

RANSONMOOR DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the Ransonmoor District Drainage Commissioners
held at the Middle Level Offices, March on Wednesday the 9th May 2018

PRESENT

C D Boughton (Chairman)
M W Dale Esq (Vice Chairman)

R E Mason Esq
G Wakeham Esq

Mr Robert Hill (representing The Clerk to the Commissioners) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance. Mr Malcolm Downes (Mechanical and Electrical Engineer) attended for part of the meeting.

Apologies for absence

Apologies for absence were received from M H Deptford Esq, S Raven Esq and W Veal Esq.

Mr Hill reported that Mr Raven had indicated that he wished to resign his position as a Commissioner but no written confirmation had been received at this time.

C.1108 Declarations of Interest

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

C.1109 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 10th May 2017 are recorded correctly and that they be confirmed and signed.

C.1110 Appointment of Chairman

RESOLVED

That C D Boughton Esq be appointed Chairman of the Commissioners.

C.1111 Appointment of Vice Chairman

RESOLVED

That M W Dale Esq be appointed Vice Chairman of the Commissioners.

C.1112 Appointment of District Officer

RESOLVED

That M W Dale Esq be appointed District Officer to the Commissioners during the ensuing year.

C.1113 Land Drainage Act 1991
Board Membership

Mr Hill reported that Fenland District Council had re-appointed Councillor D Connor to be a Commissioner under the provisions of the Land Drainage Act 1991.

C.1114 Appointment of a Commissioner

Further to minute C.1075, Mr Hill reported that Mr Guy Wakeham had accepted the invitation to become a Commissioner.

The Chairman welcomed Mr Wakeham.

The Commissioners discussed the possible appointment of additional Commissioners.

RESOLVED

That Mr Charles Boughton be appointed as a Commissioner.

C.1115 Water Transfer Licences

Further to minute C.1077, Mr Hill referred to a letter received from ADA dated the 27th October 2017 and to the Clerk's response to Defra and also to the fact that licencing of water transfers came into force on the 1st January 2018. He advised that, as a licence is only required for transfers from EA main river and no inter-IDB transfers require licencing, this new arrangement will not directly impact the Commissioners.

C.1116 Excessive water from Greenvale and the Anglian Water sewage works and Ransonmoor Sewage Works Pumping main Fracture

Further to minute C.1078, the District Officer reported that, although he and Mr Lakey had carried out an inspection of the Greenvale site, it had not been possible to properly identify if there were any new discharges being made. Mr Lakey reported that there were settlement ponds and a treatment plant, with on-site water being recycled.

RESOLVED

That the Commissioners continue to monitor and keep both matters under review.

C.1117 Association of Drainage Authorities
Further Research on Eels

Further to minute C.1090(e), the Commissioners considered making a further contribution towards the research on eels.

RESOLVED

That the Commissioners approve to contribute an additional £100 towards further research on eels for 2018/2019.

C.1118 Consulting Engineers' Report

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

Ransonmoor D.D.C.

Consulting Engineers Report – April 2018

Weed Control and Drain Maintenance

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

An application of Roundup was made last autumn to district drains where it was required to control growths of emergent aquatic vegetation.

Following a request from the Chairman, the eastern drains included in last year's machine cleansing programme at Ransonmoor Farm, reaches 19-20-21-9 and 20-22, had one bank trimmed to remove any undermining and unnecessarily steep sides. The deteriorating timber footbridge that hindered the machine cleansing at Point 20, was also removed whilst the contractor's machine was on site. A twin wall plastic pipe was installed in its place, utilising the material gained from the adjacent bank trimming works as suitable back fill.

