

## HADDENHAM LEVEL DRAINAGE COMMISSIONERS

At a Meeting of the Haddenham Level Drainage Commissioners  
held at the Baptist Hall, Station Road, Haddenham on Thursday the 8<sup>th</sup> November 2018

### PRESENT

M Church (Chairman)	R J Darby Esq
G L P Wilson Esq (Vice Chairman)	K J Furness Esq
C H Bidwell Esq	H C Hurrell Esq
T B Chambers Esq	P Mappedoram Esq
S G Cheetham Esq	N E Tebbitt Esq
A W J Darby Esq	R B Waddelow Esq
Mrs M E Darby	N R W Wright Esq
A R Yarrow Esq	

Miss Samantha Ablett (representing the Clerk to the Commissioners) and Mr David Jordan (District Engineer) were in attendance.

The Chairman enquired whether ALL Board members were happy for the meeting to be recorded. All members were in agreement.

### Apologies for absence

Apologies for absence were received from K Robinson Esq, S M Smith Esq, E F Veal Esq and G R W Wright Esq.

### C.226 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.

### C.227 Confirmation of Minutes

### RESOLVED

That the Minutes of the Meetings of the Commissioners held on the 26<sup>th</sup> April and 14<sup>th</sup> June 2018 are recorded correctly and that they be confirmed and signed.

### C.228 Environment Agency – Wetland Creation

Further to minute C.171, the Chairman advised that as Mr Gillett was due to retire from his post at the Environment Agency at the end of February 2019, he would no longer be attending future meetings.

The Chairman reported there had been little progress with the Sutton project over the past 12 months as the Project Manager had been working on another project, but he was hopeful work would recommence soon. He advised that the conceptual design remained unchanged and the

project business case was to be updated for approval and that, once approved, it was hoped work on the ground would commence in the second half of 2020/2021.

#### C.229 Updating DDC Byelaws

Further to minute C.173(e), Miss Ablett reported that as this matter affects all Boards, and to ensure efficiency and to minimise costs, work on revising the Byelaws has been held until all Boards administered by the Middle Level Commissioners have determined their wishes. Now that this objective has been achieved work is commencing and a bulk submission of revised Byelaws will be submitted for consideration by Defra accordingly, probably in the New Year.

#### C.230 Water Transfer Licences

Further to minute C.186, Miss Ablett reported that discussions between ADA and the EA continue and the Ely Group have been piloting delivery of efficient licencing. There remains 15 months until the end of the application deadline, but unless there is a change in approach, licences for transfer of water from main river to IDB Districts will be required (where needed) at a cost of £1,500 per river length affected.

#### C.231 Restricted access to District drains

Further to minute C.191, the Chairman reported that, following a meeting between the Clerk and Mr Tyrrell, which the District Engineer also attended, a letter had been sent to Mr Tyrrell outlining the key points discussed.

Despite this Mr Tyrrell has still not applied for the necessary byelaw consent and none of the works agreed have been completed. The Chairman advised that a bush had virtually fallen into the watercourse; the trees were still overhanging the Commissioners' drain and a fence had been erected along the road against the drain in contravention of the Commissioners' byelaws.

#### RESOLVED

That the Clerk write to Mr Tyrrell, viz:-

- a) giving him 1 months' notice to remove the fence and extract the fallen bush from the watercourse, from his side of the drain and advise him that failure to complete the works within the timescale given would result in the Commissioners taking enforcement action to undertake the works on a cost recovery basis.
- b) to request that, as previously agreed with him, he cut back the trees overhanging the drain at such time as the adjacent field has been harvested and with Mr Tebbitt's agreement.

#### C.232 Ouse Washes Section 10 Reservoir Middle Level and Level South Barrier Bank works

Further to minute C.193, Miss Ablett referred to the Newsletter from the Environment Agency dated August 2018.

The Chairman reported that, since the commencement of works at Sutton Gault last year, there have been problems in accessing the pumping station. He had complained to the EA regarding the poor state that the track had been left in, but they had dismissed this claiming that no track existed.

The Chairman advised that, having found the Deeds showing that the Commissioners had purchased the strip down to the pumping station, he had recently met with the EA who have agreed to reinstate the track next summer.

The Chairman also advised that there remains a haul road used by the EA last year which they have agreed the Commissioners can use to access the pumping station this winter.

