

## **BLUNTISHAM INTERNAL DRAINAGE BOARD**

At a Meeting of the Bluntisham Internal Drainage Board  
held at Hanson's, Needingworth Quarry on Friday the 11<sup>th</sup> January 2019

### **PRESENT**

P D Burton OBE (Chairman)	J M Green Esq
J R Anderson Esq (Vice Chairman)	A G R Holloway Esq
H Burgess Esq	J Neish Esq

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

### **B.681 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 any matter in which Lattenbury Farms were involved.

### **B.682 Confirmation of Minutes**

#### **RESOLVED**

That the Minutes of the Meeting of the Board held on the 8<sup>th</sup> June 2018 are recorded correctly and that they be confirmed and signed.

### **B.683 Maintenance works in the District Hansons' hedge**

Further to minute B.655(iv), to allow access to enable drain maintenance works a hedgerow belonging to Hanson's was required to be cut. In previous years, Hanson's had agreed to cover the costs, which were estimated to be in the region of £500. At the previous meeting, Mr Bird had agreed to take up the matter with Hansons.

#### **RESOLVED**

That this matter be followed up and to query whether Hanson's had agreed to pay the cost of work on the hedge on this occasion.

### **B.684 Board Membership**

Miss McShane referred to an e-mail from Mr Bird dated the 10<sup>th</sup> December 2018, resigning from the Board and noted that Mr Hilton Law had offered to be appointed in his place.

The Chairman stated that he would welcome Mr Law's involvement with the Board and looked forward to his attendance at the next meeting on 7<sup>th</sup> June 2019 and hoped that at this meeting he would be able to give an update on matters at Needingworth Quarry.

## RESOLVED

That Mr Law be formally co-opted to membership of the Board.

### B.685 Land Drainage Act 1991 Board Membership – Huntingdonshire District Council

Miss McShane reported that Huntingdonshire District Council had appointed Councillor J Neish to be a Member of the Board under the provisions of the Land Drainage Act 1991.

Miss McShane also reported that Councillor M Francis was not re-appointed.

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The Chairman welcomed Councillor Neish to his first meeting of the Board and looked forward to working with him in the future.

### B.686 Maintenance Works in District

Further to minute B.655, the Chairman reported on a number of issues whilst carrying out the drain maintenance programme and highlighted the work that needed to be carried out during 2019.

#### White Bridge Points 14-20

This area would receive drain maintenance during the forthcoming year and the bank slip which had occurred last year would be repaired as part of this year's maintenance work.

## RESOLVED

That the maintenance works be approved and that Lattenbury Farm Services be engaged to undertake them.

(NB) – The Chairman referred to his interest when this item of business was being discussed and took no part in the decision.

### B.687 Hanson – Progress Report

Further to minute B.627, the Chairman requested that Hilton Law be invited to the next meeting of the Board and asked if there were any items that he needed to report to the Board.

### B.688 Ouse Washes Section 10 Reservoir Middle Level and South Level Barrier Bank works

Further to minute B.657, Miss McShane referred to the Newsletters from the Environment Agency dated August, October and December 2018.

The Environment Agency had carried out works last year on the banks from the Welney section to Welches Dam. The bank works have now finished for the winter to avoid disturbing the over wintering birds on the Washes and year 3 construction works would commence again in July 2019.

### B.689 Updating IDB Byelaws

Further to minute B.638(e), Miss McShane reported that as this matter affects all Boards, and to ensure efficiency and to minimise costs, work on revising the Byelaws has been held until all Boards administered by the Middle Level Commissioners have determined their wishes. Now that this objective has been achieved work is commencing and a bulk submission of revised Byelaws will be submitted for consideration by Defra accordingly, probably in the New Year.

### B.690 Policy Statement

Further to minute B.664(c), the Board reviewed and approved their Policy Statement which had been updated following the publication of the National Audit Office (NAO) report on IDBs in March 2017.

#### RESOLVED

That the revised Policy Statement be adopted.

### B.691 Drain Ownership Plans held by Environment Agency

The Chairman referred to a plan which he had previously seen at the Bedford office of the Environment Agency. This plan showed all the drains and their different ownerships marked in different colours and he wondered whether it would be possible to obtain a copy of this plan for use by the Board.

#### RESOLVED

That, if it was possible to obtain a copy of the Bluntisham/Needlingworth Parish plan, this be sent to the Chairman for future use.