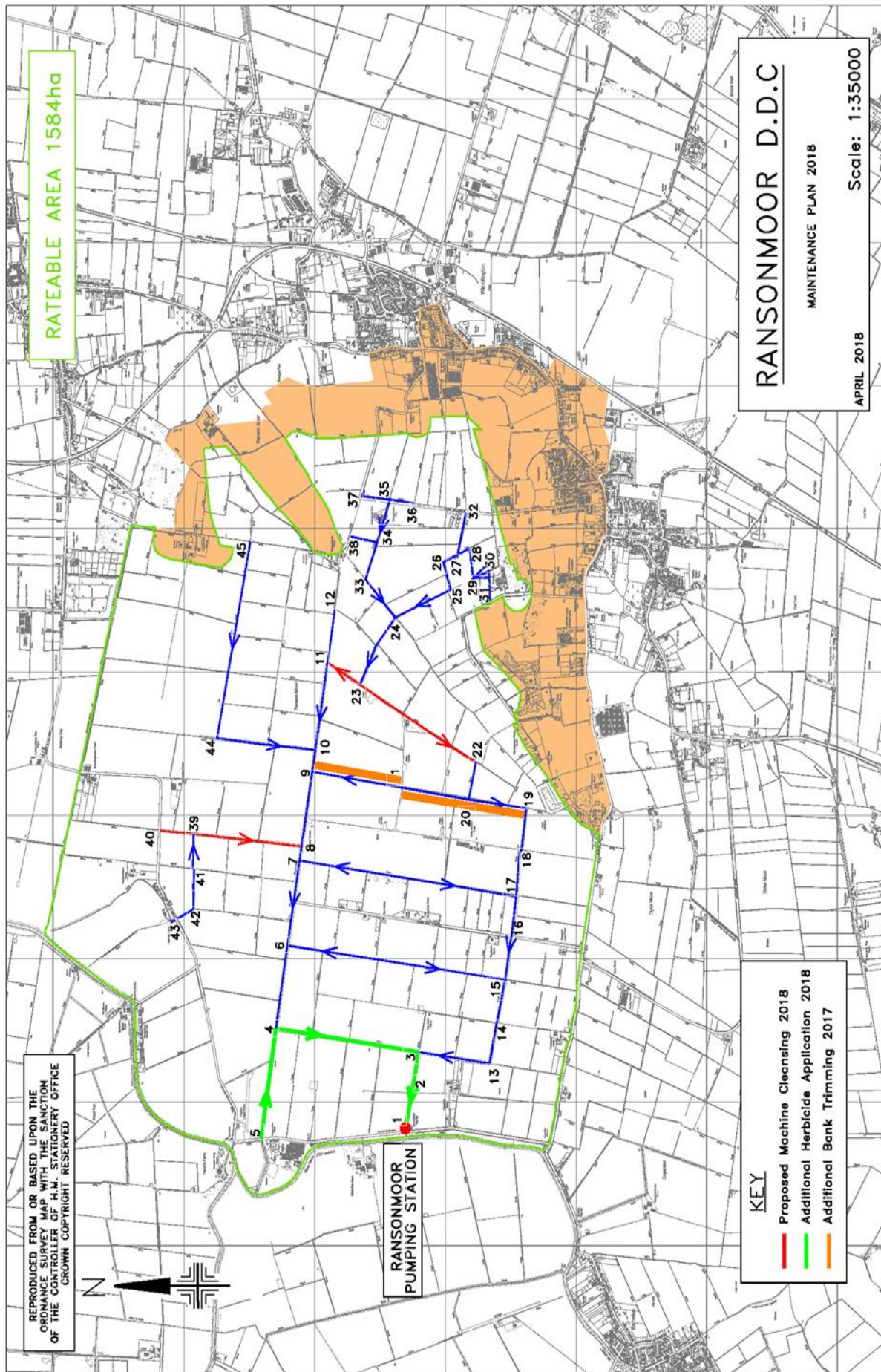
Cases of illegal fly tipping have reduced within the Ransonmoor district, however, this issue still remains a general concern in the March area and some surrounding villages. A provisional sum has been allocated to allow fly-tipped debris to be cleared, on the basis that the Ransonmoor area has been targeted in past years and unfortunately is likely to be targeted again.

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

The inspection did however highlight extensive amounts of leaf litter and aquatic vegetation along the Ransonmoor Farm, eastern drains, reach 11-23-22 (see plan on following page for locations). It is recommended this reach be treated with an application of Roundup herbicide, followed by machine cleansing after the harvest this year.