#### C.233 Public Sector Co-operation Agreements (PSCAs)

Further to minute C.200, Miss Ablett reported that a PSCA will be entered into as and when and if works are identified which could be carried out by the Commissioners for the Environment Agency on a cost recovery basis.

#### C.234 Policy Statement

Further to minute C.204(d), the Commissioners reviewed and approved their Policy Statement which had been updated following the publication of the National Audit Office (NAO) report on IDBs in March 2017.

RESOLVED

That the revised Policy Statement be adopted.

#### C.235 Middle Level Commissioners and Administered Boards Chairs Meeting

Further to minute C.205, Miss Ablett reported that a second Chair's meeting was held on the 17<sup>th</sup> October 2018 and that discussions centred around meeting Health and Safety legislative requirements and the possible options for increased efficiency in delivery of IDB/DDC services. Outline detailed proposals on the latter are to be brought before the next Chair's meeting for consideration.

The Chairman, having attended the meeting, reported that one Board in particular was dissatisfied with the service provided by the Middle Level Commissioners and another commented on the lateness of minutes of meetings being received. The Chairman had also complained, on behalf of the Commissioners, as their minutes had also not been received until only recently, giving rise to late distribution of the agenda. Miss Ablett apologised to the Commissioners on behalf of the Clerk.

The Chairman advised that much of the meeting centred on the matter of Health & Safety, which would be reported under the next agenda item.

#### C.236 Health and Safety Report

Further to minute C.206, the Chairman reported that at the recent Chairs meeting a number of Boards raised concerns regarding health and safety matters. The Clerk had confirmed that the

Middle Level Commissioners were looking to either employ an individual or contract the services of a health and safety consultant to provide support and carry out routine inspections to assist the Commissioners and the IDBs in delivery of their health and safety obligations; the cost of which would be funded proportionately.

Miss Ablett advised the Commissioners that, despite the services of a qualified health and safety consultant being provided, the Chairman and the Commissioners will still be ultimately responsible in the event of any health and safety incidents, but the risk to the Commissioners should be significantly reduced if the above proposals are implemented.

The Chairman considered that fire extinguishers should be provided at each of the pumping stations and in the excavator.

#### RESOLVED

- i) That the Commissioners approve for the services of a health and safety professional to be provided at a cost proportionate to them.
- ii) That the Chairman be authorised to purchase a number of fire extinguishers to satisfy health and safety requirements.

#### C. 237 Requirements for a Biosecurity Policy

Further to minute C.207, the Commissioners considered their Biosecurity Policy.

#### RESOLVED

That the Biosecurity Policy be adopted.

#### C.238 Cambridgeshire Flood Risk Management Partnership Update

Further to minute C.210, Miss Ablett referred to the most recent matters raised by the Partnership.

#### C.239 Anglia Farmers

Further to minute C.218, Miss Ablett confirmed that the running of the remainder of the Anglia Farmers electricity contract has been monitored and she was pleased to report that the service provided has improved.

She added that in view of the significant increase in prices observed a utility specialist was approached and like for like prices at the time of tender, for a sample of meters, were requested in order that a comparison could be made with the prices obtained by Anglia Farmers. Although some savings may have been made, overall the prices obtained from Anglia Farmers were found to be generally competitive.

Miss Ablett advised that a verbal report was presented to the Middle Level Commissioners at their recent Board meeting and, based on the results of the pricing comparison exercise and in view of the service provided by Anglia Farmers having improved, the Middle Level Commissioners resolved to remain with Anglia Farmers for a further contract period post 30<sup>th</sup> September 2019.

The Clerk had recommended that the Commissioners also remain with Anglia Farmers. However, should the Commissioners choose to give notice to Anglia Farmers in late January/early February 2019 to end the current contract, they would then be responsible for negotiating their own separate electricity contract thereafter.

#### RESOLVED

That the Commissioners remain with Anglia Farmers for a further contract period post 30<sup>th</sup> September 2019.

#### C.240 Repair of Terex 130W Excavator

Further to minute C.225, the Chairman referred to the discussions at the last meeting regarding the sourcing of a second hand excavator and advised that, due to a shortage of Atlas excavators available, this had not been possible. He had found a 2017 Leibherr 914 machine at a cost of £118,000, however this choice would incur an additional cost of £6,000 to alter the boom.

