

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 Tuesday the 2nd April 2019

PRESENT

S A Calton Esq (Chairman)	S Davis Esq
L J Marshall (Vice Chairman)	M Hamilton Esq
B R Burling Esq	P Harrington Esq
C A Carson Esq	D Tough Esq

Miss Lorna McShane (representing the Clerk to the Board) was in attendance. Mrs K Hunt also attended as minute taker.

Apologies for absence

Apologies for absence were received from A Martin Esq and J Taylor Esq.

B.1178 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.1179 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 23rd April 2018 are recorded correctly and that they be confirmed and signed.

B.1180 Appointment of Chairman

RESOLVED

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

B.1181 Appointment of Vice Chairman

RESOLVED

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

B.1182 Board Membership

Further to minute B.1136, Miss McShane reported that Mr Brian Burling had accepted the invitation to join the Board.

The Chairman welcomed Mr Burling.

Mr Harrington reported that Mr Chris Bowden had left the RSPB recently and no replacement had been made.

The Chairman also asked for clarification on how the Election Districts are defined within the Board.

RESOLVED

- (a) That the Clerk clarify the boundaries of the Districts within the Board
- (b) That Mr Harrington approach Carwyn James - RSPB regarding the vacancy on the Board caused by the departure of Mr Bowden and, if he is willing, for him to be co-opted onto the Board.

B.1183 Ouse Washes Land Managers Group

Further to minute B.1137, Members considered the minutes of the Ouse Washes Land Managers Group dated the 13th March and 11th September 2018.

The Chairman reported that the vehicle damage to Cradge Bank continues. It may be possible to put a lock on the gate, but EA approval would be required for this. As the bank is a footpath walkers would also need to be able to gain access along the bank. It is not a bridleway.

The Vice Chairman reported on a recent Land Managers Group where discussions had taken place regarding the need for flexibility in pumping water. Consideration should also be given about not pumping too quickly as the sudden loss of water was not good for the wildlife. A shallow level of 1.3m is best for wildlife.

The EA are conducting a study on water level management and the opening of the gates at Earith Suice. The EA are considering flushing fresh water through to address the issue of low oxygen levels in the water. Consultants had been appointed to conduct the study and will be looking at the question of the legality of opening the gates.

B.1184 Ouse Washes Habitat Group (Ouse Washes Strategic Group)

Further to minute B.1138, Miss McShane reported that the Chairman, Martin Baker, has advised that, although the group had not met in 2018/2019 a sub-group, the Strategic Birds and Water Management Group, has had a couple of meetings to agree terms of reference but they have yet to complete any actions worthy of sharing, as progress has been held up by Brexit and EA staff being required to do other Defra work.

B.1185 Water Transfer Licences

Further to minute B.1139, Miss McShane reported that discussions between ADA and the EA continue and the Ely Group have been piloting delivery of efficient licencing. There remains 10 months until the end of the application deadline, but unless there is a change in approach, licences for transfer of water from main river to IDB Districts will be required (where needed) at a cost of £1,500 for a 12 year licence.

B.1186 Culverts/Tunnels connecting to the Header Ditch – Mr R Riches

Further to minute B.1140, Miss McShane reported that Mr Riches had paid for the pipework to be installed and also for the cost of the required Byelaw Consent.

The Chairman reported that a meeting had been held with Mr Riches and the Clerk to discuss his request for slacker to obtain water for his cattle. The Clerk had confirmed that the Board are not allowed to use their funds to install a structure which will only benefit one landowner. Mr Riches had been advised to contact the EA. Subsequently he had lodged a complaint with the Ombudsman about the EA. The Ombudsman had contacted the Board for information which had been supplied.

A letter had been received recently from Mr Riches asking for a right angle pipe to be removed and a drain cleared out on his land. The Board agreed that the drain in question is not a Board drain and the issue of clearance is a matter for landowners. The Vice Chairman agreed to seek clarification on the legal issue of ownership of the drain from the lawyers acting for the WWT.. The Vice Chairman also reported that if the pipe was removed as requested by Mr Riches, this would result in an inability to get water to where he wanted it.

RESOLVED

That the Clerk write to Mr Riches to explain that the pipe was not the Board's and that its' removal would result in him not being able to obtain water and that the issue of ditch clearance was a private matter between landowners and not a concern of the Board.