Dense stands of reed and bulrushes are evident along reach 8-39-40 and will also require an application of Roundup herbicide, followed by machine cleansing once the adjacent crops have been harvested.



It was also noted that intermittent stands of reed and emergent vegetation are now increasingly prevalent along the Commissioners' main pump drain, reach 1-2-3-4-5. It is recommended that this reach be treated with an application of Roundup to check the current growth in an attempt to negate future issues at the Commissioners' weed screen cleaner.

The District Officer has indicated that he will be available to undertake the Commissioners' flail mowing requirements for the coming season. It is recommended that flail mowing will be required to be undertaken in advance of the machine cleansing works to afford the operator sufficient visibility of the working area. Dealing with numerous bramble patches within the Commissioners' drains will also be included in this year's flail mowing programme to prevent any further colonisation. Provision has been included within the estimate for this work to be undertaken.

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

The estimated cost of this year's recommended Weed Control and Drain Maintenance programme is as follows:

					£
1.	<u>Provisional Sum</u>				
	Allow sum to remove fly tipped materials from District drains as required	Item	Sum		400.00
	<u>Machine Cleansing</u>				
2.	Reach 11-23-22	1350	m	@ 1.10	1485.00
3.	Reach 8-39-40	1100	m	@ 1.10	1210.00
4.	Roundup application to control emerging aquatic weed growth in District drains.	Item	Sum		1000.00
5.	Flail mowing in advance of machine cleansing and to control bramble on banks.	Item	Sum		2000.00
6.	<u>Provisional Item</u>				
	Allow sum for emergency machine cleansing, culvert clearance and emergency cott removal works	Item	Sum		1000.00
7.	Fees for inspection, preparation and submission of report to the Commissioners, arrangement and supervision of herbicide applications and maintenance works	Item	Sum		950.00
TOTAL					£8,045.00

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

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.

As previously reported the fire extinguisher in the pumphouse requires testing and it is recommended that a testing contract be set up with a contractor such as Fenland Fire Appliances, or one similarly qualified.

Pumping hours

Total Pump Hours Run April 2017 - April 2018	=	331
Electric Pump Hours Run April 2017 - April 2018	=	328 (487)
Diesel Pump Hours Run April 2017 - April 2018	=	3 (76)
 Total Pump Hours Run April 2016 - April 2017	 =	 232
Electric Pump Hours Run April 2016 - April 2017	=	159
Diesel Pump Hours Run April 2016 - April 2017	=	73
 Electric Pump Hours Run April 2015 - April 2016	 =	 245 (10139)
Electric Pump Hours Run April 2014 - April 2015	=	527 (9894)
Electric Pump Hours Run March 2013 - April 2014	=	386 (9367)
Electric Pump Hours Run March 2012 - March 2013	=	835
Electric Pump Hours Run March 2011 - March 2012	=	176
Electric Pump Hours Run April 2010 - April 2011	=	219
Electric Pump Hours Run May 2009 - April 2010	=	484

Insurance

The Commissioners' new insurer AXA/HSB now includes Engineering Insurance cover for sudden and unforeseen breakdown of pumping plant. However, two recent claims were made by local IDBs and were rejected as AXA/HSB considered that the pumps should have been removed for service on a 5 yearly frequency, this is currently being contested by the MLC and the company's further consideration is awaited.

Eel Regulations

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

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

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

Internal Consultation with the Commissioners

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

Planning Procedures Update

Informatives on Decision Notices

Despite positive steps being taken, a review of the decisions that have recently been made has identified that none had informatives advising the applicants of their separate legal obligation to comply with the requirements of the Commissioners’ Byelaws and the Land Drainage Act.

