

SWAVESEY INTERNAL DRAINAGE BOARD

At a Meeting of the Swavesey Internal Drainage Board
held at the Memorial Hall, High Street, Swavesey on Wednesday the 14th February 2018

PRESENT

K Wilderspin Esq (Chairman)	Mrs S Dodson
J E Dodson Esq (Vice Chairman)	Mrs A C Hemington
B R Burling Esq	Miss H Parish
N K Stroude Esq	

Miss Lorna McShane (representing the Clerk to the Board) was in attendance.

The Chairman welcomed Shirley Dodson to her first meeting of the Board.

Apologies for absence

Apologies for absence were received from Messrs J S Burgess and N I C Wright.

B.907 Declarations of Interest

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

The Chairman declared an interest in the Superintendent's Fee and payments.

The Vice Chairman declared an interest in agenda item 13.

B.908 Confirmation of Minutes

RESOLVED

That the Minutes of the Meetings of the Board held on the 8th February and 30th June 2017 are recorded correctly and that they be confirmed and signed.

B.909 Completion of the Annual Accounts and Annual Return of the Board – 2016/2017

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

RESOLVED

- (i) That in accordance with the Accounts and Audit Regulations the minutes record that approval of the accounts was given on 30th June 2017.

- (ii) That the Chairman was authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31st March 2017.

B.910 Appointment of Chairman

RESOLVED

That K Wilderspin Esq be appointed Chairman of the Board.

B.911 Appointment of Vice Chairman

RESOLVED

That J E Dodson Esq be appointed Vice Chairman of the Board.

B.912 Election of Members of the Board

Miss McShane reported that, as the number of candidates for membership of the Board did not exceed the number of persons to be elected (seven), the following candidates were elected as Members of the Board for a period of three years from the 1st November 2017, viz:-

BURGESS John Shepherd	HEMINGTON Mrs Andrea Clare
DODSON James	PARISH Miss Hannah
DODSON Mrs Shirley	STROUDE Neil Kingsley
WILDERSPIN Keith	

Miss McShane also reported that Mr Austin Day did not seek re-election and the Chairman had nominated Mrs S Dodson for membership of the Board in his place.

Miss McShane advised that Mr Day had been a Member since 1997 and that a letter of thanks had been sent to him in recognition of his 20 years services to the Board

(NB) – Councillors B R Burling and N I C Wright are also Members of the Board as the nominees of South Cambridgeshire District Council under the provisions of the Land Drainage Act 1991.

B.913 Proposed Northstowe Development and other developments draining to Uttons Drove STW Northstowe

- a) Further to minute B.871(a), Miss McShane reported on an update received from Paul Quigley at South Cambridgeshire District Council. He advised that the current position was that the revised design for the Mare Fen bank project had been submitted to the Environment Agency and is awaiting approval. The Homes and Communities Agency and South Cambridgeshire District Council are arranging to meet with the Environment Agency in order to progress this. Mr Quigley had also advised that he was in discussion with the combined authority to secure funding for the project but at the present time there were no timescales. The works are required to be completed as a condition of the planning consent prior to the occupation of any dwellings on Phase 2 of the Northstowe new settlement.

b) Effluent Discharge to Swavesey Drain

Further to minute B.871(b), Miss McShane reported that there had been no further progress report from the Environment Agency on the progress of the repairs to Swavesey Drain.

(NB) - The Vice Chairman and Mr Stroude declared interests as landowners potentially affected by the scheme.

B.914 High Level Stewardship Scheme – Mare Fen

Further to minute B.872, the Chairman reported that there was no further update to report to the Board but it was noted that the land was County Council land and the proposed works would need the Board's permission.

B.915 Works to the bank of the River Great Ouse

Further to minute B.873, Miss McShane reported on an update from Paul Burrows who had advised that the Environment Agency's ongoing modelling and associated work was focussing on whether there was a viable affordable scheme for the village and this is also reliant on the determination of an ongoing planning application in the area. Any Public Sector Co-operation Agreement would follow this and would be one option in terms of delivery of any works and/or could cover any future maintenance.

RESOLVED

That the Chairman follow this matter up with the Environment Agency.

B.916 A14 Improvement Scheme

Further to minute B.874, Miss McShane reported that Paul Burrows had advised that all surface water drainage matters for the A14 improvements were being led by Cambridgeshire County Council.

The Chairman reported on a meeting attended by himself, the Vice Chairman and the Parish Council on the balancing ponds for the compounds. Although they had had sight of the plans for the construction compounds, no drainage expert had been present.

RESOLVED

That the arrangements for the balancing ponds for works compounds be pursued by the Chairman and the Parish Council.