B.1187 Ouse Washes Section 10 Reservoir Middle Level and South Level Barrier Bank works

Further to minute B.1141, Miss McShane referred to the Newsletters from the Environment Agency dated August, October and December 2018.

B.1188 Water Quality

Further to minute B.1144, the Vice Chairman stated that the conclusions of the Natural England study were that the Board should continue to do what they are doing as the quality of the water was good.

RESOLVED

That the study report be distributed to all Board members when it is published.

B.1189 Updating IDB Byelaws

Further to minute B.1155(e), the Board considered their updated Byelaws.

RESOLVED

That the updated Byelaws be adopted.

B.1190 Policy Statement

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.1191 Requirements for a Biosecurity Policy

Further to minute B.1160, the Board considered their Biosecurity Policy.

RESOLVED

- a) That the Biosecurity Policy be adopted.
- b) That copies of the Biosecurity Policy be distributed to all contractors in the future to ensure that everyone going on the Board's land complied with the Policy.

B.1192 Header Drain Maintenance

Further to minute B.1177, the Vice Chairman reported that maintenance work had taken place but overhanging branches had had to be cut back to allow access.

RESOLVED

That the Clerk write to Steven and Andrew Cochrane to ask for removal of the willow trees in the 9 metre Byelaw strip and that if they do not remove them, the Board will undertake the work and they will be charged. Mention should also be made of the need to remove the structure and concrete slab also within the Byelaw strip.

B.1193 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 17th 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.

That a third Chair's Meeting was held on the 11th March 2019 and that discussions at this centred around :-

- 1) The provision of increased support to IDBs on Health and Safety management and control.
 - 2) The Future investment planning for the Lower River Great Ouse catchment.
 - 3) Future planning for IDBs and DDCs administered by the Middle Level Commissioners.
 - 4) Member training.
- ii) Association of Drainage Authorities
- a) Annual Conference

That the 81st Annual Conference of the Association had been held at the ICE building in Westminster on Wednesday 14th 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

That the Annual Conference of the Association of Drainage Authorities will be held in London on Wednesday the 13th November 2019.

RESOLVED

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

c) Annual Conference of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association was held on Tuesday the 12th March 2019. The meeting format was changed this year and included a morning workshop session led by the EA. Topics covered were water resources, PSCAs and future planning of FRM. Robert Caudwell spoke for ADA in the afternoon followed by talks from Brian Stewart, the FRCC Chair, Paul Burrows, the FRM Area Manager and Claire Jouvray, the Operations Delivery Manager.

That the date of the next meeting is Tuesday the 3rd March 2020.

d) Good Governance Guide for Internal Drainage Board Members

That, at the Annual Conference last November, ADA launched the publication of the Good Governance Guide for IDB Board Members. It provides Members with a comprehensive guide to their role as water managers servicing the local communities. The document has been produced with the financial support of Defra and will provide Members with knowledge to help expand their grasp of the role, and how best to execute their responsibilities on the Board.

That in March and April 2019, ADA will be running a series of free workshops in relation to Good Governance at which ADA hope to see as many Board Members as possible. The nearest workshop for this area is:-

Deafblind UK Conference Centre, Peterborough (28th March)

That there is also a workshop in London at the CIWEM Venue Farringdon (3rd April) for those who cannot attend a local workshop.

That a copy of the Guide for each Member has been included with this agenda and can be downloaded from the ADA website.

Discussions took place on the Board membership and whether more Board members could be appointed to avoid the struggle to obtain a quorum for meetings. Also questions were asked of how the quorum figure is determined.

Board membership was discussed and it was noted that Mr Fletcher had not attended meetings for a number of years.

A suggestion was made that the EA should be approached to ask if they would nominate someone to sit on the Board, ideally with an interest in biodiversity and possibly fisheries.

RESOLVED

i) That the Clerk let the Board know how the number in a quorum for each Board is determined.

ii) That the Clerk write to Mr R Fletcher to advise him that, in view of his non-attendance at meetings, and under the provisions of Schedule 1 to the Land Drainage Act 1991 his membership is vacated.

iii) That the Clerk write to Greg Murphy at the EA to ask if they would like to nominate someone to sit on the Board, ideally with an interest in biodiversity.

iii) 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. Most recently, the project received £1m for field scale alternative farming trial works in the Great Fen area and to assist with the Biosphere bid.

iv) 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.

v) Water Resources East Group Meeting

That the Middle Level Commissioners are setting up a Committee to discuss how they can work more closely with Anglian Water and other partners to ensure that the management of water and the quantity taken from the River Nene can be maximized in stressed years.

