

MARCH SIXTH DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March Sixth District Drainage Commissioners
held at the Middle Level Offices, March on Tuesday the 19th June 2018

PRESENT

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

Mr Robert Hill (representing the Clerk to the Commissioners) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance.

Apologies for absence

Apologies for absence were received from Miss E Alterton and J C Martin Esq.

C.892 Declarations of Interest

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

Mr Alterton declared an interest in any matters involving pumping station duties.

C.893 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 20st June 2017 are recorded correctly and that they be confirmed and signed.

C.894 Appointment of Chairman

RESOLVED

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

C.895 Appointment of Vice Chairman

RESOLVED

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

C.896 Land Drainage Act 1991
Fenland District Council

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

C.897 Water Transfer Licences

Further to minute C.862, Mr Hill referred to a letter received from ADA dated the 27th October 2017 and to the Clerk's response to Defra and also to the fact that licencing of water transfers came into force on the 1st January 2018. He advised that, as a licence is only required for transfers from EA main river and no inter-IDB transfers require licencing, this new arrangement will not directly impact the Commissioners.

C.898 Contingency Plans in the Event of Pump Failure

Further to minute C.863(ii), Mr Hill reported that, following a change of insurers last year, engineering insurance cover had been included in the policy for approximately £95. However, two claims recently submitted by local IDBs had been rejected as the insurers considered that the pumps should have been removed for service on a five year frequency. This was contested by the Middle Level Commissioners and the frequency extended to ten years but, as this was considered unacceptable in most instances, alternative insurers were sought. Unfortunately, it has been impossible to obtain insurance without a requirement to lift and service pumps every ten years and, consequently, the Clerk has advised that there is no value in taking out such insurance where claims are likely to be rejected in most instances and hence there was no longer insurance cover in place for sudden and unexpected mechanical equipment failure.

Councillor Cornwell referred to other Boards who had considered 'self-insurance' by raising funds annually to cover future service/breakdown costs. Mr Alerton advised that the Consulting Engineers had confirmed that the pump was last overhauled in 2006/2007 and reported that when the water levels had been lowered the pump and bolts were checked and no problems found. He also considered that the pump was operating smoothly and did not appear to have any problems. Mr Mottram raised concerns over only having one pumping unit and referred to another local IDB who had had a 6" electric pump installed to cover when the pump was out of operation. However, as such a pump was unable to successfully keep pace with moderate rainfall, he considered it would be very difficult, in the event of a pump failure, to find a replacement. Mr Alerton referred to the water control structures within the District which could, in an emergency, be set to allow water to run to the gravity outfall.

RESOLVED

- i) That the pump attendant arrange for the Consulting Engineers to visually inspect the pump annually when water levels have been lowered for drain maintenance works.
- ii) That the matter be reviewed annually at the meeting of the Commissioners.

C.899 Association of Drainage Authorities
Further Research on Eels

Further to minute C.872(d), the Commissioners considered making a further contribution towards the research on eels.

RESOLVED

That the Commissioners contribute an additional £50 towards further research on eels for 2018/2019.

C.900 Potential Amalgamation with March Third and March Fifth DDCs

Further to minute B.873, Mr Hill reported that, at their annual meeting, the March Fifth DDC had authorised their Chairman and Vice Chairman to meet with the Chairmen and Vice Chairmen of March Third and March Sixth DDCs to discuss the possibility of an amalgamation and to report back to the next meeting. He also reported that, at their annual meeting, March Third DDC had discussed the matter and did not see any benefit in pursuing an amalgamation at this point and resolved to take no further part in any discussions.

RESOLVED

That the Chairman and Vice Chairman be authorised to discuss a possible amalgamation with the Chairman and Vice Chairman of March Fifth DDC, and report back to the next meeting of the Commissioners.

C.901 Consulting Engineers' Report

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

March Sixth D.D.C.

Consulting Engineers Report – May 2018

Weed Control and Drain Maintenance

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

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

Concrete steps at Point 13, Gravity Outfall



Following the Chairman's prior approval, a set of concrete steps has been installed at the Commissioners' gravity outfall at Point 13. The steps are required to improve pedestrian access to the structure and ensure the Commissioners are compliant with current Health & Safety guidelines. The outfall flap valve has also been repaired.

A recent joint inspection of the Commissioners' District drains has been undertaken with the District Officer. The inspection revealed that the majority of drains are in a generally satisfactory condition and being maintained to a good standard. The inspection indicates that many of

the District drains that fall within this year's machine cleansing programme will only require light machine cleansing to retain them in good status.

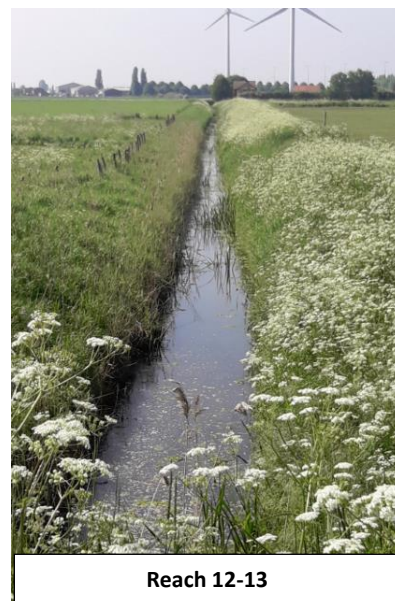
Drains to the West of the Prison

The Commissioners' District drains to the west of the prison are generally in a good condition. The inspection did highlight that aquatic vegetation is prevalent throughout many drains of the western area. The affected reaches fall within this year's phased programme of machine cleansing works and can be addressed following harvest of the adjacent crops. It is recommended that the emergent aquatic vegetation is treated with a Roundup application prior to machine cleansing to remove the weed mass from the water channel.