B.917 Outstanding drainage rates

Further to minute B.876, the Chairman enquired if an update could be provided on outstanding drainage rates due to the Board and questioned whether, as the land was now equestrian, it would not be subject to agricultural rates.

RESOLVED

That the Chairman be advised of the current position.

B.918 Electric fence connection to pumping station energiser

Further to minute B.877, Miss McShane reported that an agreement, in principle, was in place with the Vice Chairman and that a draft agreement would be finalised and sent to him for signature.

RESOLVED

That the Clerk and the Chairman be authorised to complete and finalise this agreement on behalf of the Board.

(NB) – The Vice Chairman declared an interest when this item was discussed.

B.919 Visit to St Germans

Further to minute B.878(v), the Chairman that he was trying to arrange a visit to the pumping station at St Germans and asked that Members liaised with him regarding a convenient date for this visit.

B.920 Association of Drainage Authorities Further Research on Eels

Further to minute B.888(e) the Board considered making a further contribution towards the research on eels.

Miss McShane reminded the Board that this was a 2 year project being carried out by the University of Hull and that the Board had contributed a sum of £50 last year and had agreed to review a contribution for the current year.

RESOLVED

That the Board contribute an additional £50 towards further research on eels for 2018/2019 and this would be included with the ADA subscription.

B.921 Consulting Engineers' Report

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

Swavesey I.D.B.

Consulting Engineers Report – February 2018

Weed Control and Drain Maintenance

The maintenance works carried out last year generally accorded with the recommendations approved by the Board at its last Annual Meeting.

Roundup herbicide treatments were applied (during the early summer, with a follow up application during the autumn months) where required within the Board's district drains to control stands of emergent aquatic weed and vegetation growing within the semi-dry drain beds. Please refer to the site plan on the following page for treatment locations. A sum has been included within the estimated costs to undertake herbicide applications throughout the district again this year.

The Board's flail mowing requirements were undertaken by Lattenbury Services Ltd. At the Chairman/Superintendent's request, Lattenbury will be approached to undertake the flail mowing of Board's drains again this year. A sum has been included within the estimated costs to cover this work.

Machine cleansing was undertaken along the main pumping drain, reach 1-2, to remove siltation and a substantial mass of cott (filamentous algae), that had grown within the watercourse during the warm summer months. As can be seen from the photograph below, the weed mass was exceptionally dense and required removal with a contractor's long reach excavator before it became problematic at the Board's pumping station weedscreen cleaner. A further short length of machine cleansing work was also undertaken along the Board's drain between reach 4-5.



Cott build up at Pump Basin prior to machine cleansing

Following the Chairman's/Superintendent's instruction the opportunity was also taken, last autumn, to address a length of bank subsidence along the west side bank of the Board's main pumping drain. Approximately 30 metres of timber toe piles and single board were installed and the side batter was 'dressed' and returned back to the original design profile.

A heavy-duty forestry flail mowing head was fitted to the Board's contractor's hydraulic machine, to trim back an overgrown hedge and self-sown saplings along the north west side of the Board's drain adjacent to Point 2.

