

## **HUNDRED FOOT WASHES INTERNAL DRAINAGE BOARD**

At a Meeting of the Hundred Foot Washes Internal Drainage Board  
held at the Middle Level Offices, March on Monday the 23<sup>rd</sup> April 2018

### **PRESENT**

S A Calton Esq (Chairman)	P Harrington Esq
L J Marshall (Vice Chairman)	M Hamilton Esq
S Davis Esq	J Taylor Esq
D Tough Esq	

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

### **Apology for absence**

An apology for absence was received from C Carson Esq.

### **B.1129 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.

Messrs Harrington and Marshall declared interests in item 24 - Wash Superintendents' Fees.

### **B.1130 Confirmation of Minutes**

### **RESOLVED**

That the Minutes of the Meeting of the Board held on the 11<sup>th</sup> April 2017 are recorded correctly and that they be confirmed and signed.

### **B.1131 Appointment of Chairman**

### **RESOLVED**

That S A Calton Esq be appointed Chairman of the Board.

### **B.1132 Appointment of Vice Chairman**

### **RESOLVED**

That L J Marshall Esq be appointed Vice Chairman of the Board.

### B.1133 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 (twelve), the following candidates were elected as Members of the Board for a period of three years from the 1<sup>st</sup> November 2017, viz:-

#### Area 1

HARRINGTON Paul

#### Area 2

#### Area 3

CARSON Chris  
CARSON Clifford Alexander  
DAVIS Steve  
FLETCHER Robert

HAMILTON Matthew  
MARTIN Roger  
TAYLOR Jonathan

#### Area 4

CALTON Steven Andrew  
MARSHALL Leigh  
TOUGH David

Miss McShane also reported that Mr T Stannard did not seek re-election to the Board.

### B.1134 Board Membership

Further to minute B.1092, Miss McShane reported that Mr Chris Bowden had been co-opted to the Board in place of Mr David Hoccom.

### B.1135 Death of Mr Roger Martin

Miss McShane referred to the death of Mr Roger Martin on Sunday the 18<sup>th</sup> February 2018.

She advised that Mr Martin had been a member of the Board since 1997 and that when his brother, Alan Martin, had notified the office of his brother's death he indicated his willingness to replace his brother as a member of the Board.

Members were saddened at the death of Roger as he had been a valued member of the Board for a number of years.

Members stood in silence as a mark of respect for Mr Martin.

### RESOLVED

That the Board's appreciation of the services rendered by Mr R Martin be recorded in the minutes.

#### B.1136 Filling of vacancies

Consideration was given to the filling of the two vacancies on the Board caused by the resignation of Mr Stannard and the death of Mr Martin.

#### RESOLVED

- i) That either Mr Dan Burling or his father Mr Brian Burling (both grazers on the Washes) be invited to fill the vacancy in Area 2, if they are prepared to do so
- ii) That Mr Alan Martin be co-opted to fill the vacancy in Area 3.

#### B.1137 Ouse Washes Land Managers Group

Further to minute B.1093, Members considered the minutes of the Ouse Washes Land Managers Group dated the 14<sup>th</sup> March and 12<sup>th</sup> September 2017.

#### B.1138 Ouse Washes Habitat Group (Ouse Washes Strategic Group)

Further to minute B.1094, Miss McShane referred to the Action Notes from the meeting held on 18<sup>th</sup> July 2017 and these were noted.

#### B.1139 Water Transfer Licences

Further to minute B.1096, Miss McShane referred to a letter received from ADA dated the 27<sup>th</sup> 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 1<sup>st</sup> January 2018. She reported that only one licence is required per EA water body transferred from, even if multiple intakes exist, and that the cost per licence is £1,500 which would last for 12 years.

#### B.1140 Culverts/Tunnels connecting to the Header Ditch – Mr R Riches

Further to minute B.1097, Miss McShane reported that a meeting had taken place between the Board, Mr Riches and his Land Agent to discuss the issue of pipes leading from the Board's drain to Mr Riches land. She advised that the Environment Agency had also been represented at the meeting.

Following a discussion of this matter, it had been agreed that Mr Riches would pay for the cost of reinstallation of the pipe and for the materials. The necessary consent had been applied for and granted and the works were now completed.

#### B.1141 Ouse Washes Section 10 Reservoir Inspection

Further to minute B.1098, Miss McShane referred to Briefing notes from the Environment Agency dated August, September and October 2017.

#### B.1142 Ouse Washes Landscape Partnership Scheme

Miss McShane referred to a letter received from Cambridgeshire Acre dated 1<sup>st</sup> May 2017.