The Chairman tabled a schedule to the Commissioners detailing the costs incurred on the current excavator since April 2018; the prices obtained for new machines, the lowest price for an Atlas machine being £133,000; the potential proceeds on the sale of the current excavator, together with details of various loan repayments which would be required to enable the Commissioners to purchase a new machine. The Chairman advised that, in view of its age and number of hours worked, there would no doubt be more repairs necessary to the current excavator and enquired whether the Commissioners would consider the purchase of a new machine.

Miss Ablett advised the Commissioners of their current financial position and the funds available to them, together with how various purchase options would affect the Commissioners' finances. She confirmed that other Boards were also experiencing difficulties sourcing second hand machines in view of the amount of works being carried out on the County's highways.

Miss Ablett reported that the Consulting Engineer had advised that the overhaul of the pump at Sutton Gault pumping station would cost in the region of £25,000 and that this would be reported under a later agenda item.

The Commissioners discussed the schedule and the proposals put forward by the Chairman and the Chairman answered all questions raised.

#### RESOLVED

- i) That an amount not exceeding £75,000 be borrowed from the Public Works Loan Board, over a period of 10 years, for the replacement of the Commissioners' excavator.
- ii) That the Chairman be authorised to place an order for a new Atlas excavator following confirmation of the loan application being approved.

#### C.241 District Engineer's Wage Increase

The Commissioners gave consideration to the District Engineer's wages for 2018/2019.

Miss Ablett referred to the Middle Level Commissioners' pay award indicator which was 2.58%.

#### RESOLVED

- i) That the wages of the District Engineer be increased by 2.58% from 1<sup>st</sup> December 2018 as indicated on the Supplementary Schedule.
- ii) That, in future years, an increase in accordance with the Middle Level Commissioners' award be made to the District Engineer until such time the formula is reviewed.

#### C.242 District Work Report

The Chairman reported that it had been a challenging year with the wet spring followed by a significant lack of rainfall.

He stated that of all the IDBs in the area the Commissioners had been best served and continued to have a water supply and had not been subject to any restrictions. Although the EA had requested a voluntary daytime restriction relating to the South Level, the Chairman advised that, in view of the water available to the Commissioners, he was able to get this lifted. In his opinion the reason the Commissioners had a water supply was down to the efforts of their employee, David Jordan. He advised that the early harvest, together with the delay in starting the drain maintenance works due to the excavator having to be repaired, had also put David under pressure. Despite this, the maintenance works were carried out and although the Catchwater Drain had not yet been finished the critical parts had been completed.

The Chairman confirmed that during the year a significant amount of private work had been carried out on behalf of both Over & Willingham IDB and the RSPB. He advised that the majority of the drainage rates had been collected with only £2,993.30 still outstanding, of which £2,332.41 was due from the EA. The Chairman explained that before payment could be made the EA required a payment order and in view of this he was detailing all areas on which the EA have been charged and once this had been submitted to them he was confident that payment would be made.

#### RESOLVED

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

#### C.243 Applications for byelaw consent

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

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
A G Wright & Son (Farms)	18 no 80mm outfalls complete with dyketector headwalls – Gall Drain	30 <sup>th</sup> April 2018
W Mappedoram & Son	Culverting of a watercourse - Catchwater Drain at Aldreth	30 <sup>th</sup> May 2018

## RESOLVED

That the action taken in granting consents be approved.

(NB) – Messrs Wright and Mappedoram declared interests when this item was discussed.

### C.244 Association of Drainage Authorities

#### a) Annual Conference

Miss Ablett reminded the Commissioners that the Annual Conference of the Association of Drainage Authorities will be held in London on Wednesday the 14<sup>th</sup> November 2018.

#### b) Annual Conference of the River Great Ouse Branch

Miss Ablett reported that the Annual Conference of the River Great Ouse branch of the Association would be held in Prickwillow, Ely on Tuesday the 12<sup>th</sup> March 2019.

#### c) Floodex

Miss Ablett reminded the Commissioners that Floodex 2019 will be held at The Peterborough Arena on the 27<sup>th</sup> and 28<sup>th</sup> February 2019.

### C.245 Sutton Gault Pumping Station – Inspection of Wet Well Bolts

The Chairman distributed a report the Consulting Engineers had produced regarding the condition of the pump at Sutton Gault pumping station.