B.1194 Consulting Engineers' Report, including planning and consenting matters

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

Hundred Foot Washes I.D.B.

Consulting Engineers Report – March 2019

Planning Applications

No issues concerning previous applications have been dealt with and no new applications have been received since the last meeting.

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:

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, this 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 which dates to 2015 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.

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.

RMA support & the Delivery of projects

Following concerns raised by IDBs and other RMAs the EA has engaged RMA support to assist in the delivery of projects. Funded by the Local Levy and based at Ely it is understood that they will be the Commissioners'/Boards' point of contact.

RMA's Medium Term Programmes (MTP)

The RFCC has expressed a keen interest in knowing more about the different projects that partners in Cambridgeshire have put forward to the MTP for FDGiA. This is in part because the RFCC wants us to all understand each other's projects better. They would particularly like it if the RFCC Member Councillors for each County were familiar with all of the projects in their area and were able to champion them, not just the ones from their own organisation.

Therefore, the various relevant RMAs will be making presentations at Partnership meetings. As a result, as the largest promoter of such projects within Cambridgeshire, a presentation on the MTP prepared by the Middle Level Commissioners and its associated Boards has been made to the Partnership.

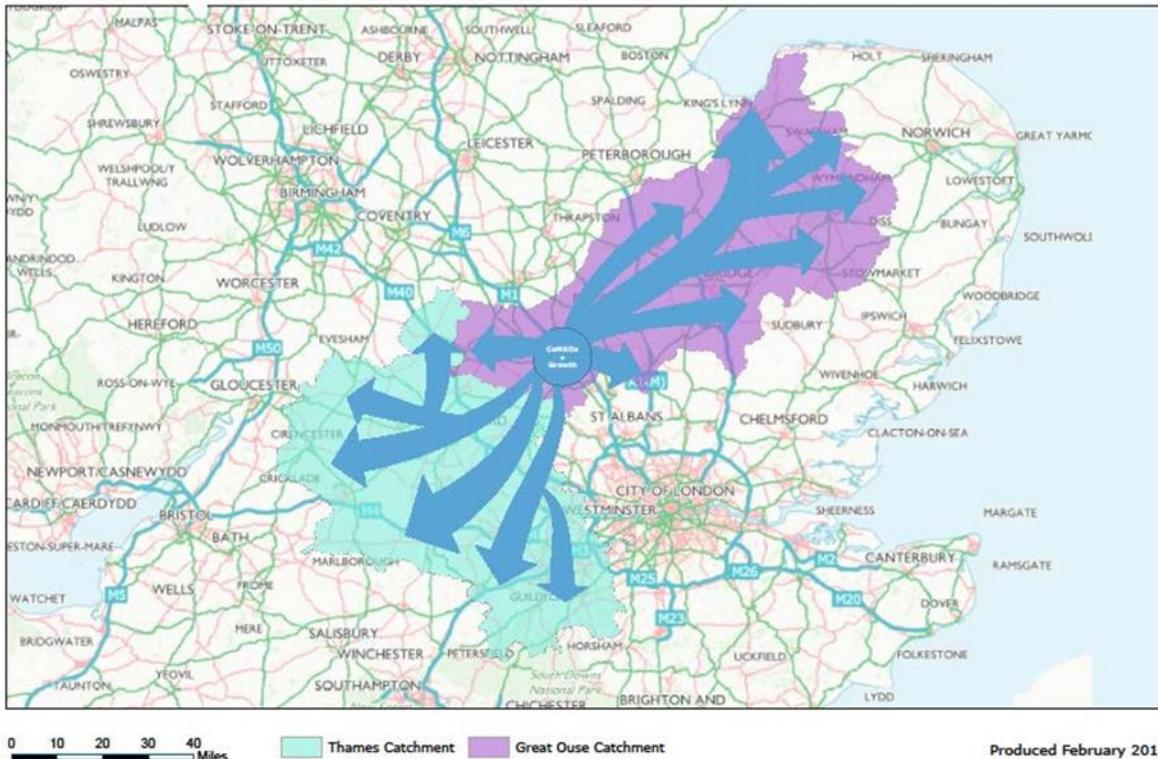
Update on RFCC's Growth Work

In order to accommodate the projected "growth", 500,000 new homes within the Cambridge – Milton Keynes - Oxford (CaMKOx) arc, within the Great Ouse Catchment five Local Choices papers are currently being prepared on The Upstream Great Ouse Catchment, these will investigate the following:

- (i) Potential storage;
- (ii) Conveyance Study of the Main rivers to Denver Sluice, (this will investigate pinch points, silt deposition etc);
- (iii) A Modelling Workshop, (to use existing models as work needs to be completed now);
- (iv) An Economic Assessment, (this will include an assessment of Cost/Benefits and what it does to prevent flooding); and

- (v) The Bedford to Milton Keynes Waterway Link, (which will investigate potential benefits, water transfer/resources of the proposed new waterway between Kempston and the Grand Union Canal).

Cambridge - Milton Keynes - Oxford (CaMKOx) : Growth Corridor
Catchment of River Thames and River Great Ouse



The EA is looking for RMA involvement in the production of these papers.

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.

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.

ADA has subsequently launched its Good Governance for IDB Members guide at the ADA Conference which is primarily aimed at new Board members. Five workshops have been organised including:

- Marriott's Warehouse, King's Lynn (19 March),
- Deafblind UK Conference Centre, Peterborough (28 March), and the
- CIWEM Venue, Farringdon London (3 April).

Further details on the guide and the workshops can be found at the following link:

<https://www.ada.org.uk/2018/11/ada-publishes-guide-to-good-governance-for-internal-drainage-board-members/>

The EA's 2018 Flood Action Campaign

Research undertaken by the EA in conjunction with the Red Cross reveals that most 18-34 year olds do not know what to do in a flood. Further information can be found at:

<https://www.gov.uk/government/news/young-people-most-at-risk-in-a-flood-warns-environment-agency-british-red-cross>

Highways England (HE) Environmental Designated Funds (Legacy funding)

This is one of five funds provided by HE associated with the Strategic Road Network – A1, A14, A47 etc., the others being Cycling, safety and integration, Air Quality, Innovation and Growth and Housing.

The potential environmental funding is available for the following areas noise, water, carbon, landscape, biodiversity and cultural heritage and, therefore, could include flooding, pollution, water framework directive and biodiversity projects associated with the Strategic Road Network – A1, A14, A47 etc.

Further information can be found at:

<https://www.gov.uk/guidance/highways-england-designated-funds>

This method of funding is being utilised by the following RMAs on the projects below:

(a) Environment Agency

Beck Brook at Girton - Legacy Fund and Local Levy match funding is being used to assist a flood alleviation scheme that was unable to achieve GiA.

Borrow Pits at Fenstanton – A potential flood alleviation scheme may be able to use Legacy funding.

(b) Cambridgeshire County Council

Bar Hill – Legacy funding for a potential £64k scheme.

Histon/Impington culvert replacement – The Legacy funding contribution is possible due to the site's close location to the A14.

Flood Risk Management (FRM) for the Fens Technical Group

The EA has recently commenced the FRM for the Fens Project to determine the best way of managing future flood risk. As a result, a technical group has been formed, including representation from the Middle Level Commissioners.

The project was discussed at the EAs Large Projects Review Group (LPRG) meeting in November. The LPRG stated that all partners who seek future Flood Risk Management Grant-in-Aid (GiA) funding but do not share its data for the Baseline Report are likely to be denied, or capped to 45%, as they will not be able to demonstrate a strategic approach.

The project is currently at the data collection stage and details of the Board's system and any hydraulic models are being collated to inform the successful consultant, who will be appointed in February, to progress Phase 1 of the project.

A letter from the EA has been issued to the Chairman and a copy follows for your information. This included a copy of the "elevator pitch", used by the EA to provide some background to the project. Please note that the extent of the geographical area shown has recently been amended.

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Letter to Chairman
Internal Drainage Boards
Middle Level Offices
85 Whittlesey Road
March
Cambs
PE15 0AH

Our ref: ENV0000678C
Your ref
Date: 15 January 2019

Dear Chairman

Flood Risk Management for the Fens

Between Local Internal Drainage Boards and the Environment Agency, we are modern day custodians of arguably the richest legacies of flood risk and drainage management in the country. I am sure you and your Board are really proud, like I am, to have a responsibility for critical infrastructure within a landscape that is hugely important for the economy, communities, food, farming and the natural environment.