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

Planning Agents Training Day

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

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

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

Planning Applications

In addition to matters concerning previous applications, the following 6 new applications have been received and dealt with since the last meeting:

MLC Ref.	Council Ref	Applicant	Type of Development	Location
338	F/YR17/0494/F	Mr G Collett	Residence (Garage/workshop)	Benwick Road, Doddington
339	F/YR17/3073/COND	M R Construction	Residence	Wimblington Road, Doddington
340	F/YR17/0557/F	Mr & Mrs Usher	Residence and workshop (B1)	Addison Road, Wimblington
341	F/YR17/0996/F	Mr S Hewitt	Residence (Extension)	Doddington Road, Wimblington
342	F/YR17/1132/F	JMC Construction	Business	Knights End Road, March
343	F/YR17/1209/O	Mr & Mrs Pollington	Residential (7 dwellings)	Wimblington Road, Doddington

Planning applications ending 'COND' relate to the discharge of relevant planning conditions

From the information provided it is understood that all the developments propose to discharge surface water to soakaways, infiltration devices and/or Sustainable Drainage Systems (SuDS). The applicants have been notified of the Commissioners' requirements.

Some of the above are likely to discharge treated effluent into the Commissioners' system either via private treatment plants or Doddington Water Recycling Centre (WRC).

There have been no applications for development outside the Commissioners' natural surface water drainage catchment but which discharge treated effluent into the Commissioners' system via AWSL's Doddington WRC.

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

- a. Warden's accommodation at Fields End Water Caravan Park, Benwick Road, Doddington - Mr C Boughton (MLC Ref No 332)
- b. M R Construction - Dwelling at Wimblington Road, Doddington (MLC Ref No 321)
- c. Mr J Welcher - Change of use of land from agricultural use to storage of touring caravans at Benwick Road Doddington (MLC Ref No 324)

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 Commissioners' interests.

- *Waste transfer, processing and treatment facility at Lodge Farm, Knights End Road, March – Ferry Group Ltd (MLC Ref Nos 250, 274 & 310)*
- *Construction of a 7MW solar farm at land east of Coneywood South Farm, Wood Street, Doddington – C S Solar (UK) Ltd (MLC Ref Nos 280 & 293)*
- *Erection of a 2-storey 24-bed care home and a 2-storey staff resources building and a 2-storey 20-bed extension at Askham House, Benwick Road, Doddington – Askham Care Homes (MLC Ref Nos 287, 291 & 292)*
- *Erection of 16 2-storey dwellings comprising: 12 x 4+ bed, 2 x 3-bed and 2 x 2-bed and associated garaging and infrastructure at land south of 32 Wimblington Road, Doddington – Larkfleet Homes (MLC Ref No 290)*
- *Erection of 10 dwellings at land east of Askham House, 13 Benwick Road, Doddington – Mr C Boughton (MLC Ref Nos 301, 304, 325 & 336)*
- *Proposed Solar Farm Scheme to the north of Bradney Farm, Knights End Road, Staffurths Bridge, March – Solar Power Parks Ltd (MLC Ref Nos 309 & 314) and Savills (MLC Ref No 311)*
- *Erection of a 5-bed detached house involving demolition of existing dwelling at Four Winds, Parsons Land Drove, Doddington – Mr St Clair (MLC Ref No 313)*

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

Proposed Residential Development of 37 units to the west of 17-37 Wood Street, Doddington - Construct Reason (MLC Ref No 316 & 334)



Further to previous reports a planning application for twenty eight units was submitted to the District Council in April 2017.

It is proposed that surface water will be discharged to the Commissioners' system via permeable paving and an attenuation pond.

No consultation has occurred with the Middle Level Commissioners in this respect.

According to the District Council's Public Access webpage a decision is pending.

Extract from Peter Humphrey Assocs. Ltd (PHA) Drawing Number 5135/PL01R

Erection of up to 7no dwellings on land to the north of 12-28 Wimblington Road Doddington - Mr & Mrs Pollington (MLC Ref No 316 & 334)

A planning application for the above development was submitted to the District Council in November but was subsequently refused in March primarily because it constituted development in the open countryside.

Development Contributions

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

Fenland District Council (FDC)

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

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

FDC Liaison Meeting

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

The actions arising from the meeting included:

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

Another meeting is to be held in May this year.

