commissioners satisfaction.

C.127 Clerk to the Commissioners

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

RESOLVED

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

C.128 Appointment of Chairman

RESOLVED

That M Church Esq be appointed Chairman of the Commissioners.

C.129 Appointment of Vice Chairman

RESOLVED

That G L P Wilson Esq be appointed Vice Chairman of the Commissioners.

C.130 Water Framework Directive

Further to minute C.70, Miss Ablett reported that there had been no further developments, apart from Mr Paul Sharman being appointed as the IDB representative following the retirement of Mr Iain Smith, but advised that, due to the Environment Agency no longer being able to support it, the River Basin Liaison Panel had since been disbanded. She also reported that the Clerk was satisfied that there were other partnerships in place and would continue to update Members when required.

C.131 Water Transfer Licences

Further to minute C.104, Miss Ablett reported that ADA had met with Defra officials, including Sarah Hendry, on the 11th October to discuss the Water Transfer Licences and it appeared

that the Minister was keen to avoid over regulation. ADA had proposed certain points to Defra, including that ADA would hold one licence for the industry or that the opportunity should first be given for the information which the Environment Agency allege that they do not have to be provided other by regulation but perhaps through a form similar to the present IDB1. Defra officials had, it was understood, agreed to consider these proposals.

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

C.132 District Work Report and Proposed Repairs to Slackers

i) Further to C.106, the Chairman apologised that he had not yet supplied the Clerk with the details of the landowner who had cut a trench close to the District Drain. He advised that, having looked through the Commissioners' records, he had found an address which he thought was that of the property, but unfortunately he was unaware of who lived at the address. The Chairman confirmed that he would liaise with the Clerk to try and resolve the issue.

The Chairman reported that all planned maintenance works had been completed.

He added that pumping costs were down due to low rainfall, that the pumps had been switched off for four weeks and water levels had not altered significantly. He also advised that the slackers had also been opened recently to let water in.

The Chairman reported that last Easter there had been another overflow of the Sewer at Sutton due to a blockage along a pipe. As he was frustrated with Anglian Water, he had advised the Environment Agency directly of the incident which resulted in Anglian Water spending a week trying to pump the sewage out of the drain. He understood that the Environment Agency were intending to prosecute Anglian Water and confirmed that the District Engineer had given a statement. However, nothing further was heard until an item in the local newspaper was noted stating that the matter had been settled out of court with Anglian Water paying a sum to a Wildlife Trust.

The Chairman had subsequently complained to the Environment Agency that the Commissioners had not been informed, especially as they had been involved and had incurred costs, and reported that this has been left with David Gillett to come back to the Commissioners to explain why they were not told the matter had been resolved and why they should not be compensated for their costs.

RESOLVED

That the Report and the actions referred to therein be approved and the Chairman in conjunction with the District Engineer be authorised to arrange for the District work programme to be undertaken.

(ii) Consideration was given to future District work arrangements.

The Chairman declared an interest and the Vice Chairman took the Chair.

RESOLVED

- (i) That the Commissioners agree that the sum of £2,000 be allowed for the services of the Chairman for 2017/2018, together with all legitimate expenses.
- (ii) That the Chairman submit half yearly invoices to the Commissioners in respect of his fees.
- (iii) That the Commissioners agree that 45p per mile be allowed for travelling expenses incurred on behalf of the Commissioners by Mr Church.

The Chairman resumed the Chair

C.133 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

RESOLVED

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

C.134 Engineering Insurance

Miss Ablett reported that the Commissioners did not have engineering insurance in the event of a pump breakdown. She advised that the insurance would cover sudden and unforeseen damage, including breakdown at both pumping stations and the cover provided amounted to up to £250,000 per any one claim. Miss Ablett reported that following recent negotiations with a different insurance company the rates for all the insurances had reduced and the cost of engineering insurance would now be in the region of £150.

RESOLVED

That engineering insurance be put in place for the Commissioners.

C.135 Environmental Officer's Newsletter and BAP Report

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

The Commissioners considered and approved the most recent BAP report.

C.136 Ouse Washes Section 10 Reservoir Inspection

Further to minute C.112, Miss Ablett referred to a briefing note from the Environment Agency dated March 2017,

The Chairman reported that both he and the District Engineer had attended the drop-in event at Mepal but considered that the emphasis had been on the Middle Level Barrier Bank. They had

both raised concerns regarding the South Level Barrier Bank in that the Environment Agency had confirmed that the Cradgebank was the edge of the reservoir but the Commissioners considered it to be the South Level Barrier Bank.

The Chairman reported that he and the District Engineer had met with Nicola Oldfield from the Environment Agency and their consultant on site on the 24th March to discuss the area around the Sutton Pumping Station.

He reported that the Environment Agency had taken on board the comments made and had agreed to raise the section of the bank from Sutton Gault to Chain Corner by half a metre. The Environment Agency advised that work could only take place from July to October due to nesting boards.

C.137 Environment Agency – Wetland Creation

Further to minute C.113, the Chairman reported that a site meeting had been held at Sutton on the morning of the 17th January which both he and the District Engineer, representatives from the RSPB, the Wildlife & Wetlands Trust, Natural England and the Environment Agency attended.