The future of the Great Ouse Fens is something I am passionate about and with IDB clerks and engineers we are starting a partnership and collaborative approach to their future flood management. This letter summarises where we are and some of the important steps ahead. We really need your ideas, enthusiasm, advocacy, support and knowledge about this fantastic part of the country.

In recent years flood and drainage management in the Fens has been undertaken in somewhat of a piecemeal approach and reactive manner. With climate change projections and many of our assets coming to the end of their design life, we now collectively need to take a more strategic and long term approach. This will enable us all to maximise financial leverage and present a stronger more considered investment case to funding bodies.

Flood risk management for the Fens is a project set up to consider what the future flood risk management choices for the Great Ouse Fens could look like. This will help us develop a strategic approach together that will underpin and frame all flood and coastal risk management investment in the Fens moving forward. This is a key requirement of Defra's partnership funding policy (see attached note).

The attached document provides further details about the project, including the details of those flood risk management organisations involved in the Technical Group. David will hopefully have already briefed you on this work and will be your primary engagement link as the project moves forward.

customer service line 03708 506 506
gov.uk/environment-agency

Supported by the Anglian (Central) Regional Flood & Coastal Committee and with the help of the Technical Group, we have recently secured a funding package and obtained financial approval for Phase 1 of the project. The main products of this phase includes:

- A baseline report to gain a shared understanding of all land drainage and flood risk management assets, the economics, government grant eligibility level and partnership funding challenge for all sources of flooding. *This will be presented in a similar way to the Great Ouse Tidal River Baseline Report (we can provide a copy if you don't already have one) Anticipated delivery date Feb 2020.*
- Visualisation tools to showcase the findings of the baseline report in a way that informs and excites a wide variety of audiences. *Anticipated delivery date late 2020 after the baseline report to share key messages from the report.*

For Phase 1 we have not sought financial contributions from individual IDBs within the Great Ouse Fens, however the success of the work and effective use of the funding we have secured is hugely dependent upon the timely provision of asset and financial data from all Risk Management Authorities. Since July 2018, we have been working as part of the Technical Group on the specification and provision of this data.

We are aiming to appoint consultants for Phase 1 by early February 2019 and we are keen to have this data before then. Therefore it is vital that we have your support in helping your clerks and engineers to provide this information in a timely manner and by the 21 January 2019.

This will enable the project to move forward efficiently avoiding abortive costs, and help us to continue to support your IDB in seeking FCRM Grant in Aid (GiA) for individual investments. If we have gaps or deficiencies in the data then we will not be developing a strategic approach and are unlikely to be successful in maximising FCRM GiA funding for future projects.

Alongside Phase 1 we also collectively need to start to plan for Phase 2 of this work. Phase 2 is likely to start in approximately 5 years' time and most likely be a strategic options appraisal, to identify the choices for medium and long term flood risk management in the Fens.

Amongst the many benefits of this work, it will help us all better inform, influence and justify the source, nature and levels of funding required to

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evolve and manage flood and drainage infrastructure over the medium and long term. The scope and governance arrangements for Phase 2 will all need to be developed and agreed collaboratively and there is no presumption that the Environment Agency will lead.

Initial estimates from similar projects are that Phase 2 may cost in the region of £10 million to £15 million, and significant levels of partnership funding will be needed to be sourced to unlock and complement FCRM GiA. Therefore an investment strategy will be developed in parallel to Phase 1. Your Board may want to consider sooner rather than later how they choose to plan for this.

In the short term, whilst the strategic work is progressing, we all still need to continue to invest in the flood and drainage infrastructure within the Fens, without prejudicing any medium and long term choices. To frame this and support investment decision making in being as effective and efficient as possible, through the Technical Group we are also developing tactical plans for the Fens. These are looking at how we apportion benefits across respective infrastructure and apply these to upcoming investments. Once these are ready it may be useful to present to your Board.

It is a really interesting and exciting time with all this work. I hope you and your Board are supportive of the approach. If you have any questions or would like further information then please contact David, myself or our Project Executive, Claire Bell (Claire.Bell@Environment-Agency.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to be "Paul Burrows".

MICIVVEM UVVEM UENV

Flood & Coastal Risk Manager for East Anglia Area (Great Ouse catchment inc North West Norfolk coast)

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January 2019

The Strategic Approach for Flood and Coastal Erosion Risk Management Projects

Supplementary Local Guidance Version 1

In both Defra Policy Statements (Appraisal of Flood and Coastal Erosion Risk Management June 2009 and Partnership Funding May 2011) demonstrating and evidencing a strategic approach to flood or coastal erosion risk is a requirement for every project, to ensure value for money for Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA).