Cambridgeshire Flood Risk Management Partnership (CFRMP)

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

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

The Great Ouse Tidal River Baseline report

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

The Future Fenland Project

Phase 1 of this EA project, which concerns all of the Fens, has commenced. This will take a couple of years to complete and will include Lincolnshire and Northamptonshire. A workshop for stakeholders was held in January and a further one will be held during 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.

Cambridgeshire County Council (CCC) has advised that the Lead Local Flood Authority (LLFA) has also been involved in a similar process with ADA. A response has been prepared by ADA and for more detail see item 29 on the Agenda.

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

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

The Bedford Group of IDBs has advised that Ordinary watercourse consents in its area were not originally considered with protected provisions in the Development Control Order (DCO), a planning document. A legal agreement was subsequently agreed that reflects 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 Regional Flood & Coastal Committee (RFCC) area (largely Norfolk, Suffolk and Essex) will be joining this Central RFCC project which is likely to be Project Managed by the EA.

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

It is intended that information from the rain gauges will be for the use of all partners for flood investigations etc with all sites available via telemetry using a web interface, possibly with three levels of membership – Administrator, Partners and the Public - and associated viewing rights within the web interface with the latter only seeing “local” information. This interface will be based on the software that AWSL already uses for its existing rain gauges and combined sewer overflows (CSOs). The data will not be directly compatible with EA data however a widget will be developed for this purpose. 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 Middle Level Commissioners have been asked to comment on the proposed location of rain gauges. The LLFA advises that the proposed new gauges have been chosen because they are adjacent to major areas of population and known “wet spots”. The nearest rain gauges to the Commissioners' area are at Middle Level Commissioners' Offices and March WRC. The LLFA proposed a gauge at Doddington, presumably on the WRC.

Strategic Flood Risk Planning Advisor

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

Integrated FRM PhD research project

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

Fenland Flooding Issues Sub-Group

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

Consulting Engineer

27 April 2018

Ransonmoor (329)\Reports\April 2018

In response to the Chairman, Mr Lakey confirmed that the spoil from the proposed slubbing of section 22-23 would be deposited on the east side of the watercourse.

The District Officer queried the responsibility for trimming trees overhanging District watercourses, ahead of routine slubbing works, to which the Chairman confirmed that he would inspect and attend to, as may be required.

Mr Mason confirmed that the planning application (MLC Ref Nos 316 and 334) had now been approved by Fenland District Council's Planning Committee. Mr Hill advised however that, to date, the Middle Level Commissioners' Planning Engineer had not received any detailed plans concerning the application or any proposals for dealing with the surface water from the development.

In response to Mr Wakeham, Mr Hill outlined the way in which the Commissioners' Byelaws could affect potential development and the calculations for discharge contributions should there be a direct discharge into the District system.

Mr Downes joined the meeting.

The Chairman referred to the malfunctions of the automatic weedscreen cleaning equipment during the year and requested that Mr Downes update the Commissioners on these issues and if there were any further remedial works that were outstanding or needed to be considered.

Mr Downes reported that there had been two main malfunctions; one as a result of a grub screw on the drive coming loose, making the grab go too deep, and the other being an electrical malfunction, which could have been as a result of an electrical storm. He confirmed that both matters had now been resolved and there were no current problems concerning the equipment.

In response to the Chairman, the District Officer confirmed that the weedscreen cleaner operates for a minimum of one cycle per day, approximately 15-20 minutes operation. Mr Downes confirmed that the equipment was programmed to run three cycles every time the pumps were switched on.

The District Officer queried the future servicing of the diesel engine which Mr Lakey confirmed the Middle Level Commissioners' fitters would be able to undertake, if required.

In response to Mr Mason, Mr Hill detailed the current position regarding engineering insurance cover and advised that a full response from the insurers was awaited before any further decisions concerning the matter could be considered.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance
 - a) That the recommended works be undertaken.
 - b) That M W Dale be authorised to undertake the flail mowing operations in advance of machine cleansing works.