*[Post meeting note – The Clerk had made enquiries about this and no-one was aware of any such plan existing].*

### B.692 Requirements for a Biosecurity Policy

Further to minute B.666, the Board considered their Biosecurity Policy.

#### RESOLVED

That the Biosecurity Policy be adopted.

### B.693 Anglia Farmers

Further to minute B.650, Miss McShane confirmed that the running of the remainder of the Anglia Farmers electricity contract has been monitored and she was pleased to report that the service provided has improved.

She added that in view of the significant increase in prices observed a utility specialist was approached and like for like prices at the time of tender, for a sample of meters, were requested in order that a comparison could be made with the prices obtained by Anglia Farmers. Although

some savings may have been made, overall the prices obtained from Anglia Farmers were found to be generally competitive.

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

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

## RESOLVED

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

### B.694 Clerk's Report

Miss McShane advised:-

i) Middle Level Commissioners and Administered Boards Chairs Meeting

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

ii) Association of Drainage Authorities

a) Annual Conference

That the 81<sup>st</sup> Annual Conference of the Association had been held at the ICE building in Westminster on Wednesday 14<sup>th</sup> November 2018 and had been well attended with the main speakers being Sue Hayman MP, Shadow Secretary for Environment Food and Rural Affairs, Robert Hössen crisis management expert from the Netherlands, John Curtin, Executive Director of Flood and Coastal Risk Management at the Environment Agency and David Cooper Deputy, Director for Flood and Coastal Erosion Management at Defra.

Sue Hayman Affairs spoke about her first-hand experience of flooding in Cumbria, the impact of flooding on mental health, building on flood plains and river management without environmental change and funding.

Robert Hössen gave a presentation on how incident management is organised and dealt with in the Netherlands.

John Curtin gave a presentation on the effects of climate change and referred to the government's discussions regarding the likelihood, impact and severity of climate change.

David Cooper referred to the 25 year environment plan and to various Government publications made in 2018, which can be viewed online.

That the Officers had been re-elected, subscriptions would be increasing by 2% for the following year and the Conference marked the launch of the Good Governance Guide for Internal Drainage Board Members.

That the Conference also marked the first presentation of the Chairman's award which were presented to Ian Russell from the Environment Agency for his work on Public Sector Co-operation Agreements and to Cliff Carson, former Environmental Officer of the Middle Level Commissioners and the Boards, for his work which was instrumental in changing views concerning conservation.

b) Annual Conference of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association will be held on Tuesday the 12<sup>th</sup> March 2019.

c) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 2% in 2019, viz:- from £542 to £553.

RESOLVED

That the increased ADA subscription be paid for 2019

d) 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.

iii) Environment Agency Precept

That the RFCC have set the increase for precept payment for 2019/2020 at 5%.

iv) External Bodies Conservation Initiatives

That there are two projects which may have an impact on the Board:-

a) The New Life on the Old West project being led by Cambs ACRE which aims to improve public understanding of the unique nature of biodiversity in the Fens and to deliver improvements on community green spaces and the ditch network. At the time of report the project has received a £100k grant to develop the project to the point at which a further £3/4 million grant bid will be made to support delivery.

b) The Cambridgeshire Fens Biosphere, Heritage Lottery have provided £10,000 of funding to research what would be necessary to bring Biosphere Reserve status to the Fens. This project is being led by the Wildlife Trust with support from Cambs ACRE. If successful, this would lead to a new UNESCO designation. This would be a non-statutory designation which records the unique nature of the area.

v) Catchment Strategy

That the EA, LLFA, IDBs and other partners are co-operating in a piece of work which is looking at the pressures on the catchment from a development and climate change

perspective. The aim will be to develop proposals which will guide and inform discussion makers.

B.695 Consulting Engineers' Report, including planning and consenting matters

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

## Bluntisham I.D.B.

### Consulting Engineers Report – December 2018

#### Pumping Station

Only routine maintenance has been carried out. The pumping plant is mechanically and electrically in a satisfactory condition.