Drains to the East of the Prison

The District drains to the east of the prison remain in a generally satisfactory condition, however the inspection revealed sporadic stands of reed and emergent aquatic vegetation in the Norwood Farm drains; it is recommended they are treated with an application of Roundup herbicide following the harvest of the adjacent crops.

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



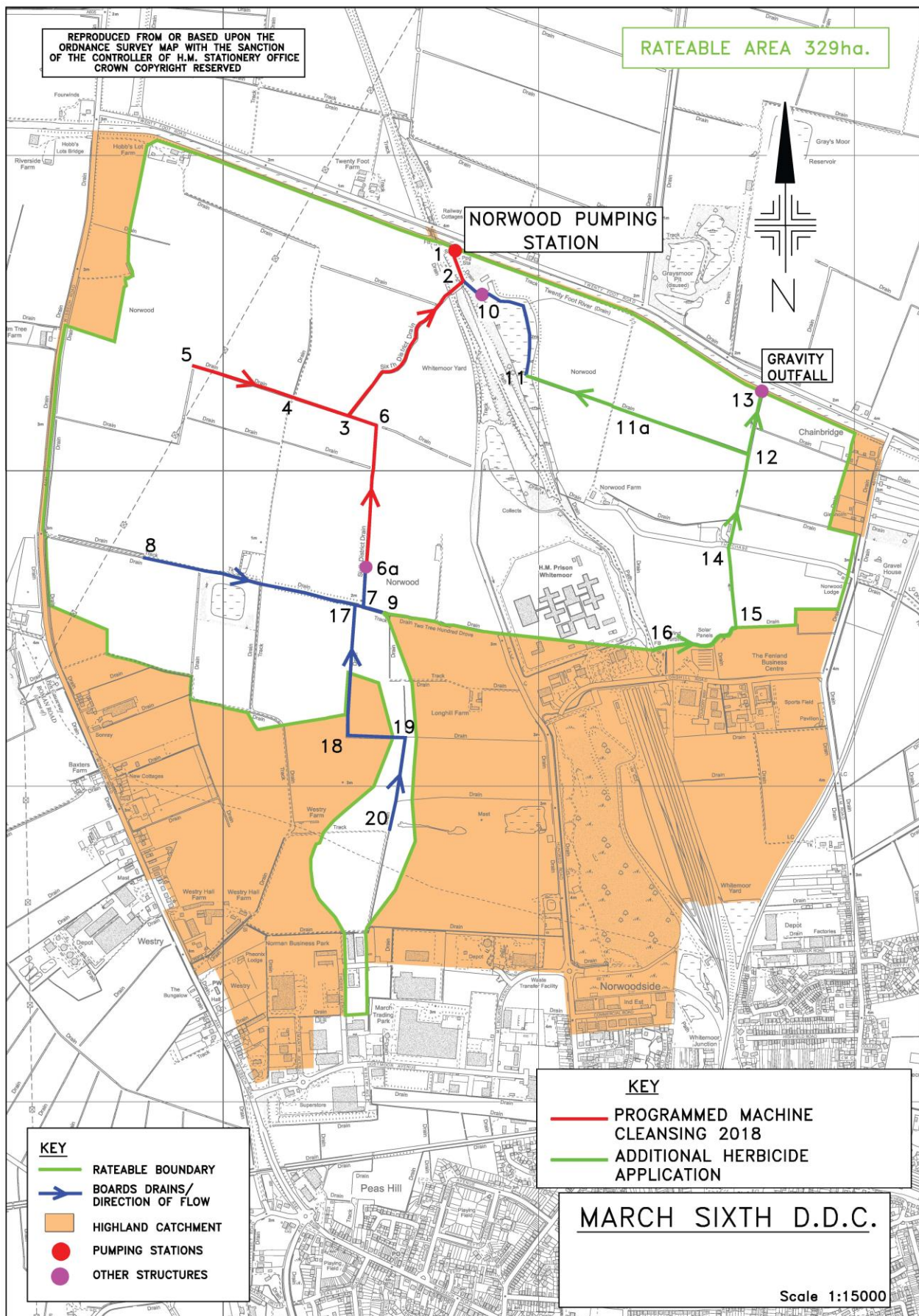
A sum has been allocated within the Commissioners' estimate to allow for Roundup applications to be made to drains, as required, and for flail mowing of the District drains to be undertaken this year.