(NB) – The District Officer declared an interest when the item concerning Weed Control and Drain Maintenance was considered and took no part in the decision.

(NB) – The Chairman declared an interest in planning applications (MLC Ref Nos 301, 304, 324, 325 & 337) for Mr C Boughton.

C.1119 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

RESOLVED

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

C.1120 District Officer's Report

The District Officer considered that that all significant matters had been covered in the Consulting Engineer's report and confirmed that the old diesel engine had been removed.

He asked if it would be possible to have a timer clock in order to set the engine running for a specific time, as this was currently not possible.

RESOLVED

- i) That the Officer be thanked for his services over the preceding year.
- ii) That the Consulting Engineers be requested to contact the District Officer to discuss the possibility of installing a timer clock on the diesel engine and the District Officer be authorised to take any further action he considers appropriate.

C.1121 Environmental Officer's Newsletter and BAP Report

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

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

Mr Hill referred to Cliff Carson's recent health issues and that he was now back at work and had recently filmed a piece on otters which was due to be shown on the BBC Spring Watch programme towards the end of the month. He reported that Cliff was due to retire at the end of June and that the process to find his replacement was in hand.

In response to the Chairman concerning the shaping of drains, Mr Lakey did not consider this to be beneficial as any shaping would be lost as a result of future flail mowing operations.

RESOLVED

That the Commissioners make a £50 contribution towards a gift for Cliff Carson's retirement.

C.1122 State-aided Schemes

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

RESOLVED

That no proposals be formulated at the present time.

C.1123 District Officer's honorarium

The Commissioners gave consideration to the District Officer's honorarium for 2018/2019.

RESOLVED

That there be no change in the District Officer's honorarium for 2018/2019.

(NB) – Mr Dale declared a financial interest when these items were discussed.

C.1124 Environment Agency – Precept

Mr Hill reported that the Environment Agency had issued the precept for 2018/2019 in the sum of £5,580 (the precept for 2017/2018 being £5,497).

C.1125 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Mr Hill reported that the sum of £1,538.29 (inclusive of supervision) had been received from the Environment Agency (£2,216.40 representing 80% of the Commissioners' estimated expenditure for the financial year 2017/2018 less £678.11 overpaid in respect of the financial year 2016/2017).

(b) Further to minute C.1088(b), Mr Hill referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

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

C.1126 Contribution from Developers

With reference to minute C.377, Mr Hill reported that a contribution towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume had been received.

C.1127 Association of Drainage Authorities

Mr Hill reported:-

a) Annual Conference

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

RESOLVED

That the Clerk be authorised to obtain a ticket for the Annual Conference of the Association for any Commissioner who wishes to attend.

b) Annual Conference of the River Great Ouse Branch

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

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

c) Subscriptions

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

RESOLVED

That the increased ADA subscription for 2018 be paid.

d) Liability of Board Members

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

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

e) Updating IDB Byelaws

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

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

Defra have now suggested that the Byelaws which have been adopted by IDBs should be updated to include within their purpose powers in relation to environment matters. To do this

it will be necessary to update the current Byelaws in line with the standard model byelaw published in October 2012.

RESOLVED

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

f) New Model Policy Statement

Mr Hill referred to the publication of the new model Policy Statement issued in late April 2018 by ADA.

RESOLVED

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

g) Floodex 2019

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

C.1128 Capital Programme Strengthening and Delivery

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

C.1129 Middle Level Commissioners and Administered Boards Chairs Meeting

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

Matters raised included:-

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

C.1130 Member training and the appointment of a Health and Safety Officer

Mr Hill reported that ADA has been encouraging member training for a number of years and Defra will, from 2018, require Boards to report upon any training that has been provided to members. This was to be reported by way of an entry on the IDB1 forms and the listed topics on this form are; Governance, Finance, Environment, Health, safety and welfare, Communications and engagement, amongst others. The Commissioners may wish to pick an area where they consider specific tailored

training is pertinent for it in a given year or alternatively might ask that the Middle Level Commissioners arrange some joint training with other Boards which they are happy to do.