He added that the afternoon had continued with a meeting at the Environment Agency's office in Ely where the following proposals were discussed in more detail:-

- a) The timetable of works with likely completion to be 2022.
- b) The possible area
- c) Water availability
- d) Maintaining drainage and buffer strips
- e) Development costs, which would restrict the area

C.138 Rate arrears

Further to minute C.114 Miss Ablett reported that Mr Cave had paid his arrears in full.

C.139 Charges for hire of plant when engaged on private work

Consideration was given to whether any revisions were necessary in the Commissioners' charges for hiring plant for private work (last reviewed – April 2016).

Terex 360 Wheeled Excavator

Present charges - £25 per hour in the District) inclusive of operator's wages and
£35 per hour outside the District) travelling time

RESOLVED

That no change be made to the hire charges.

C.140 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.

C.141 Application for byelaw consent

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

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
Mingay Farm Limited	Installation of land drains serving land within the Mingay Solar Farm development.	7 th February 2017

RESOLVED

That the action in granting consents be approved.

C.142 Environment Agency – Precepts

- a) Miss Ablett reported that the Environment Agency had issued the precept for 2017/2018 in the sum of £32,915 (the precept for 2016/2017 being £32,426).
- b) Local Choices Update

Miss Ablett referred to the Environment Agency's newsletter dated October 2016.

C.143 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) Miss Ablett reported that the sum of £8,046.03 (inclusive of supervision) had been received from the Environment Agency (£9,092.06 representing 80% of the Commissioners' estimated expenditure for the financial year 2016/2017 less £1,046.03 overpaid in respect of the financial year 2015/2016).
- (b) Further to minute C.81, Miss Ablett referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

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

C.144 Contribution from Developers

Miss Ablett reported that the following contribution towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume had been received.

<u>Contributor</u>	<u>Amount</u>
Mrs E Langley	£694.78

C.145 Association of Drainage Authorities

a) Annual Conference

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

RESOLVED

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

b) Annual Conference of the River Great Ouse Branch

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

c) Subscriptions

Further to minute C.115(c), Miss Ablett referred to an e-mail received from ADA dated the 16th December 2016.

d) Floodex 2017

Miss Ablett 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

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

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

RESOLVED

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

C.146 Request to pipe and fill a watercourse at Aldreth

The Chairman referred to a letter received from Mappedoram & Sons dated 10th April 2017 in which they requested permission from the Commissioners to pipe a length of approximately 30 metres of the New Cut drain outside the property of Primrose Farmhouse, 73 High Street, Aldreth.

The Chairman reported that he had been contacted by a Commissioner, unable to attend today's meeting, who objected to the request on the grounds that previously when a resident had wanted to pipe his gateway he had been instructed to install a bridge and the residents opposite, on the other side of the bridge, had used piling successfully. The Chairman had spoken with the District Engineer and they were of the opinion that the Environment Agency were involved with the decision regarding the gateway so it may be that the Commissioners would have to take further advice or involve the Environment Agency.

The Commissioners were of the opinion that the Middle Level Commissioners should be asked to have a look at the site and advise them accordingly.

The Chairman was concerned that a precedent would be set if they allowed for 30 metres of the drain to be piped.

RESOLVED

- i) That the Clerk be requested to ascertain ownership of New Cut Drain outside the property of Primrose Farmhouse, 73 High Street, Aldreth.
- ii) That the Consulting Engineers be asked to inspect the site and, if it is the Commissioners' responsibility, to advise the Chairman of any action required to prevent the slippage of the drain.

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

C.147 Governance of Water Level Management in England

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

C.148 Health and Safety Audits

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

Miss Ablett referred to the Chairman's earlier comments regarding various documentation sent to each Chairman.

C.149 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.116, Miss Ablett reported the main issues considered and discussed by the Partnership were:-

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

C.150 Review of Internal Controls

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

C.151 Risk Management Assessment

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

C.152 Governance and Accountability for Smaller Authorities in England

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

C.153 Exercise of Public Rights

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

C.154 Annual Governance Statement – 2016/2017

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

RESOLVED

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

C.155 Payments

The Commissioners considered and approved payments amounting to £219,854.99 which had been made during the financial year 2016/2017.

(NB) – The Chairman declared an interest in the payment to him.

(NB) – Mr N Wright declared an interest in the payments made to A G Wright & Son.

C.156 Annual Accounts of the Commissioners – 2016/2017

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

RESOLVED

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

C.157 Expenditure estimates and special levy and drainage rate requirements 2017/2018

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2017/2018 and were informed by Miss Ablett that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 64.42% and 35.58%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £187,039 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 £120,476 and £66,563 respectively.
- iv) That a rate of 37.00p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £66,563 be made and issued to East Cambridgeshire District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Commissioners be affixed to the record of drainage rates and special levies and to the special 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.

C.158 Display of rate notice

RESOLVED

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

C.159 Date of next Meeting

Miss Ablett reminded the Commissioners that the next meeting will be held on Thursday the 9th November 2017.