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

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

Phased Machine Cleansing Programme

1. Drains to West of the Prison				
(i) Reach 2-3-4-5	1100 m	@	1.10	1210.00
(ii) Reach 6a-6-3	525 m	@	1.10	577.50
2. Machine cleanse Norwood Pump Drain	160 m	@	1.10	176.00
3. Allow sum for Roundup application to control Japanese Knotweed at Norwood Pumping Station, if required, self-sown saplings and emergent aquatic weed within the Commissioners' drains	Item	Sum		750.00
4. Allow sum for flail mowing	Item	Sum		950.00
5. <u>Provisional Item</u> Allow sum for emergency machine cleansing or cott removal work	Item	Sum		700.00
6. Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of herbicide applications and maintenance works	Item	Sum		550.00
TOTAL				£ 4,913.50



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

Pumping Station

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

Pumping Hours

	Total hours run May 12 - May 13	Total hours run May 13 – May 14	Total hours run May 14 – May 15	Total hours run May 15 – May 16	Total hours run May 16 – May 17	Total hours run May 17 – May 18
Norwood Pumping Station	(6058) - (6549) 491	(6549) - (6789) 240	(6789) - (7177) 388	(7177) – (7364) 187	(7364) – (7546) 182	(7546)- (7760) 214

Insurance

The Commissioners' new insurer AXA/HSB does include Engineering Insurance cover for sudden and unforeseen breakdown of pumping plant, however two recent claims made by local IDBs were rejected as AXA/HSB considered that the pumps should have been removed for service on a 5 yearly frequency. This was contested by the MLC and the frequency extended to 10 years; however even this is considered unacceptable in most instances, hence an alternative insurer is being sought. In the interim there is no cover in place.

Eel Regulations

Following sustained pressure from the IDB sector, notification has been received that a paper was presented to the EA Executive Directors' Team proposing some changes to their current regulatory process. It is understood that Executive Directors supported the recommendations in the paper and that work is now underway to establish how the EA will transition the changes and what this means in the interim for operators such as IDBs.

In line with what IDBs have been calling for, there is to be a new approach identifying the best achievable eel protection (BAEP), in terms of what is technically feasible and generally affordable. The EA also proposes to change when and where it applies its eel cost benefit analysis tool; how it considers affordability of eel protection at individual sites; and how it balances costs with risk to eel at individual sites. The EA will also investigate where there are opportunities to revise its current programming approach to optimise outcomes for eel. Finally, it will work with sector leads in developing new guidance and processes.

However, it is important to note that the EA will not be in a position to introduce its new regulatory approach until it has developed all of the new, interdependent, components of the process which the EA advise will take up to 12 months.

Internal Consultation with the Commissioners

The process of “internal consultation” between the Middle Level Commissioners and the Commissioners (usually, but not always, with the Chairman and/or District Officer) to seek the Commissioners’ comments and thus aid the decision-making process, is generally working well and will be continued and reviewed at a later date.

Planning Procedures Update

Informatives on Decision Notices

Despite positive steps being taken, a review of the decisions that have recently been made in other Boards/Commissioners for whom the Middle Level Commissioners provide a planning consultancy service, has identified that very few informatives are being added to Decision Notices advising the applicants of their separate legal obligation to comply with the requirements of the Board’s/Commissioners’ Byelaws and the Land Drainage Act.

It is left to the Commissioners’ discretion whether it wishes the Middle Level Commissioners to make a formal response to the Councils concerned directly on its behalf, or whether it requests that its Council representatives ensure that such informatives are requested.

Planning Agents Training Day

Having identified engagement issues between “Developers” and the Commissioners and Associated Boards, a Training Day was held in late October. Approximately 50 invitations were sent out to a cross section of interested parties representing developers, agents and consultants and including all the LPA areas that we deal regularly with. Council Officers were also invited. The event was oversubscribed with twenty-five people attending but several others are on a ‘short list’ if another similar event is held. The feedback suggests the event was well received.

The format of the event was to inform those attending of the unique nature of the area; where the IDBs fit into the development process; what the issues are; and how the Middle Level Commissioners deal with them.

Analysing the figures very crudely 46% of attendees were agents; 34% consultants; 18% developers and less than 1% Council Officers. The areas covered were 37%, predominantly consultants, all the LPAs; 45% Fenland and 18% West Norfolk. There was no specific representation from Huntingdonshire District, East Cambs District, South Cambs District or Peterborough City Councils.

Planning Applications

In addition to matters concerning previous applications, the following 3 new applications have been received and dealt with since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
151	F/YR17/0845/F	Mr & Mrs Thomas	Residence (Extension)	Wisbech Road, Westry
152	F/YR17/1114/F	Mr & Mrs J C & M A Martin	Residential (8 dwellings)	Wisbech Road, March
153	F/YR18/0003/F	Ms C Dean	Residence	Church Gardens, Westry*

A development that is known to propose direct discharge to the Commissioners' system is indicated with an asterisk. The remainder are understood to propose surface water disposal to soakaways/infiltration systems or sustainable drainage systems, where applicable. The applicants have been notified of the Board's requirements.

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

- *Erection of industrial buildings hardstanding on land West of 30 Thorby Avenue, March – Elliott Charles Group (MLC Ref No 079 & 108) and RFGM Ltd (MLC Ref No 150)*
- *Residential Development on land north of Woodville, Wisbech Road, March – Prudential Property Investment Managers Ltd (MLC Ref No 065 & 078) and Grosvenor Partnership 3 LLP (MLC Ref No 142)*
- *Re-development of the former Brimur Packaging Ltd and Agrihold facilities at 1-3 Hostmoor Avenue and 1 Martin Avenue, March – Client of MTC Engineering (Cambridge) Ltd (MLC Ref No 139) & Harrier Developments Ltd (MLC Ref No 143)*

In view of the absence of recent correspondence and any subsequent instruction from the Commissioners it will be presumed, unless otherwise recorded, that the Commissioners are content with any development that has occurred and that no further action is required at this time.