She reported that an extensive biodiversity study had been commissioned by Cambridgeshire ACRE last year. Information on this was given in the appendix and it was noted that the full survey results could be found online.

#### B.1143 Tidal River Action Plan Scoping Workshop

Further to minute B.1111, Miss McShane reported that the group had met on the 17<sup>th</sup> March and 12<sup>th</sup> September 2017 and the items covered included issues on badgers and the bank slips their activity had caused, the dredging of the 100 foot, where the dredged material had been used to repair the Cradge bank and, agitation Dredging at Stow Bridge. Miss McShane added that, after significant delays, the Environment Agency had finally received the MMO licence for a dredging pilot on the River Great Ouse. This scheme had been due to start several years ago but had suffered a number of setbacks. The Environment Agency advises that they will now start working with their procurement team to revisit the original tender documents and are expecting to carry out work between October/November/December 2018. They will also be sharing any recent data from their routine centreline bathymetric survey which is used to monitor the silt movements year on year within the tidal river corridor. One other matter which was covered in detail was the concern over the increasing close proximity of Floating Pennywort for which an action plan was being formulated at the September meeting

#### B.1144 Water Quality

Further to minute B.1128, the Vice Chairman reported that English Nature were continuing with their water testing as the land is a Site of Special Scientific Interest and on behalf of the Board he had continued testing for phosphates in the water.

#### B.1145 Consulting Engineers' Report

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

# **Hundred Foot Washes I.D.B.**

## **Consulting Engineers Report – March 2018**

### **Eel Regulations**

National IDB/Environment Agency (EA) meetings have been held and it is hoped that new, more appropriate evidence-led guidance will be issued. However, this may take a year or two to complete.

### **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 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 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 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**

No issues concerning previous applications have been dealt with. The following application has been received and dealt with since the last meeting:

<i><b>MLC Ref.</b></i>	<i><b>Council Ref.</b></i>	<i><b>Applicant</b></i>	<i><b>Type of Development</b></i>	<i><b>Location</b></i>
007	F/YR17/0821/F	RSPB	Formation of 1no scrape (seasonal shallow pool) to enhance biodiversity interest of the Ouse Washes	The Bank, Welches Dam

### **Cambridgeshire Flood Risk Management Partnership (CFRMP)**

The Commissioners' Planning Engineer has represented both the Commissioners and their associated Boards at meetings 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. 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 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 with ADA. A response has been prepared by ADA, for more detail see item 35 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 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 the 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 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. 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 gauges to the Board’s area are at Downham Market (EA gauge), March, Chatteris, Ely, and St Ives WRCs and the LLFA has proposed gauges at Littleport, Doddington, Somersham, Haddenham and Over, presumably on WRCs.

In respect of the Board’s interests sites at the following locations were suggested:

- Manea Town Lots WRC (MANTSM) or Christchurch WRC (TEGLST) or Chestnut Avenue Pumping Station, Welney (WECASP)
- Back Lane off Pious Drove Pumping Station, Upwell (UPBLSP)

### ***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. She met with representatives of the Middle Level Commissioners' staff on 5 January to discuss their role; the role of IDBs and partnership working, amongst other things.

### **Local Plan Consultations**

Further to the last meeting, the Commissioners have responded to public consultations on the Board's behalf. However, these are primarily development based and do not specifically involve the Board.

### **Strategic Flood Risk Assessments (SFRA)**

**Note.** *SFRAs are high level strategic documents and, as such, do not go into detail on an individual site-specific basis and are developed using the best available information at the time of preparation.*

#### **Joint Norfolk Authorities SFRA**

The Joint Authorities of Greater Norwich (Norwich City, Broadlands and South Norfolk), Great Yarmouth, King's Lynn & West Norfolk Borough Council, North Norfolk District Council and the Broad Authority are undertaking a joint Level 1 SFRA to inform their new emerging Local Plans. Unfortunately, the unrealistic timescale for providing a response, presumably imposed by the Councils involved, and the need to respond to other time related matters meant that it has not been possible to participate in this process.

#### **East Cambs. District Council Level 1 SFRA**

It is understood that despite not having been reviewed by the Commissioners the SFRA which fulfils both Level 1 and Level 2 SFRA requirements has been adopted by the Council and can be found at the following link: <https://www.eastcambs.gov.uk/local-development-framework/strategic-flood-risk-assessment-pslp-document-library>.