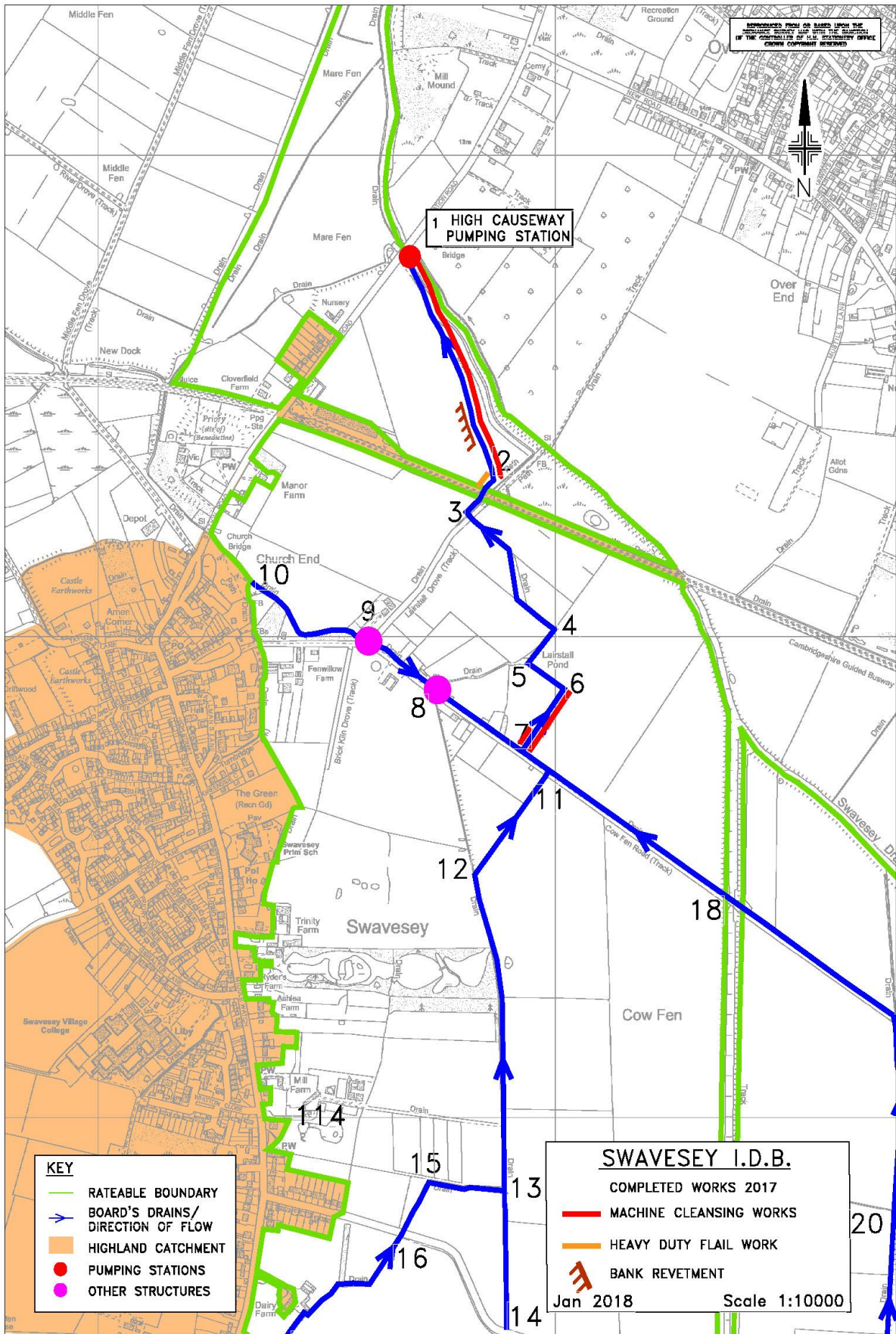
With the Chairman's/Superintendent's approval, a late spring/early summer joint inspection of the Board's drains will be undertaken again this year. The inspection should highlight herbicide application requirements, and give an opportunity to forward plan any other works required to maintain the Board's drains to a satisfactory standard.

Provisional sums based on previous year's machine cleansing expenditure and culvert cleansing/piling works, have been allocated within this report.

The estimated cost of this year's anticipated drain maintenance and weed control programme is as follows.

				£
1)	Roundup applications to control emergent aquatic vegetation in District drains	Item	Sum	1500.00
2)	Provisional Item Allow sum for machine cleansing work to Board's drains as required	Item	Sum	2500.00
3)	Provisional Item Allow sum for emergency works including bank piling or culvert headwall repair works	Item	Sum	1000.00
4)	Allow sum for flail mowing of District drains and hedge cutting	Item	Sum	3400.00
5)	Fees for preparation and submission of report to the Board, arrangement and supervision of herbicide applications and maintenance works.	Item	Sum	650.00
TOTAL				£9050.00

Orders for the application of herbicides by the Middle Level Commissioners are accepted on condition that they will not be held responsible for the efficacy 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

Pump 1 Hours Run - 12 January 2017 - 9 January 2018 = 92

Pump 2 Hours Run - 12 January 2017 - 9 January 2018 = 80

Pump 1 Hours Run - 11 January 2016 - 12 January 2017 = 101

Pump 2 Hours Run - 11 January 2016 - 12 January 2017 = 71

Pump 1 Hours Run - 21 January 2015 - 11 January 2016 = 2

Pump 2 Hours Run - 21 January 2015 - 11 January 2016 = 173

Pump 1 Hours Run - 6 January 2014 - 21 January 2015 = 227

Pump 2 Hours Run - 6 January 2014 - 21 January 2015 = 801

Pump 1 Hours Run - 28 January 2013 - 6 January 2014 = 3

Pump 2 Hours Run - 28 January 2013 - 6 January 2014 = 295

Internal Consultation with the Board

The process of “internal consultation” between the Commissioners and the Board (usually, but not always, with the Chairman and/or District Officer) to seek the Board’s comments and thus aid the decision-making process 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 has identified that only five contained any informatives added to the Decision Notices and none had advised the applicants of their separate legal obligation to comply with the requirements of the Board’s Byelaws and the Land Drainage Act.