Residential development at Phoenix House, Wisbech Road, March – Mrs C Dean (MLC Ref Nos 117, 119, 124, 147 & 153) & Shire Home Building Service Ltd (MLC Ref No 141)

Further to the last meeting an application for the pre-paid Soakaway Checking Service was requested by the applicant's consultant, ESP Ltd, for both surface and treated foul effluent water associated with Plot four (MLC Ref No 147). Both checks met current design standards.

A further planning application (MLC Ref No 153) was submitted to the District Council in December. Planning permission was granted in April.

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

According to the Commissioners' records the surface water disposal aspect of this development remains incomplete.

Therefore, in order to resolve this matter and guide further discussions it would be beneficial to receive the Commissioners' opinion, further instruction and approval to initially write to the parties concerned in order to resolve this potential issue.

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

Despite the response from FPP Facade Solutions dated 17 October 2016 advising:

“We do not plan to connect to the surface water and treated effluent disposal drain until approx.. April 2017. We therefore have not made an application as of yet and plan to do this early part of next year....”

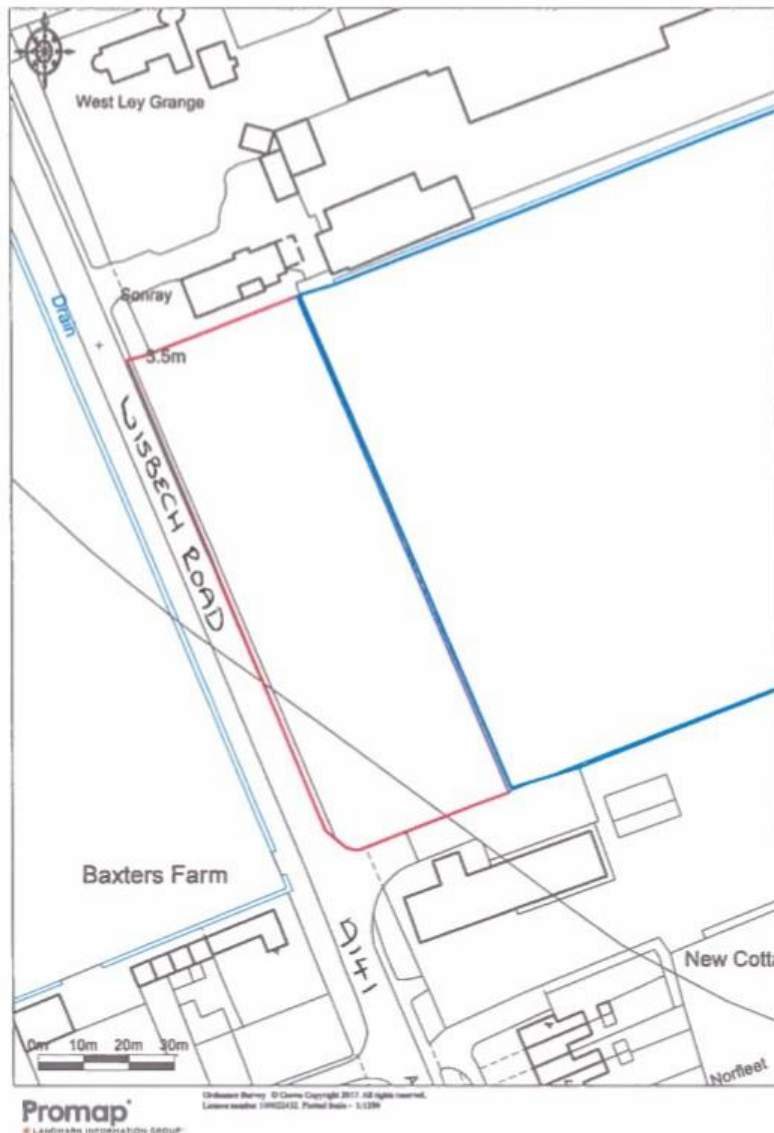
The appropriate documentation together with any associated contributions remains outstanding although this development appears complete.

Therefore, in order to resolve this matter and guide further discussions it would be beneficial to receive the Commissioners' opinion, further instruction and approval to initially write to the parties concerned in order to resolve this potential issue.

Erection of up to 8 x dwellings on land south east of 433 Wisbech Road, Westry, March - Mr & Mrs JC & MA Martin (MLC Ref No 152)

This planning application was submitted to the District Council in November.

Planning permission was subsequently refused in March primarily because the site was considered to be “situated within the open countryside”.



Extract from Hay Associates Limiteds Drawing No. L300-040 P01 Rev. A

Re-Opening of The March – Wisbech Railway

The first meeting of the Cambridgeshire and Peterborough Combined Authority (CPCA) agreed the allocation of funding for the Wisbech Garden Town, which includes the re-opening of the rail link.

Known as “Governance of Railway Investment Projects” (GRIP), this is the third of eight stages essential in managing the risks and costs associated with the project. This stage investigates all the engineering options and their cost by assessing potential options and selects the most appropriate one to deliver.

March Neighbourhood Plan 2015-2030

The March Neighbourhood Plan was formally adopted by the District Council on 2 November 2017 following a successful examination, subject to some modifications, and referendum.