#### ***Pumping Hours***

**Total Hours Run Nov 17 - Nov 18 = 860 (approximately)**

Total Hours Run Nov 16 - Nov 17 = 549

Total Hours Run Nov 15 – Nov 16 = 560 (approximately)

Total Hours Run Nov 14 – Nov 15 = 520

Total Hours Run Nov 13 – Nov 14 = 932

#### Planning Applications

The following 4 applications have been received and dealt with since the last meeting:

<b>MLC Ref.</b>	<b>Council Ref.</b>	<b>Applicant</b>	<b>Type of Development</b>	<b>Location</b>
015	H/17/02627/HHFUL	Mr M Rix	Residence (Annexe)	Ashton Close, Needingworth
016	H/18/00692/FUL	Mr J Gray	Residence	Overcote Lane, Needingworth
017	H/18/01240/S106	Luminus Homes	Residential (14 plots)	Bluntisham Road, Needingworth
018	H/18/00980/FUL	Mr R Harris	Gypsy/traveller site (Retrospective)	Green Acre, off Needingworth Road, Bluntisham*

A development that proposes direct discharge of either surface water and/or treated water effluent to the Board's system is indicated with an asterisk. From the information provided it is understood that all the other developments propose to discharge surface water disposal to soakaways/infiltration systems and/or sustainable drainage systems. It is likely that treated effluent emanating from these sites will be via Needingworth Water Recycling Centre (WRC). The applicants have been notified of the Board's requirements.

*Proposed development to the north of Fairview and west of Enterprise Farm - (Bluntisham Farm), off Bluntisham Road, Needingworth - Client of RSK Land & Development Engineering Ltd (MLC Ref No 011) & Gladman Developments (MLC Ref No 013)*

According to the District Council's Public Access web page, a decision on this site still remains pending.

*Residential development on land adjacent to Fair View, Bluntisham Road, Needingworth - Luminus Homes (MLC Ref Nos 012 & 017)*

Planning permission for fourteen dwellings was granted by the District Council subject to the imposition of planning conditions in February.

A further planning application (MLC Ref No 017) was made to correct a clerical error.

The Officer's report concludes that:

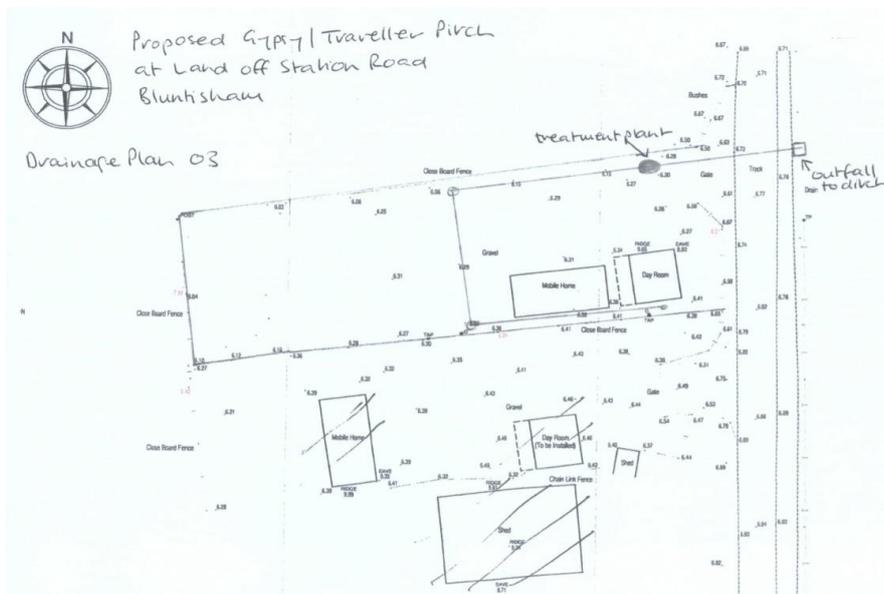
"The proposed amendment has been carefully considered having regard to the 'useful planning purpose'. It is concluded that as the only amendment relates to the substitution of the completion date of the S106 Agreement and no amendments are proposed to the obligations within the S106 Agreement, the modification is acceptable and supported."