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 event was well attended and 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%, predominately 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 27 new development related matters have been received and, where appropriate, dealt with since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
309	Enquiry	Client of EAS	Not known	Boxworth End, Swavesey
310	S/0053/17/OL	Swavesey Ventures Ltd	Residential (70 dwellings)	Middle Watch, Swavesey*
311	S/0168/17/FL	Cardinalis Development Ltd	Residential (2 plots)	Market Street, Swavesey*
312	S/0267/17/FL	Mr & Mrs J Harvey	Residence (Extension)	Station Road, Swavesey
313	S/3391/16/OL	Gladman Developments Ltd & Burgess	Residential (90 dwellings)	Boxworth End, Swavesey*
314	S/0525/17/FL	Laragh Homes Ltd	Residential (56 dwellings)	Fen Drayton Road, Swavesey*
315	S/0862/17/OL	Bloor Homes (Eastern) & Mr A Johnson	Residential (99 dwellings)	Fen Drayton Road, Swavesey
316	S/0958/17/FL	B J Baker & Son	Retail	Rose and Crown Road, Swavesey
317	S/1136/17/FL	Mr & Mrs S Thorne	Residence (Extensions)	Taylors Lane, Swavesey
318	S/1395/17/FL	Mr K Wilderspin	Residence (Garage)	Cow Fen Drove, Swavesey*
319	S/1308/17/FL	Mr S Papworth	Residence (Extension)	Carters Way, Swavesey
320	S/1868/17/FL	Bloomhall Ltd	Residential (2 dwellings)	School Lane, Swavesey
321	S/2194/17/FL	Mrs Kisielowski	Residence (Garage)	Black Horse Lane, Swavesey
322	S/2276/17/PA	Ms H Parish & Ms A Clarkson	Residence (Extension)	Middle Watch, Swavesey
323	S/2466/17/FL	Mrs N Taylor	Residence (Extension)	Boxworth End, Swavesey
324	S/2549/17/FL	B J Baker & Son	Retail	Rose & Crown Road, Swavesey
325	S/1948/17/DC	Mr S Hodson	Residence	Boxworth End, Swavesey
326	S/2801/17/FL	Mr A Cook	Residence	Boxworth End, Swavesey
327	S/2776/17/FL	Mr & Mrs S Thorne	Residence (Temporary caravan)	Taylors Lane, Swavesey
328	S/3112/17/FL	Mr L Walsh & Ms M Yotova	Residence (Extension)	Whitton Close, Swavesey
329	S/3614/17/FL	Mr & Mrs J Day	Residence (Annexe)	Middle Watch, Swavesey
330	S/3870/17/FL	Mr A Cook	Residence	Boxworth End, Swavesey
331	S/3762/17/FL	Mr & Mrs J Tait	Residence (Extension)	Middle Watch, Swavesey
332	S/3797/17/FL	Mr A Cook	Residence	Boxworth End, Swavesey
333	S/3871/17/FL	Mr & Mrs Clark	Residence	Boxworth End, Swavesey

334	S/3905/17/FL	Mr A Cook	Residential (2 dwellings)	Boxworth End, Swavsey
335	S/4018/17/OL	B J Baker & Son	Residence	Rose & Crown Road, Swavesey

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

The following applicants have chosen to use the soakaway self-certifying process, and, in doing so, agreed that if the soakaway was to fail in the future it would be liable for discharge consent.

- *Extensions at Taylors Lane, Swavesey – Mr & Mrs S Thorne (MLC Ref No 317)*
- *Garage at Black Horse Lane, Swavesey – Mrs Kisielowski (MLC Ref No 321)*
- *Temporary Caravan at Taylors Lane, Swavesey – Mr & Mrs S Thorne (MLC Ref No 327)*

The following applications are outside the Board's area but discharges may increase flows in the Turn Bridge, Church End Drain, Swavesey Drain system:

- (a) Laragh Homes Ltd (MLC Ref No 314)
- (b) Bloor Homes (Eastern) & Mr A Johnson (MLC Ref No 315)

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.