Fenland District Council (FDC)

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

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

FDC Liaison Meeting

A meeting attended by representatives from the Commissioners and FDC was held in November to improve working relations between the two authorities.

The actions arising from the meeting included:

- Development of a joint protocol/leaflet to clarify the inter-relationship between FDC, CCC (in its role as the LLFA), the Commissioners & associated IDBs and the EA in relation to flooding and surface water drainage for developers.
- The Commissioners to offer a seminar for "planners".
- The Commissioners to review their approach to responding to planning applications with a focus on major schemes/Broad Concept Plans (BCP's).
- Meeting to discuss the potential tourism opportunities on our waterways perhaps initially focusing on March.
- Communication opportunities for FDC to promote/signpost the Commissioners' information and pre-application process or to join this up with its own processes.
- Investigate whether the FDC Local Validation List review can include requirements to benefit the Commissioners or drainage in general.

Another meeting is to be held in May this year.

Cambridgeshire Flood Risk Management Partnership (CFRMP)

The Commissioners' Planning Engineer has represented both the Middle Level Commissioners and their associated Boards since the Commissioners' last meeting.

The main matters that may be of interest to the Commissioners are as follows:

The Great Ouse Tidal River Baseline report

This EA document is complete and available in PDF format. The report sets out the status of flood risk management on the tidal River Ouse. One of the most critical/important maps highlights cost benefits in terms of GiA and other funding sources. The report also sets out issues going forward with regard to long term funding of managing the catchment.

The Future Fenland Project

Phase 1 of this EA project, which concerns all of the Fens, has commenced. This will take a couple of years to complete and will include Lincolnshire and Northamptonshire. Workshops for stakeholders were held in January and March 2018. One of the aims of this phase is to outline the total cost benefit analysis of maintaining the Fens.

Phase 2 will assess how the Fens may change in the future based on information from phase 1. This may include considering changes in land use and funding streams.

There are varying views on the future of the Fens and the development of the project. One of the concerns raised was the source of future funding for the management of the Fens and the conflicting views on how it should be managed.

Programme Development Unit (PDU)

This EA team will focus on helping partners deliver projects more efficiently. There are a number of large EA projects that the PDU will be involved with, therefore a hierarchy of projects will need to be established to ensure clarity of their involvement.

Flood risk activities: environmental permits (formerly flood defence consents)

There is currently a proposal by the EA to raise the costs of permitting in stages from the current £170 minimum potentially up to £1441.

Cambridgeshire County Council (CCC) has advised that the Lead Local Flood Authority (LLFA) has also been involved in a similar process with ADA. A response has been prepared by ADA and for more detail see item 26 on the Agenda.

Members will be aware that the statutory fee for obtaining consent stated within the Land Drainage Act has, for many years, been only £50.00 which does not cover the real costs of processing such a consent.

Cambridgeshire County Council – Flood and Water Team – Ordinary watercourse consents have been considered and issued when required.

The Bedford Group of IDBs has advised that Ordinary watercourse consents in its area were not originally considered with protected provisions in the Development Control Order (DCO), a planning document. A legal agreement was subsequently agreed that reflects IDBs' byelaws and protected provisions.

It is understood that the EA had a similar situation at Peterborough on a Main River, even though it was a stakeholder in the project.

IDBs are reminded that they are not Statutory Consultees in such consultations but do need to be aware of forthcoming schemes in order to protect their interests.

Rain Gauges Project

Note. *The Official Journal of the European Union (OJEU - previously called OJEC, the Official Journal of the European Community) is the publication in which all tenders from the public sector which are valued above a certain financial threshold according to EU legislation, must be published. The legislation covers organisations and projects that receive public money, such as Local Authorities, NHS Trusts, MOD, Central Government Departments and Educational Establishments.*

The Eastern Regional Flood & Coastal Committee (RFCC) area (largely Norfolk, Suffolk and Essex) will be joining this Central RFCC project which is likely to be Project Managed by the EA.

The gauges will be located on secure and accessible EA or Anglian Water Services Ltd (AWSL) structures, such as water recycling centres (WRCs), and the Botanical Gardens in Cambridge.

It is intended that information from the rain gauges will be for the use of all partners for flood investigations etc with all sites available via telemetry using a web interface, possibly with three levels of membership – Administrator, Partners and the Public - and associated viewing rights within the web interface with the latter only seeing “local” information. This interface will be based on the software that AWSL already uses for its existing rain gauges and combined sewer overflows (CSOs). The data will not be directly compatible with EA data however a widget will be developed for this purpose. Discussions/negotiations are ongoing with the Met Office regarding a data swap.

The size of the project is causing delays but draft OJEU tender documents, a business case and inter LLFA and AWSL legal agreements are currently being drafted.

As members of the CFRMP, the Middle Level Commissioners have been asked to comment on the proposed location of rain gauges. The LLFA advises that the proposed new gauges have been chosen because they are adjacent to major areas of population and known “wet spots”. The nearest rain gauges to the Commissioners’ area are at March WRC (EA gauge) and the Middle Level Commissioners’ Office. In respect of the Commissioners’ interests the District Council

suggested a rain gauge within the town itself, on Anglian Water's facility off Creek Road (MRCCSM), near River Down.