#### **Fenland District Council Level 1 SFRA**

No further progress has occurred with its District Wide Level 2 SFRA.

#### **Huntingdonshire Strategic Flood Risk Assessment (SFRA)**

It is understood that despite not having been reviewed by the Commissioners the SFRA which fulfils both Level 1 and Level 2 SFRA requirements has been adopted by the Council and can be found at the following link: <http://www.huntsdc.gov.uk/environmentalissues/flooding/strategic-flood-risk-assessment/>.

However, it is noted that this web page includes the note below:

## SFRA 2010 mapping for Middle Level Commissioner Areas

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For those villages which are entirely within Flood Zone 3 as defined in the 2017 SFRA only, the 2010 SFRA, which took account of flood defences, will be used as the basis for decision-making, and general market housing will only be permitted in areas shown as being in Flood Zone 1 as defined in that document.

**Note**  tabled at the September 2017 Development Management Committee which sets out this information and the SFRA 2010 mapping for Middle Level Commissioner Areas.

### ***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 primarily related to development and do not specifically involve the Board.

Another meeting is to be held in May this year.

### **General Advice**

Assistance has been given, on the Board's behalf, in respect of the following:

- (a) Wildfowl and Wetlands Trust – An application was received for consent to replace an existing concrete piped culvert in a private watercourse with plastic 300mm diameter pipe and concrete filled sandbags as headwalls. A tidal flap was also proposed on the upstream end to improve safety and efficiency (the location of the new culvert is near Charity Inlet). The application was recommended for approval.
- (b) Robert William Riches – An application for consent to construct two culverts adjacent to the Board's header drain, close to Hagen Smarts Inlet, each using 6 metre long plastic 300mm diameter pipes with concrete filled sandbagged headwalls was recommended for approval.
- (c) Repairs were undertaken in September 2017 to ensure the full closure of Kents Slacker and prevent uncontrolled water entering the header drain.

Consulting Engineer

26 March 2018

Hundred Foot Washes (347)\Reports\March 2018

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## RESOLVED

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

### B.1146 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

## RESOLVED

- i) That the Capital Programme be approved in principle and kept under review.
- ii) That the slackers would need attention in future years and that a yearly financial provision should be allowed for their future replacement.

### B.1147 Washes Superintendents' Reports

The Board considered the Reports of the Washes Superintendents for the year 2017/2018.

It was noted that Fen Group had maintained a total of 1,868m of header dyke. It was reported that the door mechanism on the Black Sluice slacker was very tight but at the moment was still operational. There was still a slight leak in the Willow Wash (Witcham Gravel slacker) but this had not caused a problem in the last year. There were also some issues with the Common Wash slacker and there had been some leaking when the slacker door was closed but it had not caused any major issues during the year.

## RESOLVED

- i) That the Reports and the actions referred to therein be approved.
- ii) That the Reports be forwarded to the Area Manager Environment Agency, Cambridgeshire and Bedfordshire Area.
- iii) That the Consulting Engineer be requested to carry out a desktop survey and obtain a quotation for the work that was required to the slackers, including doors and spindles.

The Board recognises that it might not be possible to carry out an inspection without piling at low tide but requested that the Engineer obtain quotations for the likely cost of an upgrade to the slacker.

### B.1148 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, together with the information sheets about floating pennywort.

#### B.1149 Cleaning of culverts – 2017/2018

Miss McShane reported that the RSPB and WWT had carried out cleaning of the culverts as in previous years and would invoice the Board for the work.

#### RESOLVED

That a payment of £10 continue to be made in respect of each culvert.

(NB) – Messrs Harrington and Taylor declared an interest (as employees of the RSPB) in the payment made to the RSPB.

#### B.1150 Washes Superintendents' Fees

The Board gave consideration to the Washes Superintendents' fees for 2018/2019.

#### RESOLVED

That the Board agree that the sum allowed for the services of the Washes Superintendents for 2017/2018 (£1,310) be increased in accordance with the Middle Level Commissioners' pay award for 2018/2019.

(NB) – The Vice Chairman and Mr Harrington declared a financial interest when this item was discussed.

#### B.1151 State-aided Schemes

Consideration was given to the desirability of undertaking further State-aided Schemes in the District and whether any future proposals should be included in the capital forecasts provided to the Environment Agency.

#### RESOLVED

That no proposals be formulated at the present time.

#### B.1152 Slubbing and Spreading work

##### a) Slubbing work

The Board considered the tender received from Fen Group to undertake slubbing work on behalf of the Board in 2018/2019.