*Change of use of agricultural land to one gypsy/traveller pitch including two dayrooms (retrospective) at land north of Green Acre, Needingworth Road, Bluntisham – Mr R Harris (MLC Ref No 018)*

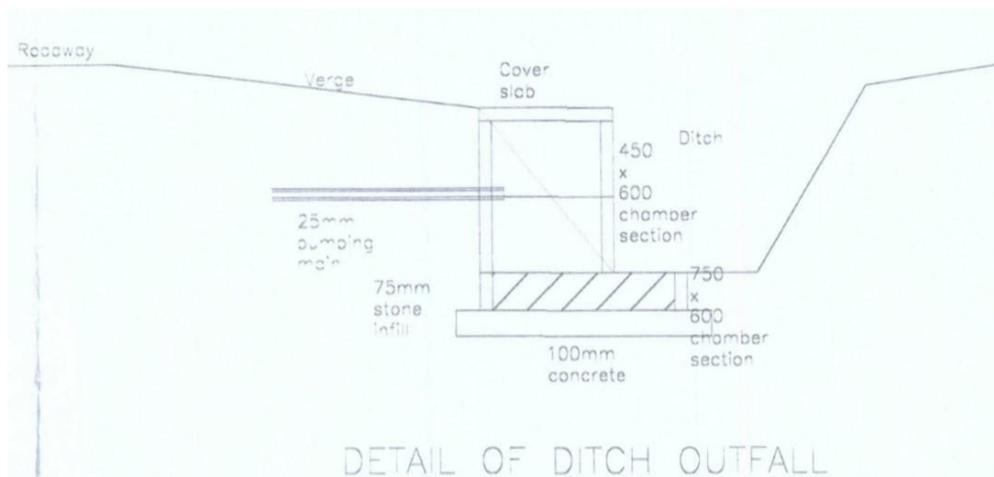
A retrospective planning application for the regularisation of the above development was submitted to the District Council in May.

The buildings are in-situ and the applicant has occupied the site for three years.

According to the submitted documents, extracts from which follow, the foul water disposal is to the private open watercourse on the eastern side of the Drove via a package treatment plant.



**Site plan showing the foul water drainage system**



**Cross section through the outfall**

### ***Development Contributions***

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

### **Huntingdonshire District Council (HDC) Local Plan to 2036**

Further to the last meeting, no additional consultation documents in respect of on-going matters have been received.

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

The Commissioners’ Planning Engineer has represented both the Middle Level Commissioners and their associated Boards since the last Board meeting. The main matters that may be of interest to the Board are as follows:

#### ***The Future Fenland Project***

The next meeting is to be held in February when a consultant for this project, which involves the Anglian Fens including Lincolnshire, will be appointed. The Commissioners’ Chief Engineer sits on the stakeholder group.

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

The Environment Agency’s (EA) new Environmental Permitting Charging Scheme can be found at: <https://www.gov.uk/government/publications/environmental-permitting-charging-scheme>. Early engagement with the EA is recommended as a slight redesign of the proposal may reduce the fees required.

### ***Riparian Responsibilities***

There has been discussion about issues concerning land owner's responsibilities on riparian "private" watercourses and the amount of time and resources that are taken up by various RMAs, including the Board, in dealing with riparian issues.

It was suggested that a recommendation be made to the RFCC. The options being considered are to do nothing; seek Government Support; or undertake an awareness campaign in the Public Domain with The Law Society, Local Government members etc. It is accepted by the partner members that some initial investment in time and resources may be required to progress these items further.

Discussions included the "Owning a watercourse" webpage which replaced the Living on the Edge booklet which is considered to be a backward step as the information that can be presented on the .gov.uk website is very limited.

The webpage can be found at <https://www.gov.uk/guidance/owning-a-watercourse>.

### ***Hedge and Ditch Rule***

Following a problem in the area covered by the Ely Group of IDBs this "common law" ruling that is mainly used to determine boundaries disputes and the requirements of the Land Drainage Act, notably Section 25, is currently being discussed with various parties including the former Commissioners' and Boards' Clerk, Iain Smith.

The latest ruling dates to 2015 and can be downloaded from the Mills and Reeve website, which can be found at <https://www.mills-reeve.com/boundaries-and-the-hedge-and-ditch-rule-12-07-2015/>

### ***Bank Instability - Environment Agency (EA)/IDB approach***

The EA and IDBs advised on their respective position in respect of reinstating channels that have failed. These are largely the same but due to cost constraints the EA now only stabilises channels where there are raised embankments.

For Award Drains the wording of the Award needs to be considered. Some refer to the landowner and not the Authority concerned.

### ***IDB & LLFA Planning Process***

An update was given on the LLFA's discussions with North Level and District IDB, the Ely Group and the Middle Level Commissioners in order to attain a collective approach where possible.

However, it was explained that all three authorities have different approaches to some items and that any discussions with the planning authorities and agents may be iterative.

The recent inaugural LLFA/AWSL/MLC Liaison meeting was briefly discussed. The EA expressed an interest in joining this group.