Strategic Flood Risk Planning Advisor

Funded by the Local Levy the EA has employed a Strategic Flood Risk Planning Advisor on a two year contract. The role will include providing input to LPA's Local Plans (most of which, within Cambridgeshire, are approaching completion) and highlighting flood mitigation opportunities within strategic development proposals.

Integrated FRM PhD research project

A PhD researcher at the Flood Hazard Research Centre (FHRC) Middlesex University is working on integrated flood risk management within Cambridgeshire with the aim of understanding the connectivity between different networks (such as the RFCC, CFRMP, catchment partnerships, local resilience forums, enterprise partnerships) and to see how these influence the integration of different FRM objectives (preventing new risk, reducing existing risk and managing residual risk) and other wider sustainable development objectives. An interview attended by the Chief Executive and Planning Engineer was held with the researcher on 5 January to discuss their roles and the role of IDBs and partnership working, amongst other things.

Fenland Flooding Issues Sub-Group

Following the extreme rainfall event experienced within March during August 2014, a March Flood Investigation Sub-Group was formed. The meetings associated with this investigation have proven beneficial to all the stakeholders involved and may lead to the resolution of many historical issues and, as a result, the responsibilities of the Sub-Group were extended to cover any local flooding issues within the District Council's area. There are currently no issues within the Board's catchment.

29 May 2018

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Consulting Engineer

In response to Councillor Cornwell, Mr Lakey reported that, having been sprayed annually by the Middle Level Commissioners, the Japanese knotweed was now under control, with only isolated plants, which will continue to be sprayed until eradicated.

RESOLVED

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

ii) Weed Control and Drain Maintenance

That the recommendations contained in the Report be approved.

iii) That both the Middle Level Commissioners and Council representatives make formal responses to Fenland District Council concerning informatives being added to decision notices advising of their separate legal obligation to comply with the requirements of the Commissioners' byelaws and the Land Drainage Act.

iv) Planning Application (MLC Ref No. 126)

That the Consulting Engineers be requested to arrange a further meeting with Network Rail, to be attended by the Planning Engineer and Mr Alterton, together with the Chairman and Vice Chairman, if available, to discuss the issues concerning the site.

v) Planning Application (MLC Ref Nos. 128,134 & 133)

That the Planning Engineer be authorised to take any action as he considers necessary to resolve all outstanding issues concerning the development.

C.902 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

The Commissioners considered the possible installation of automatic weedscreen cleaning equipment at the pumping station. Mr Alterton felt that with the pump drain being cleaned out on a regular basis weed at the pumping station was not an issue and, whilst he was able to attend to any weed manually, it was not necessary for the Commissioners to install automatic equipment.

RESOLVED

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

C.903 Environmental Officer's Newsletter and BAP Report

Mr Hill referred to the Environmental Officer's Newsletter, previously circulated to the Commissioners.

The Commissioners considered and approved the most recent BAP report, together with the information sheets about floating pennywort.

Mr Hill reported that Cliff Carson had recently filmed a piece on otters which had been shown on the BBC Spring Watch programme on Monday the 11th June. He reported that Cliff was due to retire at the end of June and that his replacement had been appointed.

C.904 Pumping Station duties

- a) The Commissioners gave consideration to the payments in respect of pumping station duties for 2018/2019.
- b) The Commissioners gave consideration to the fuel allowance payable to Mr Alterton.

RESOLVED

- i) That T Alterton Esq continue as Pump Attendant to the Commissioners during the ensuing year.
- ii) That the Commissioners agree that the sum of £615 be allowed for the provision of pumping station duties for 2018/2019.
- iii) That the Commissioners agree that a £50 fuel allowance be allowed to Mr Alterton.

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

C.905 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.906 Environment Agency – Precept

Mr Hill reported that the Environment Agency had issued the precept for 2018/2019 in the sum of £1,050 (the precept for 2017/2018 being £1,035).

C.907 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

- (a) Mr Hill reported that the sum of £999.64 (inclusive of supervision) had been received from the Environment Agency (£1,482.15 representing 80% of the Commissioners' estimated expenditure for the financial year 2017/2018 less £482.51 overpaid in respect of the financial year 2016/2017).
- (b) Further to minute C.871(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.

C.908 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 14th November 2018.

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

On the Annual Conference of the River Great Ouse branch of the Association held in Prickwillow, Ely on Tuesday the 6th March 2018 and the fact that the administration of this branch has now been passed to the Middle Level Commissioners.

Mr Hill advised that the new members elected to the Branch's Executive Committee included the Middle Level Commissioners' Operations Engineer, Jonathan Fenn and the Chairman, Marc Heading who was appointed Vice Chairman (with Harry Raby of the Bedford Group being appointed Chairman). He added that the agreed aim of this reworked branch will be to be more pro-active and accordingly it was expected that the Executive Committee will meet periodically to discuss catchment wide issues and will then report back to the Branch at its Annual Conference on what it has achieved over the year.

c) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 1% in 2018, viz:- from £536 to £542.

RESOLVED

That the increased ADA subscription for 2018 be paid.

d) Liability of Board Members

Mr Hill referred to, and the Commissioners noted, a Guidance Note received from ADA dated the 28th September 2017 which summarised the issue of when Members of an Internal Drainage Board may be held personally liable for actions which they take in that capacity.