#### RESOLVED

That the tender received from Fen Group in the sum of £39 per hour to undertake slubbing work in 2018/2019 be accepted by the Board.

b) Spreading work

Members considered the question of the undertaking of spreading work within the District.

Members noted that the current spreading work was up-to-date and that, in future, spreading would occur as part of ditch maintenance.

B.1153 Applications for byelaw consent

Miss McShane 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 Board, viz:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
Wildfowl & Wetlands Trust	Replace existing 15m length of concrete pipe culvert in private watercourse off the IDB Header Drain close to Charity Inlet	13 <sup>th</sup> October 2017
Mr R W Riches	Construction of two culverts adjacent to the IDB Header Drain close to Hagen Smart's Inlet	15 <sup>th</sup> November 2017

RESOLVED

That the action taken in granting consent be approved.

B.1154 Environment Agency – Precept

Miss McShane reported that the precept for 2018/2019 had been set at £1,232.

B.1155 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 14<sup>th</sup> November 2018.

RESOLVED

That the Clerk be authorised to obtain a ticket for the Annual Conference of the Association if a Member 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 6<sup>th</sup> March 2018 and the fact that the administration of this branch has now been passed to the Middle Level Commissioners.

c) Subscriptions

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

RESOLVED

That the requested ADA subscription for 2018 be paid.

d) Liability of Board Members

Miss McShane referred to, and the Board noted, a Guidance Note received from ADA dated the 28<sup>th</sup> 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 20<sup>th</sup> 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 27<sup>th</sup> and 28<sup>th</sup> February 2019.

### B.1156 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 19<sup>th</sup> April 2017.

### B.1157 Middle Level Commissioners and Administered Boards Chairs Meeting

Miss McShane reported that a meeting of the Chairmen of all of the Middle Level Commissioners' administered Boards met on the 8<sup>th</sup> 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.

### B.1158 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 the Chairman be appointed Health and Safety Officer. In order to do this he would take time to observe the Board's operations and complete the necessary risk assessments.
- ii) That the Board participate in any training organised through the Middle Level Commissioners.

#### B.1159 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 31<sup>st</sup> 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.1160 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.1161 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 25<sup>th</sup> May 2018.

#### RESOLVED

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



#### B.1162 Charging for Environmental Permits

Miss McShane reported on the consultation on charging for Environmental Permits which closed on the 26<sup>th</sup> 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](http://www.ada.org.uk/2018/01/ada-responds-environment-agency-charge-proposals-2018).

#### B.1163 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 31<sup>st</sup> March 2017.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2017.

#### B.1164 Budgeting

Miss McShane referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31<sup>st</sup> March 2018.

#### B.1165 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.1166 Risk Management Assessment

The Board considered and expressed satisfaction with their current Risk Management Policy.

#### B.1167 Appointment of External Auditor

Further to minute B.1077, 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.1168 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.

#### RESOLVED

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

#### B.1169 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.1170 Annual Governance Statement – 2017/2018

The Board considered and approved the Annual Governance Statement for the year ended on the 31<sup>st</sup> March 2018.

#### RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31<sup>st</sup> March 2018.

#### B.1171 Payments

The Board considered and approved payments amounting to £32,469.99 which had been made during the financial year 2017/2018.

(NB) – The Vice Chairman and Mr Marshall declared an interest in the payments made to them.

(NB) – Messrs Harrington and Taylor declared an interest (as employees of the RSPB) in the payment made to RSPB Sales Ltd.

#### B.1172 Annual Accounts of the Board – 2017/2018

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31<sup>st</sup> March 2018 as required in the Audit Regulations.

#### RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Board, for the financial year ending 31<sup>st</sup> March 2018.

#### B.1173 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 1<sup>st</sup> April 2017.

#### B.1174 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 respectively 99.39% and 0.61%.

#### RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £24,770 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 £24,618 and £152 respectively.
- iv) That a rate of 24.00p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v)
  - a) That a Special levy of £143 be made and issued to the Borough Council for Kings Lynn and West Norfolk for the purpose of meeting such expenditure.
  - b) That a Special levy of £9 be made and issued to East Cambridgeshire District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special levies referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levies by such statutory powers as may be available.

#### B.1175 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.1176 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday the 9<sup>th</sup> April 2019.

B.1177 Header Drain Maintenance

Access was needed to carry out maintenance to the Header Dyke and it was necessary that some willow trees needed to be removed to enable access.

RESOLVED

That a letter be sent to the landowners, Steven and Andrew Cochrane, to request the removal of the willow trees.