Catchment Flood Management Plans (CFMPs) and Shoreline Management Plans (SMPs) form the large scale holistic view of risk management requirements at the catchment or coastal process scale, beneath which more detailed strategies, and the local scale risk management activities should be developed.

Primarily, all schemes seeking FCERM GiA allocation should be in line with or compliment any overarching strategic plan such, for example, the Great Ouse CFMP.

“SMPs or CFMPs will have collected information on the economic, environmental and social assets at risk, the defences or coast protection works that are in place and identified preferred policies. The SMP or CFMP will also have engaged with stakeholders and you may be able to draw some information from the results. Early links need to be made with SMPs or CFMPs and strategies (where applicable) as they may have already identified key issues and broad solutions (in CFMPs these are called generic responses). It is essential to link the problem back to the policy as defined in the SMP or CFMP (and for schemes, to the description of the strategy, where available) to ensure continuity is not lost. Any conflicts between the description of the problem for your project and the recommendation of the SMP or CFMP (or strategy) will need to be highlighted and reconciled before you can progress further.” - Flood and Coastal Erosion Risk Management Appraisal Guidance, 2010.

The meaning of a ‘strategic approach’ is described throughout the FCERM Appraisal Guidance, March 2010, mainly in Chapter 3. It needs to include consideration of wider factors such as the economic, environmental, recreational and social factors that may affect or be affected by the proposed investment opportunity. These wider factors will then subsequently influence the selection of investment options to manage or mitigate the flood or coastal erosion risks. At the early stages of appraisal a wide range and broad portfolio of options should be identified, such as a change in pumping regimes, storage options and combining flood cells and assets for example. These options should be appropriate to the scale and type of project being undertaken.

Any strategic evaluation should be done as early as possible when planning a FCERM project. Findings should be evidenced within the business case, however, as this is produced much later than the initial project submission is submitted to the Environment Agency (through PAFS) it may be required that evidence of a strategic approach be made available to the Environment Agency on request in advance of the programme refresh. Failure to submit such evidence on request, will result in the maximum grant rate for the scheme being reduced to 45%.

“Where there is not a clear strategic approach setting out how benefits are apportioned to individual investments within a system of assets, the maximum grant rate allowable will be reduced to 45%. This means that all risk management authorities, including internal drainage boards, could receive up to 100% grant levels. The reduced grant rate, relevant for all risk management authorities, helps preserve value for money in cases where investments may only score well because benefits are being double-counted.” – Partnership Funding Policy 2011

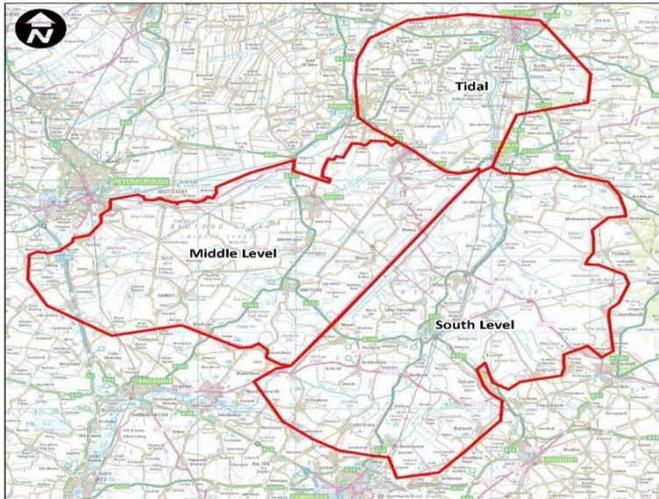
It is understood that there is a significant variation in the types of schemes which may be eligible for FCERM GiA funding. Therefore, it is reasonable to expect that the attention given to investigating a strategic approach should be proportional to the size of the scheme. Therefore, for smaller schemes (affecting a lower number of outcome measures and/or seeking a smaller sum of funding) a discussion of how a scheme aligns with a strategic approach may suffice. This could be evidenced, for example in notes accompanying a PAFS submission or captured within meeting minutes held in the early planning stages. Similarly, a larger scheme will require a more substantial demonstration. Any such scheme should be able to include, or reference any strategic analysis prior to PAFS submission or annual programme refresh.