Mr Hill advised that the Commissioners had management liability insurance in place, which was in respect of claims made as a result of a wrongful act against Commissioners arising from the management and operations of the Commissioners and that the cover attached was £5,000,000.

e) Updating IDB Byelaws

Mr Hill referred to a letter received from ADA dated the 20th October 2017.

Mr Hill reported that most of the IDBs in the area have a set of Byelaws which were made under Section 34 of the Land Drainage Act 1976 for the secure and efficient working of the drainage system in their area.

Defra have now suggested that the Byelaws which have been adopted by IDBs should be updated to include within their purpose powers in relation to environment matters. To do this it will be necessary to update the current Byelaws in line with the standard model byelaw published in October 2012.

RESOLVED

That the Clerk be requested to draft new Byelaws to include compliance with the environment regulations for consideration by the Board at their next meeting.

f) New Model Policy Statement

Mr Hill referred to the publication of the new model Policy Statement issued in late April by ADA.

RESOLVED

That the Clerk be requested to draft a new Policy Statement for consideration by the Board at their next meeting.

g) Floodex 2019

That Floodex 2019 will be held at The Peterborough Arena on the 27th and 28th February 2019.

C.909 Capital Programme Strengthening and Delivery

Mr Hill referred to, and the Commissioners noted, the slides presented by the Environment Agency at the Great Ouse IDB and EA Strategic Group meeting on the 19th April 2017.

C.910 Middle Level Commissioners and Administered Boards Chairs Meeting

Mr Hill reported that a meeting of the Chairmen of all of the Middle Level Commissioners' administered Boards met on the 8th March 2018 to discuss the challenges facing Boards. Innes Thomson, Chief Executive of ADA, spoke on the arrangements adopted by other Boards around the country.

Matters raised included:-

- 1) Advantages, disadvantages and barriers to amalgamation.
- 2) Future meetings and the opportunity for Boards to request items be added to the agenda.
- 3) Reviewing Board membership numbers.
- 4) Frequency of Board meetings.

C.911 Member training and the appointment of a Health and Safety Officer

Mr Hill reported that ADA has been encouraging member training for a number of years and Defra will, from 2018, require Boards to report upon any training that has been provided to members. This was to be reported by way of an entry on the IDB1 forms and the listed topics on this form are; Governance, Finance, Environment, Health, safety and welfare, Communications and engagement, amongst others. The Commissioners may wish to pick an area where they consider specific tailored training is pertinent for it in a given year or alternatively might ask that the Middle Level Commissioners arrange some joint training with other Boards which they are happy to do.

On Health and Safety, after reviewing arrangements for a number of Boards, it has become clear that it would be helpful if Boards could appoint a member to be in charge of Health and Safety matters. This person would take overall responsibility for Health and Safety supported by Croner through the Middle Level Commissioners. This will help provide clarity going forward as ultimately it is the Boards' role to ensure that sites, equipment and working practices are as safe as can be reasonably expected. Whilst IDBs have an enviable record on safety and much that is needed is likely to already be in place, the HSE would probe the organisational structure should a reportable accident occur and would take a dim view if clarity on the lines of responsibility were unclear.

Councillor Cornwell and Mr Mottram considered that this should be a full time post to enable all matters to be dealt with and that the Middle Level Commissioners should look further into this, with possible costs being shared by the administered Boards.

RESOLVED

- i) That the Chairman and Vice Chairman meet with the Clerk to discuss and review the matter further.
- ii) That the Commissioners participate in any training organised through the Middle Level Commissioners.

C.912 Defra IDB1 Returns

Mr Hill referred to a letter received from Defra dated the 24th April 2018 and reported on the proposed changes to the Annual Defra IDB1 Returns.

He advised that the IDB1 form is completed each year in accordance with the Land Drainage Act 1991 and is submitted to Defra, the Environment Agency and to each Council which pays an IDB Special Levy. The form provides information on such items as income, expenditure, a policy delivery statement, the bio-diversity action plan, asset management and governance matters.

Mr Hill reported that for the year ended 31st March 2017 the IDB1 return was amended and additional information requested, such as details of board membership, attendance at meetings, whether elections are held and confirmation that the complaints procedure is accessible from the home page on an IDB's website. This information will enable Defra to gather more data in relation to IDBs.

For 2018 the IDB1 form will be further expanded. The additions were developed in co-operation with the Environment Agency, ADA and invited IDB representatives including David Thomas on behalf of the Middle Level Commissioners. The inclusion of items within the form which would either be difficult to report on or provide information which collectively would be of little value have been resisted and the new IDB1 form should, as a result, allow Defra to gain a

much clearer insight into what IDBs deliver annually. It is hoped that this in turn will assist with raising further the profile of IDBs.

C.913 Requirements for a Biosecurity Policy

Mr Hill reported that, from 2018, Board's will be required to advise (through the IDB1 returns) whether they have in place a Biosecurity Policy. This is considered necessary following increased concern over the spread of alien invasive weeds from one waterbody to another, possibly through the use of contracted or shared plant which can carry elements of such plants if not properly cleaned after being moved from contaminated locations. ADA have stated that they support the principle of having a policy in place and, conscious that for most boards the policy requirements will be identical, they are producing a model document. The Commissioners were asked to confirm that they were content to adopt a policy as long as it is suitable and will not include overly onerous steps which might restrict their activities.

RESOLVED

That the draft policy be reviewed by the Commissioners at their next meeting.