- *Proposed residential development to the south west of Moat Way/Fen Drayton Lane, Swavesey - Laragh House Developments Ltd (MLC Ref Nos 226, 246, 248 & 257)*
- *Residential development including demolition of a section of existing workshop at land to the rear of, 18, Gibraltar Lane, Swavesey - Mrs M E Richardson (MLC Ref No 214) & M M Developers (MLC Ref Nos 262 & 263)*
- *Erection of a one & a half storey 3 bed dwelling & A single separate garage & Application for approval of details in respect of Condition 3 (External Materials), Condition 7 (Surface Water Drainage) and Condition 9 (Archaeology) of planning consent S/0111/14/FL land at 19 Wallmans Lane, Swavesey - Sue Ellington (MLC Ref Nos 258 & 267)*
- *Swavesey to Buckingway Business Park – Foot & Cycle Way – Cambridgeshire County Council (MLC Ref No 264)*

- *Replace existing mobile classrooms with new 3 classroom extension, extension to pre-school and extension to school hall including discharge of conditions at Swavesey Primary School, Middle Watch, Swavesey - Cambridgeshire County Council (MLC Ref Nos 265 & 266)*

Proposed development to the rear of Cygnus Business Park (Mill Farm), Middlewatch, Swavesey - Nationwide Ltd (MLC Ref No 123) and Starburst Ltd (MLC Ref Nos 182 & 243) and Starburst Property Ltd (MLC Ref No 305)

Further to last year's report Starburst Ltd entered into the post-application consultation process but after a brief interchange of information, following a request for details on water disposal and points of discharge when the site was in agricultural use, no further correspondence was received. As a result, the matter was not successfully concluded.

An e-mail has recently been issued to the relevant parties in an effort to resolve the outstanding situation but, at the time of writing, a response has not yet been received.

In order to guide further discussion it would be beneficial to receive the Board's opinion and instruction on what action it would like to take to bring the matter to a conclusion.

Residential development with associated access, infrastructure and open spaces at land south of Fen Drayton Road, Swavesey – Bloor Homes (Eastern) & Mr A Johnson (MLC Ref Nos 284, 291 & 315) and Pegasus Group (MLC Ref No 285)

Further to the last meeting report a planning application for the construction of up to ninety nine dwellings was submitted to the District Council in March. According to its planning application webpage a decision has yet to be made by the District Council.

Whilst the applicant has undertaken our "Acceptability of Surface Water and Sewage Effluent discharge" process (as detailed in the Board's 2016 report) no subsequent detailed discussions have occurred. We have suggested that the post-application consultation procedure would be the most appropriate way of engagement.

Demolition of farm outbuildings and the erection of up to 90 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Boxworth End with all other matters reserved except for means of access on land off Boxworth End, Swavesey - Client of L K Group /Gladman Developments Ltd & Burgess (MLC Ref No 293) & Gladman Developments Ltd & Burgess (MLC Ref No 313)

A planning application submitted in December 2016 was refused by the District Council in May.

In respect of the District Council's decision its planning application webpage includes the following text:

"In the opinion of the Local Planning Authority, the proposal would result in an adverse impact on the capacity of the surface water drainage network. The proposals make the provision for the storage of surface water on the site during periods when surface water is not being discharged from the wider network into the River Great Ouse. However, the flood risk associated with retaining this water on the site and the cumulative impact of water being released into the main network at the end of the three week period would result in an unacceptable risk of flooding. The development would therefore be contrary to policy NE/9 of the adopted South Cambridgeshire Local Development Framework. The harm associated with the increased risk of flooding would significantly and demonstrably outweigh the benefits of the proposals and as such would not achieve the definition of sustainable development as set out in paragraph 7 of the National Planning Policy Framework (NPPF). As a result, approval of the development would be contrary to the guidance within paragraph 14 of the NPPF."

It is presumed that this refers to the occasions when the Swavesey Drain system is tide locked. It is unclear whether this is simply a reason to refuse planning permission or the failure of the LPA, or one of the statutory consultees, to understand the adverse impact that discharges into the local water level and flood risk management systems would have when the system is tide locked. It is one of three reasons for refusal.

An Appeal to the Planning Inspectorate was made in July. It is also noted that a signed Unilateral Undertaking under Section 106 of the Town & Country Planning Act has also been submitted.

Residential development on land to the rear of 130 Middlewatch, Swavesey - Swavesey Ventures Ltd (MLC Ref Nos 294 & 310)

A revised planning application for seventy dwellings was submitted to the District Council in early January 2017. This was subsequently refused permission in April on similar grounds to the original application.

Erection of 56 dwellings including new access at field north of Home Close and west of Moat Way, on land north of Fen Drayton Road, Swavesey - Laragh Homes Ltd (MLC Ref No 314)



Extract from Parc Design Solutions Site Layout Drawing Number 016 - 009 – 001;

A planning application for the erection of fifty-six dwellings to the north west of Home Close and south west of Moat Way was submitted to the District Council in February.