This guidance reinforces the Defra Policy Statements ([Appraisal of Flood and Coastal Erosion Risk Management June 2009](#) and [Partnership Funding May 2011](#)), if these National policies change in the future, this guidance will be amended accordingly.

Flood risk management for the Fens – planning together for a sustainable flood risk future

‘Flood risk management for the Fens’ is a project that has been set up to plan the best way of managing future flood risk in the Great Ouse Fen Area. We are currently in the **first phase** of this project which is developing a shared understanding of the situation and challenges for managing flood risk (from all sources) in the Fens.

A Technical Group (TG) has been formed of organisations (see below) who have **flood risk assets**, or represent those with assets, in the geographical area that has been defined as the Great Ouse Fens.



We are **working together** to set out all the data about flood risk in the area outlined – defining who is managing flood risk, asset maintenance costs and potential available Flood Risk Management Grant in Aid (Government funding). This will identify any difference in **investment needs versus available funding**.

The most important outcome for the first phase of work is for the TG to have a **shared understanding** of the issues and challenges for managing flood risk in the Fens, and to have a **shared ownership** for taking action to overcome these issues.

Pressures on the Fens will come from many sources including, for example, climate change causing sea level rise affecting the Tidal River and the systems discharging into it, and catchment pressures from housing and infrastructure growth.

Following this initial data gathering phase, which we hope to complete in the next 18-24 months, we will produce a **joint project plan** for the next phase of work. The outcome of Phase 2 will be to produce a jointly owned strategic plan reviewing all options that could manage flood risk in the Fens, taking in to account climate change and sea level rise and recommending actions that will be the best/ most appropriate way of managing flood risk in the Fens over the next 50-100 years.

The TG will work closely with the Environment Agency’s Lincolnshire and Northamptonshire Partnerships and Strategic Overview Team who are progressing a similar project for the Lincolnshire Fens, but at different timescales.

The TG understands that there are **many different areas of interest** within the Fens, and a lot of groups and individuals will be interested in the work of the project.

At this stage in the project, there is a very **strong focus on the flood risk management challenges** – specifically focusing on current flood risk management assets. We will keep interested stakeholders updated with the progress of this stage of the project and **our work will be overseen by the Anglian Central Regional Flood and Coastal Committee**.

The TG is aware of the importance of linking Phase 1 outputs to other projects shaping the future of the Fens landscape.



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. SFRA's 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 Strategic Flood Risk Assessment (SFRA)

It is understood that the Borough Council adopted its latest Level 1 SFRA during November. It can be viewed at the following link:

https://www.west-norfolk.gov.uk/downloads/download/82/flood_risk_assessment

East Cambridgeshire District Council Water Cycle Strategy (WCS) & Strategic Flood Risk Assessment (SFRA) Updates

It is understood that the East Cambridgeshire District Council adopted both its latest WCS and SFRA documents during November. They can be viewed at the following links:

<https://www.eastcambs.gov.uk/local-development-framework/water-cycle-study-pslp-document-library>

<https://www.eastcambs.gov.uk/local-development-framework/strategic-flood-risk-assessment-pslp-document-library>

The SFRA is a 'hybrid report' which includes both Level 1 and Level 2 assessment.

Neither the Commissioners nor the Board were directly involved in the production of these documents and, therefore, may not support their contents or conclusions.

Fenland District Council (FDC)

FDC Liaison Meeting

The follow up meeting has not yet been held.

General Advice

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

- (a) At the request of the Board the Engineer reviewed Willow Wash and Common Wash Slackers with the District Officer and, although each was subject to minor leakages, it was considered that these were not severe enough to require repairs at that time. The two slackers will be monitored to check if the situation deteriorates.

- (b) To facilitate long term financial planning, the cost to replace/construct a new slacker along the Cradge Bank has been estimated. The calculated figure is approximately £30,000.

Consulting Engineer

18 March 2019

Hundred Foot Washes (347)\Reports\March 2019

RESOLVED

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

B.1195 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

RESOLVED

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

B.1196 Washes Superintendents' Reports

The Board considered the Reports of the Washes Superintendents for the year 2018/2019.

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 and to Natural England.

B.1197 Conservation Officer's Newsletter and BAP Report

Miss McShane referred to the Conservation Officer's Newsletter, dated December 2018, previously circulated to members.

Members considered and approved the most recent BAP report.