C.914 The General Data Protection Regulation (GDPR)

Mr Hill referred to the Guidance Note on the implementation of the GDPR and that all organisations must become fully compliant by the 25th May 2018.

RESOLVED

That Miss Lorna McShane, Solicitor and Assistant Clerk be appointed the Commissioners' Data Protection Officer.

C.915 Charging for Environmental Permits

Mr Hill reported on the consultation on charging for Environmental Permits which closed on the 26th January 2018. It is suggested within the consultation that charging should be designed to recover costs and as such there may be significant increases in the charges for obtaining Environment Agency permits for some IDB activities which require such consents. ADA have responded on behalf of the industry and their response is available on their website, www.ada.org.uk/2018/01/ada-responds-environment-agency-charge-proposals-2018.

C.916 Completion of the Annual Accounts and Annual Return of the Commissioners – 2016/2017

- a) The Commissioners considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2017.
- b) The Commissioners considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2017.

C.917 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 2018.

C.918 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 2018.

C.919 Review of Internal Controls

- a) The Commissioners considered and expressed satisfaction with the current system of Internal Controls.
- b) The Commissioners considered and approved the appointment of Whiting & Partners as Internal Auditor for the three period 2018/2019 to 2020/2021.
- c) The Commissioners approved the Audit Strategy and Audit Plan.

C.920 Risk Management Assessment

- a) The Commissioners considered and expressed satisfaction with their current Risk Management Policy.
- b) The Commissioners reviewed and approved the insured value of their buildings and considered having a revaluation of the Commissioners' real estate assets, as required for audit purposes.

RESOLVED

That no changes be made to the valuation at this time and for the matter to be reviewed again at the next annual meeting.

C.921 Appointment of External Auditor

Further to minute C.847, Mr Hill referred to the decision by the Commissioners to join the Sector Led Auditor Appointment Body for the appointment of the External Auditor and that the Smaller Authorities' Auditor Appointments (SAAA Ltd) had formed for this purpose. He reported that they had now confirmed the appointment of PKF Littlejohn to carry out the external audit of the Commissioners for a five year period commencing with the financial year 2017/2018.

C.922 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.

RESOLVED

To continue with a limited assurance review as has been carried out in previous years.

C.923 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.

C.924 Annual Governance Statement – 2017/2018

The Commissioners considered and approved the Annual Governance Statement for the year ended on the 31st March 2018.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Commissioners, for the financial year ending 31st March 2018.

C.925 Payments

The Commissioners considered and approved payments amounting to £11,309.56 which had been made during the financial year 2017/2018.

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

C.926 Anglia Farmers

The Commissioners considered their contractual arrangements with Anglia Farmers for the supply of electricity.

Mr Hill reported that the contract with Anglia Farmers ceases on the 30th September 2018 and advised that, in view of the problems encountered over the past 15 months with the operation of the contract, a report had been sent to all Chairmen.

Mr Hill further advised that, although the Clerk was able to recommend to the Commissioners that they remain with Anglia Farmers for a further contract period, usually 18 months to 2 years, during which time the service provided by them will be monitored, it was the Commissioners' decision and should they wish to be removed from the buying group then it would be the Commissioners' responsibility to negotiate its own separate electricity contract with a supplier.

Mr Hill reported that the Chairman had agreed for the Commissioners to remain with Anglia Farmers.

RESOLVED

That the actions of the Chairman be approved and the current arrangements be continued for a further contract period, during which time the service provided by them, in relation to the running of the contract, be monitored.

C.927 Annual Accounts of the Commissioners – 2017/2018

The Commissioners considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2018 as required in the Audit Regulations.

RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Commissioners, for the financial year ending 31st March 2018.

C.928 Expenditure estimates and special levy and drainage rate requirements 2018/2019

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2018/2019 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 58.01% and 41.99%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £9,714 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 £5,635 and £4,079 respectively.
- iv) That a rate of 15.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £4,079 be made and issued to Fenland District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Commissioners be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

C.929 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.930 Date of next Meeting

RESOLVED

That the next Meeting of the Commissioners be held on Tuesday the 18th June 2019 at **10.00am**.

C.931 Waste Recycling Centre

Mr Alterton reported that he had met with the Manager at the Waste Recycling centre who had an arrangement to pump water from the site into the District. However, there had been issues and the pump had not been operated, leading to increased water levels and as the site operator was looking to lower levels, a suggestion had been made that Mr Alterton operate the pump at the site, on behalf of the site operator.

RESOLVED

That, after the site operator has confirmed how they wish the pump at their site to be operated, and if they request the Commissioners to operate the pump, Mr Alterton should contact the Middle Level Commissioners and he, together with the Clerk, be authorised to make arrangements with the site operator to do so.

C.932 Norwood Pumping Station

The Chairman referred to a recent meeting with Sustrans concerning the area around Norwood pumping station at which the Sustrans' representative had confirmed that they owned the pit to the south of the pumping station and they, may, as a result of future requirements concerning access to the site, consider selling it to the Commissioners. Mr Alterton considered that the site could provide an environmental site for the Commissioners as well as being utilised as a water storage facility to better control flows from the developed area.

RESOLVED

That the Commissioners approve 'in principle' to give consideration to the purchase of the pit and that the Chairman, Vice Chairman and Mr Alterton be authorised to discuss the matter further should a formal proposal be received from Sustrans.