An attenuated surface water drainage strategy has been submitted to support the application with a discharge into the Award Drain forming the northern boundary of the site.

Following a response to the standard letter, in response to the planning application from the applicant, the Chairman of the Board requested that we write to the applicant advising of the position as follows:

“Whilst your comments are not incorrect they do not reflect the true position.

You will be aware that water level and flood risk management in the area is complicated and is served by Award Drains (under the jurisdiction of the South Cambridgeshire District Council [SCDC]), the Environment Agency (under the jurisdiction of EA) and Boards Drains (under the jurisdiction of Swavesey I.D.B.).

All these systems are currently under stress and interact and influence each other particularly when the Great Ouse system becomes tide locked.

In terms of flows the Award Drain concerned should naturally flow by gravity to the north-east through Swavesey and into the Environment Agency’s (EA) Church End Drain, a tributary of its Great Ouse system. However, the flows regime has been amended and now flows to the south-west where it is pumped into Covells Drain, also an Award Drain, which is also a tributary of the Great Ouse system.

It is understood that the pump used is privately owned and not the responsibility of a statutory authority such as the IDB, EA or SCDC and there may be no obligation on the owner to replace the existing pump should it fail or require replacement in the future.

There have also been issues with the capacity of Covells Drain but it is understood that these may have been resolved as a consequence of completed works upon it. However, further works will be required in the future.

Therefore, should the proposed development proceed it is strongly advised that an agreement ensuring the long term funding, management and maintenance arrangements for the upkeep of these facilities in perpetuity must be supplied early in the decision making process. This should include arrangements for adoption by an appropriate public authority or statutory undertaker and any other arrangements to secure the operation of the system throughout the developments lifetime. Failure to do so could lead to increased flood risk for the occupants and the surrounding area placing an unacceptable burden on the rate payer. Economic constraints must not be accepted as a justification for a non-inclusion of such arrangements.”

The applicant responded as follows:

“Thank you for your e-mail and your comments have been noted and will be taken on board.”

Similar guidance has also been given to the County Council in its capacity as the LLFA.

According to the District Council's planning applications web page the LLFA remains unable to fully support the proposal and a decision on the planning application has not yet been made.

Development Contributions

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

Cambridgeshire Flood Risk Management Partnership (CFRMP)

Three CFRMP meetings have been held since the last Board meeting. The main matters that may be of interest to the Board 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 has commenced. The project is for the whole Fens so needs to include Lincolnshire and Northamptonshire. Phase 1 will take a couple of years to complete and will include Lincolnshire and Northamptonshire. A workshop for stakeholders is being 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 uses 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.

CCC has advised that the LLFA has also been involved in a similar process that has been forwarded to ADA for consultation.

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. ADA is taking this apparent disparity up with defra.

A14 Upgrade

Environment Agency – The hydraulic modelling submitted has been assessed with any approval of permits (consents) issued when required. Issues that have slowed progress on these include quality of information being submitted.

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

The Bedford Group of IDBs advised that Ordinary watercourse consents in their 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 the IDBs' byelaws and protected provisions.

It is understood that the Environment Agency had a similar situation at Peterborough, 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 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 Environment Agency 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 use 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. Discussion/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 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 gauge to the Board’s area is close to the A14, possibly in the Uttons Drove area, and the LLFA has proposed gauges in the Oakington and Histon/Impington areas, presumably on WRCs.

However, an assessment of the proposed locations identified that highly responsive areas which have a history of flooding such as Bury Brook, southern Wisbech and the Swavesey area together with key transport routes, such as the A1, A14, A47, and the East Coast Mainline etc, have all seemingly been ignored. Given the recent and predicted increases in usage of these transport links, the pressures of

growth will increase due to the relevant planning authority's failure to meet its 5 year supply and the growth aspirations of the Combined Authority, for example, the M11 extension, duelling of the A47, the Wisbech Garden Town etc.

Therefore, a response made by the Commissioners on both their and the Board's behalf emphasised that transport corridors (and not just urban development) must be included in this project and suggested alternative AWSL structures that should be considered.

In respect of the Board's interests it was suggested that, if there is not one already, a rain gauge should be installed at Uttons Drove WRC (UTTOST).

The next CFRMP meeting is due to be held in late February.

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 currently 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 in early January.

Cambridgeshire and Peterborough Combined Authority

The Commissioners and associated Boards have been invited to a Workshop on the Cambridgeshire and Peterborough Non-Statutory Spatial Plan on 24 January.

Cambridge Water Resources Management Plan (WRMP) Pre-Consultation

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

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

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

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

Northstowe

In respect of Northstowe no further planning applications have been considered and dealt with on the Board's behalf.