B.1198 Cleaning of culverts – 2018/2019

Miss McShane reported that the RSPB had invoiced the Board in 2018/2019 for the cleaning of 14 culverts, at a cost of £10 each.

RESOLVED

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

(NB) – Mr Harrington declared an interest (as an employee of the RSPB) in the payment made to the RSPB.

B.1199 Washes Superintendents' Fees

The Board gave consideration to the Washes Superintendents' fees for 2019/2020.

RESOLVED

That the Board agree that the sum allowed for the services of the Washes Superintendents for 2018/2019 (£1,344) be increased in accordance with the Middle Level Commissioners' pay award for 2019/2020.

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

B.1200 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.1201 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 2019/2020.

RESOLVED

i) That the tender received from Fen Group in the sum of £40 per hour to undertake slubbing work in 2019/2020 be accepted by the Board.

ii) That a copy of the Board's Biosecurity Policy be sent to Fen Group for their attention.

iii) That a tender is requested from Fowlers as well as Fen Group in 2020.

b) Spreading work

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

The Superintendents reported that spreading is done at the same time as the drain clearance so there is not a huge amount done at once.

B.1202 Environment Agency – Precept

Miss McShane reported that the Environment Agency had issued the precept for 2019/2020 in the sum of £1,293.70 (the precept for 2018/2019 being £1,232).

B.1203 Association of Drainage Authorities

a) Subscriptions

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

RESOLVED

That the increased subscription be paid for 2019.

b) Future ADA Communications

Miss McShane referred to a letter received from ADA dated 18th October 2018 and to the form included with the agenda.

In order to continue to receive communications from ADA in 2019, ADA required a completed form from each Member. The form could also be completed and returned electronically via the link at www.ada.org.uk/communications.

B.1204 Review Watercourse Lengths for Board Maintenance

Miss McShane reported that there is a length of watercourse which is identified as board maintained which services only one landowner and that in light of this the Board may wish to consider if it remains appropriate to maintain this length.

RESOLVED

That the Board drain be maintained up to where it meets Cradge Bank (including the “W” Shape) and to ensure that the drain plan is amended to reflect this.

B.1205 Environmental Incident – Earith Sluice

The Chairman reported on the consultation on the opening of Earith Sluice to manage environmental incident and prevent fish mortality on the River Delph. This matter would be addressed by the study currently being conducted by Consultants on behalf of the Environment Agency.

B.1206 Health and Safety Audits

Miss McShane reported that at the autumn Middle Level and Associated Drainage Board’s Chairs meeting, a request was made to seek to either take on an additional employee or employ a contractor to specifically support the Drainage Board’s to help them meet their legal Health and Safety requirements and also deliver the specified requirements of the Board’s insurers who are calling for evidence that appropriate measures are in place to manage Health and Safety. Quotes are being sought but at this time costs are not available and of course the cost per Board is likely to be reflected by take up of any offer made.

The Board was asked to consider if it was interested in this service offer and if the decision to finally commit can be delegated to a member or members of the Board.

RESOLVED

That the Chairman be authorised to take any necessary action, but if the cost quoted amounted to more than £1,000 then the decision should be taken by the Board.

B.1207 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 31st March 2018.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2018.

B.1208 Defra IDB1 Returns

Miss McShane referred a letter received from Defra dated 24th April 2018 and to the completed IDB1 form for 2017/2018.

B.1209 Budgeting

Miss McShane referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2019.

B.1210 Review of Internal Controls

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

B.1211 Risk Management Assessment

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

B.1212 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.1213 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.1214 Annual Governance Statement – 2018/2019

The Board considered and approved the Annual Governance Statement for the year ended on the 31st March 2019.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31st March 2019.

B.1215 Payments

The Board considered and approved payments amounting to £22,517.67 which had been made during the financial year 2018/2019.

(NB) – The Vice Chairman declared an interest in the payment made to him.

(NB) – Mr Harrington declared an interest (as an employee of the RSPB) in the payment made to RSPB Sales Ltd.

(NB) – Mr Hamilton declared an interest (as an employee of the Wildlife Trust) in the payment made to The Wildlife Trust.

B.1216 Annual Accounts of the Board – 2018/2019

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2019 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 31st March 2019.

B.1217 Governance and Accountability for Smaller Authorities in England

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

B.1218 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 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.1219 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.1220 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday the 14th April 2020.