### ***Emerging Planning & Response***

A draft flooding newspaper article and a flood call questions template, for completion by reception staff when receiving a flooding related call, is currently being prepared by a member of the Flood & Water team.

### ***Skills & Apprenticeships***

The Government is promoting the use of Apprenticeships and it is noted that many authorities are using these in preference to other forms of training.

It is understood that the EA, together with other partners, is developing a new Apprenticeship Standard for Water Environment Workers in England. This aims to support the training and development of workers who carry out operational activities in organisations where there is a responsibility to manage the impact of water environments, natural or manmade, on the land and surrounding businesses and homes. The water environment includes rivers, coasts (the sea), lakes, wetlands, canals and reservoirs.

### ***IDB Good Governance Guide/East Ridings of Yorkshire Council Guide***

Matters raised by the East Ridings of Yorkshire Council, who had governance concerns over IDBs within its area of jurisdiction, were briefly discussed.

It is understood that correspondence was copied to all LLFAs and that Cllr Steve Count (Leader of Cambridgeshire County Council) provided a response which advised that the County Council had good partnerships with IDBs in the County.

### ***County Council Public Sector Services***

In addition to undertaking its role the group was advised that the Flood & Water Team may be extending its service to another County Council.

### **Flood Risk Management Trainees**

As part of closer partnership working, training has been given to junior members of Cambridgeshire County Council and Peterborough City Council staff and an undergraduate studying for a FRM degree under the EA foundation scheme. The main purpose of the training was

to give the candidates a better and broader understanding of water level and flood risk management and also how the Commissioners and IDBs operate.

Feedback from both the candidates and internally has been positive and it is hoped that this opportunity can be offered again when the occasion arises.

Consulting Engineer

11 December 2018

Bluntisham(357)\Reports\December 2018

Councillor Neish advised under the heading of Huntingdonshire District Council (HDC Local Plan 2036) that it was anticipated that the Local Plan would be in place in April/May 2019.

RESOLVED

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

B.696 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

RESOLVED

That the Capital Programme be approved in principle.

B.697 Conservation Officer's Newsletter

Miss McShane referred to the Conservation Officer's Newsletter, dated December 2018, which had previously been circulated to Members, and advised that Peter Beckenham was the new Conservation Officer to replace Cliff Carson

RESOLVED

That the Conservation Officer be invited to attend the next meeting of the Board on the 7<sup>th</sup> June 2019.

B.698 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.699 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss McShane reported that the sum of £950.98 (inclusive of supervision) had been received from the Environment Agency (£952.05 representing 80% of the Board's estimated expenditure for the financial year 2018/2019 less £1.07 overpaid in respect of the financial year 2017/2018).

B.700 Contribution from Developers

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

### B.701 Health and Safety Report

Further to minute B.668, the Vice Chairman reported that, following on from the recommendation from the Croner report, escape stairs are to be installed to the side of the weedscreen cleaner with a concrete pad and a gate at the top of the stairs. Quotations had been obtained and Lattenbury Services would carry out the work on behalf of the Board.

### RESOLVED

That the Chairman be authorised to deal with the installation of the escape stairs at a cost of £2,860 + VAT.

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

### B.702 Completion of the Annual Accounts and Annual Return of the Board – 2017/2018

- 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 2018.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2018.

### B.703 Defra IDB1 Returns

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

### B.704 Review of Internal Controls

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

### B.705 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.706 Transparency Code for Smaller Authorities

Miss McShane reported that, as resolved at its' last meeting, the Board will continue with a limited assurance review and not take advantage of the audit exemption available for smaller public bodies with income and expenditure less than £25,000.

### RESOLVED

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

### B.707 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.708 Payments to 30<sup>th</sup> November 2018

The Board considered and approved payments amounting to £12,064.13 which had been made from the 1<sup>st</sup> April to the 30<sup>th</sup> November 2018.

(NB) - The Chairman declared an interest in the payment made to Lattenbury Services Ltd.

### B.709 Expenditure estimates and special levy and drainage rate requirements 2019/2020

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2019/2020 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 40.24% and 59.76%.

### RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £18,522 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 £7,454 and £11,068 respectively.
- iv) That a rate of 11.94p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £11,068 be made and issued to Huntingdonshire 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.710 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.711 Date of next Meeting

Miss McShane reminded Members that the next Meeting of the Board will be held on Friday the 7<sup>th</sup> June 2019.