The pump was in better condition than originally expected and in the engineer's opinion the wet well bolts although corroded would last another 5 years and he had therefore recommended that the pump undergo a complete overhaul in the spring/summer 2024, which could cost in the region of £25,000.

### C.246 Construction of Irrigation Reservoirs – Willow Hall Farm

The Chairman reported that the application referred to 700,000 cubic metres of water (in the region of 154,000,000 gallons). Although the application related to gravel extraction the Commissioners were only concerned with the water management. He had received a letter from Cambridgeshire County Council for comment and had responded advising them of the Commissioners' concerns. He had also approached the Clerk for comment and, having received no comment, he had recently met with the Clerk who had since responded to Cambridgeshire County Council. The Chairman was disappointed that, in view of the volume of water involved, the Commissioners had not been approached directly by the applicant.

The Commissioners voiced their concerns regarding the volume of water, how if unrestricted it would flood the Sutton area, the effect of de-watering whilst the reservoirs were being built, the volume of traffic i.e. 90 lorries per day, amongst other matters.

The Chairman reported that Cambridgeshire County Council had published a report on their website.

The Vice Chairman confirmed that the Parish Council had refused the application and Councillor Cheetham reported that the application had not yet been approved but would be put to the planning committee in January 2019.

Mr Wright stated that the application did not answer the questions raised and that, if approved, the Commissioners must be sure it will not adversely affect them and in order to protect the Commissioners the Clerk must respond to the report.

#### RESOLVED

That the Clerk compose a response to Cambridgeshire County Council's recent report regarding the application which, before sending, be emailed to all Commissioners for their comments and that this be done prior to when the application is due to be put to the planning committee at the beginning of January.

#### C.247 Environment Agency Precept

Miss Ablett reported that the RFCC have set the increase for precept payment for 2019/2020 at 5%.

#### C.248 External Bodies Conservation Initiatives

Miss Ablett reported that there are two projects which may have an impact on the Commissioners:-

- i) The New Life on the Old West project being led by Cambs ACRE which aims to improve public understanding of the unique nature of biodiversity in the Fens and to deliver improvements on community green spaces and the ditch network. At the time of report the project has received a £100k grant to develop the project to the point at which a further £3/4 million grant bid will be made to support delivery.
- ii) The Cambridgeshire Fens Biosphere, Heritage Lottery have provided £10,000 of funding to research what would be necessary to bring Biosphere Reserve status to the Fens. This project is being led by the Wildlife Trust with support from Cambs ACRE. If successful, this would lead to a new UNESCO designation. This would be a non-statutory designation which records the unique nature of the area.

The Chairman reported on the External Bodies Conservation initiatives and advised that, in his opinion, there was no need for any work to be carried out as the Commissioners' drains were in no need of improvement. He confirmed he would be discussing this with the Middle Level Commissioners' Conservation Officer at the forthcoming IDB BAP meeting in December.

#### C.249 Catchment Strategy

Miss Ablett reported that the EA, LLFA, IDBs and other partners are co-operating in a piece of work which is looking at the pressures on the catchment from a development and climate change perspective. The aim will be to develop proposals which will guide and inform discussion makers.



### C.250 Completion of the Annual Return of the Commissioners – 2017/2018

- a) The Commissioners considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31<sup>st</sup> March 2018.
- b) The Commissioners considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2018.

### C.251 Defra IDB1 Returns

Miss Ablett referred to the completed IDB1 form for 2017/2018, which the Commissioners noted and approved.

### C.252 Expenditure/Estimate Update

The Commissioners considered the Estimate Update for 2018/2019.

### RESOLVED

That the update be approved.

### C.253 Dates of next Meetings

### RESOLVED

That the next Meetings of the Commissioners be held at The Baptist Hall, Haddenham as follows in 2019, viz:-

- i) Thursday the 25<sup>th</sup> April 2019
- ii) Thursday the 7<sup>th</sup> November 2019.

### C.254 Planning

The Chairman advised of a planning application submitted by the Third Bridge Holiday Home for Dogs which included 7 industrial units, stables, a ménage and a builder's yard; the surface water from which is proposed to be managed by a soakaway. The Chairman confirmed that he will be writing to the applicant/agent regarding the Commissioners' concerns with the surface water disposal.