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

Members raised concerns and requested more detailed information be provided.

RESOLVED

- i) That the Chairman, Vice Chairman and Mr Wakeham meet with the Clerk or Croner Consulting to discuss the matter in more detail and they be authorised to take any further action.
- ii) That the Commissioners participate in any training organised through the Middle Level Commissioners.

C.1131 Defra IDB1 Returns

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

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

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

For 2018 the IDB1 form will be further expanded. The additions were developed in co-operation with the Environment Agency, ADA and invited IDB representatives including David Thomas on behalf of the Middle Level Commissioners. The inclusion of items within the form which would either be difficult to report on or provide information which collectively would be of little value have been resisted and the new IDB1 form should, as a result, allow Defra to gain a much clearer insight into what IDBs deliver annually. It is hoped that this in turn will assist with raising further the profile of IDBs.

C.1132 Requirements for a Biosecurity Policy

Mr Hill reported that, from 2018, Board's will be required to advise (through the IDB1 returns) whether they have in place a Biosecurity Policy. This is considered necessary following increased concern over the spread of alien invasive weeds from one waterbody to another, possibly

through the use of contracted or shared plant which can carry elements of such plants if not properly cleaned after being moved from contaminated locations. ADA have stated that they support the principle of having a policy in place and, conscious that for most boards the policy requirements will be identical, they are producing a model document. The Commissioners were asked to confirm that they were content to adopt a policy as long as it is suitable and will not include overly onerous steps which might restrict their activities.

RESOLVED

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

C.1133 The General Data Protection Regulation (GDPR)

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

RESOLVED

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

C.1134 Charging for Environmental Permits

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

C.1135 Completion of the Annual Accounts and Annual Return of the Commissioners – 2016/2017

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

C.1136 Governance and Accountability for Smaller Authorities in England

Mr Hill referred to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1st April 2018.

C.1137 Budgeting

Mr Hill referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2018.

C.1138 Review of Internal Controls

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

C.1139 Risk Management Assessment

- a) The Commissioners considered and expressed satisfaction with their current Risk Management system.
- b) The Commissioners reviewed and approved the insured value of their buildings.

C.1140 Appointment of External Auditor

Further to minute C.1058, Mr Hill referred to the decision by the Commissioners to join the Sector Led Auditor Appointment Body for the appointment of the External Auditor and that the Smaller Authorities' Auditor Appointments (SAAA Ltd) had formed for this purpose. He reported that they had now confirmed the appointment of PKF Littlejohn to carry out the external audit of the Commissioners for a five year period commencing with the financial year 2017/2018.

C.1141 Exercise of Public Rights

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

C.1142 Annual Governance Statement – 2017/2018

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

RESOLVED

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

C.1143 Payments

The Commissioners considered and approved payments amounting to £40,909.93 which had been made during the financial year 2017/2018.

(NB) – The Chairman declared an interest (as a Member of the Middle Level Board) in the payments made to the Middle Level Commissioners.

(NB) – The District Officer declared an interest in the payment made to him.

C.1144 Anglia Farmers

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

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

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

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

RESOLVED

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

C.1145 Annual Accounts of the Commissioners – 2017/2018

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

RESOLVED

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

C.1146 Expenditure estimates and special levy and drainage rate requirements 2018/2019

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2018/2018 and were informed by Mr Hill that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 76.75% and 23.25%.

RESOLVED

- i) That the estimates, including provision for a loan repayment, be approved.
- ii) That a total sum of £36,467 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 £27,989 and £8,478 respectively.
- iv) That a rate of 11.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £8,478 be made and issued to Fenland District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Commissioners be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

C.1147 Display of rate notice

RESOLVED

That notice of the rate be affixed within the District in accordance with Section 48(3)(a) of the Land Drainage Act 1991.

C.1148 Date of next Meeting

RESOLVED

That the next General Meeting of the Commissioners be held on Wednesday the 8th May 2019.