South Cambridgeshire and Cambridge City SFRA

No further progress has been made concerning an update of the SFRA.

South Cambridgeshire District Council (SCDC) Local Planning Policy

South Cambs Local Plan (SCLP) Public Consultation

Members will recall that the Cambridge Local Plan and South Cambridgeshire Local Plan were submitted to the Planning Inspectorate for examination in March 2014 in order to determine whether the Local Plans are 'sound' and have complied with the necessary 'legal requirements'.

Following completion of examination hearings into the Cambridge Local Plan and South Cambridgeshire Local Plan in July 2017, the plans have reached the next key stage in the process. The Planning Inspectors involved have suggested several modifications, known as the Main Modifications, which they consider may be necessary in order for the Local Plans to be found 'sound'.

The Councils are therefore consulting on the Main Modifications identified by the Inspectors and the associated Sustainability Appraisal of the Main Modifications. The Inspectors' final conclusions will be given in their Reports in due course.

At the same time the Councils have published some Additional (minor) Modifications, such as typographical errors and factual updates. They are not formally part of this consultation but are provided for completeness.

A review of these documents is currently being undertaken on the Board's behalf. The public consultation on these documents ends on the 16th February.

Consulting Engineer

1 February 2018

Swavesey(360)\Reports\February 18

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance

That the maintenance works contained in the Report be undertaken.

- iii) That in the event of another Planning Agents Training Day being arranged, South Cambridgeshire District Council be invited to any future event.

- iv) Development to the rear of Cygnus Park (Mill Farm)

That the Consulting Engineers be requested to pursue this matter on behalf of the Board.

- v) Installation of telemetry

That the Consulting Engineers be requested to investigate whether the provision of telemetry equipment at the Board's pumping station would be eligible for grant funding.

- vi) That the Consulting Engineers advise the Board on how developers' contributions are collected by the Middle Level Commissioners on behalf of the Board.

(NB) – The Chairman declared an interest in the planning application (MLC Ref No. 318) for Mr K Wilderspin.

(NB) _ Ms H Parish declared an interest in the planning application (MLC Ref No. 322) for Ms H Parish & Ms A Clarkson.

B.922 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.923 District Superintendent's Report

The District Superintendent outlined the schedule of maintenance for the forthcoming year for drain maintenance including the headwalls and piling works which will need some maintenance, for which the Board will continue to be responsible.

He advised that there was some damage to the door frame of the pumping station.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) That the District Superintendent be authorised to attend to the necessary works to repair the pumping station door frame.

B.924 Environmental Officer's Newsletter and BAP Report

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

Members considered and approved the most recent BAP report.

B.925 District Superintendent

a) Record of hours worked

Miss McShane reported that Mr K Wilderspin had worked 85 hours as District Superintendent between February 2017 and January 2018.

b) Fee

The Board gave consideration to the District Superintendent's fee for 2018/2019.

RESOLVED

(i) That the Board agree that the sum of £1,683 be allowed for the services of the District Superintendent for 2018/2019.

(ii) That the Board's thanks to the District Superintendent for his work over the last 12 months be recorded in the minutes.

c) Telephone Expenses

The Board gave consideration to the appropriate reimbursement of telephone expenses incurred on the Board's behalf.

RESOLVED

That the Board agree that the sum of up to £80 be allowed for telephone expenses incurred on behalf of the Board by Mr Wilderspin.

d) Casual Labour

The Board gave consideration to the use of casual labour that may be required during the year.

RESOLVED

That the Chairman and Vice Chairman be authorised to engage such casual labour as they consider appropriate.

(NB) – Mr Wilderspin declared an interest in all items save d) and left the room when these items were discussed.

B.926 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 the Consulting Engineers be requested to investigate whether the provision of telemetry equipment at the Board's pumping station would be eligible for grant funding.

B.927 Environment Agency – Precepts

a) Miss McShane reported that the precept for the financial year 2018/2019 included an increase of 1.5% on last year's precept of £1,644.

b) Chain Ditch
Public Sector Co-operation Agreement

Further to minute B.885(c), the Chairman reported on the use of Public Sector Co-operation Agreements and that the Board could have an agreement to do work on behalf of the Environment Agency.

RESOLVED

That the Board approve the use of Public Sector Co-operation Agreements for future works.

B.928 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Miss McShane reported that the sum of £4,008.71 (inclusive of supervision) had been received from the Environment Agency (£4,213.92 representing 80% of the Board's estimated expenditure for the financial year 2017/2018 less £205.21 overpaid in respect of the financial year 2016/2017).

b) Further to minute B.886(b), Miss McShane referred to the discussions with the Environment Agency over the monies likely to be available to fund highland water claims.

RESOLVED

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

B.929 Contribution from Developers

With reference to minute B.303, Miss McShane 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, viz:-

<u>Contributor</u>	<u>Amount</u>
Mrs S Jennings	£300.00

B.930 Association of Drainage Authorities

Miss McShane reported:-

a) Annual Conference

That the Annual Conference of the Association of Drainage Authorities would be held in London on Wednesday the 14th November 2018.

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

That the Annual Conference of the River Great Ouse branch of the Association would be held in Prickwillow, Ely on Tuesday the 6th March 2018 and the fact that the administration of this branch has now passed to the Middle Level Commissioners and David Thomas was to be the Branch Secretary.

c) Subscriptions

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

RESOLVED

That, subject to the deduction of the eel contribution as agreed between the Middle Level Commissioners' Treasurer and Ian Moodie of ADA, the increased ADA subscription be paid for 2018.

d) Liability of Board Members

Miss McShane referred to, and the Board 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.

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

e) Updating IDB Byelaws

Miss McShane referred to a letter received from ADA dated the 20th October 2017.

Miss McShane 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) Floodex 2019

That Floodex 2019 will be held at The Peterborough Arena on the 27th and 28th February 2019 and was now to be an event which was held every other year.

B.931 Governance of Water Level Management in England

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

B.932 Capital Programme Strengthening and Delivery

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

B.933 Member training and the appointment of a Health and Safety Officer

Miss McShane 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 Board 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.

RESOLVED

- i) That Ms Hannah Parish be appointed Health and Safety Officer.
- ii) That Ms Parish be provided with the health and safety templates for completion.

- iii) That the Board participate in any training organised through the Middle Level Commissioners.

B.934 Defra IDB1 Returns

Miss McShane reported on the proposed changes to the Annual Defra IDB1 Returns.

She 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.

Miss McShane 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.

B.935 Requirements for a Biosecurity Policy

Miss McShane 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 Board 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 Board at their next meeting.

B.936 The General Data Protection Regulation (GDPR)

Miss McShane 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 Board's Data Protection Officer.

B.937 Annual Accounts of the Board – 2017/2018

Miss McShane reported that in accordance with the Accounts and Audit Regulations, Internal Drainage Boards' accounts were required to be approved by resolution on or before 30th June.

B.938 Governance and Accountability for Smaller Authorities in England

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

B.939 Review of Internal Controls

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

B.940 Appointment of External Auditor

Further to minute B.855(b), Miss McShane referred to the decision by the Board 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. She reported that they had now confirmed the appointment of PKF Littlejohn to carry out the external audit of the Board for a five year period commencing with the financial year 2017/2018.

B.941 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.942 Transparency Code for Smaller Authorities

Miss McShane 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. She 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.

Miss McShane reported that the Board was borderline as regards the £25,000 limit. However, the Board's accounts were still to be audited by the External Auditor.

RESOLVED

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

B.943 Exercise of Public Rights

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

B.944 Payments

The Board considered and approved payments amounting to £6,076.99 which had been made during the financial year 2016/2017 (1st February – 31st March 2017) and £22,207.31 made during the financial year 2017/2018 (1st April 2017 – 31st January 2018).

(NB) – The Chairman declared an interest in the payments made to K & P J Wilderspin.

B.945 Anglia Farmers

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

Miss McShane 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.

Miss McShane further advised that, although the Clerk was able to recommend to the Board 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 Board's decision and should they wish to be removed from the buying group then it would be the Board's responsibility to negotiate its own separate electricity contract with a supplier.

Miss McShane reported that the Chairman had agreed for the Board 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.

B.946 Expenditure estimates and special levy and drainage rate requirements 2018/2019

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2018/2019 and were informed by Miss McShane that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be :-

	<u>Drainage rates</u>	<u>Special levy</u>
AREA 1	62.42%	37.58%
AREA 2	70.25%	29.75%
AREA 3	100%	-

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £19,389 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 £13,091 and £6,298 respectively.
- ii) That drainage rates in the £ be laid and assessed on Agricultural hereditaments in the District as follows:-

AREA 1	-	70.0p
AREA 2	-	30.0p
AREA 3	-	10.0p

- v) That a Special levy of £6,298 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 levy referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

B.947 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.948 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday the 12th February 2019.

B.949 Middle Level Commissioners and Administered Boards Chairs Meeting

The Chairman reported that he was due to attend the Middle Level Commissioners and Administered Boards Chairs Meeting at the Commissioners' office on the 8th March 2018.