

NEEDHAM AND LADDUS INTERNAL DRAINAGE BOARD

At a Meeting of the Needham and Laddus Internal Drainage Board
held at the Crown Lodge, Outwell on Tuesday the 23rd April 2019

PRESENT

| | |
|------------------------------|-----------------|
| J F Martin Esq (Chairman) | M E Fenn Esq |
| J H Fenn Esq (Vice Chairman) | K Harrison Esq |
| D J W Boyce Esq | C F Hartley Esq |
| S A Calton Esq | S M Hartley Esq |
| M W Scott Esq | |

Mr Robert Hill (representing the Clerk to the Board) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance.

Apologies for absence

Apologies for absence were received from D Matthews Esq, D J Pope Esq, J W Scott Esq, P M Tegerdine Esq and P W West Esq.

B.245 Declarations of Interest

Mr Hill 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.

Mr M Fenn declared an interest in any matters concerning the District Officer.

Mr C Hartley declared an interest (as a Member of the Middle Level Board) and Mr J Fenn declared an interest (as an employee of the Middle Level Commissioners) in matters concerning the Middle Level Commissioners.

B.246 Confirmation of Minutes

RESOLVED

That the Minutes of the Meetings of the Board held on the 24th April 2018 are recorded correctly and that they be confirmed and signed.

B.247 Election of Board Members

Mr Hill reported that the term of Office of the elected Members of the Board would expire on the 31st October 2019 and submitted the proposed Register of Electors applicable to the 2019 election.

RESOLVED

That the Register be approved.

B.248 Land Drainage Act 1991
Board Membership - Fenland District Council

Mr Hill reported that Fenland District Council had re-appointed Councillor W Sutton to be a Member of the Board under the provisions of the Land Drainage Act 1991.

Mr Hill also reported, however, that more recently Fenland District Council had advised that Mr Sutton is no longer a nominated member of the Board and that all allocations to outside bodies will be made following the local elections and the Annual Council meeting on the 23rd May.

B.249 Filling of vacancy

Further to minute B.216, consideration was given to the filling of the vacancy on the Board

RESOLVED

That the Chairman contact Oakley Farms to see if they wished to nominate a representative for membership of the Board and instruct the Clerk further on the outcome of this.

B.250 Updating IDB Byelaws

Further to minute B.225(e), the Board considered their updated Byelaws.

RESOLVED

That the updated Byelaws be adopted.

B.251 Policy Statement

Further to minute B.225(f), 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.252 Requirements for a Biosecurity Policy

Further to minute B.230, the Board considered their Biosecurity Policy.

RESOLVED

That the Biosecurity Policy be adopted.

B.253 Dodd's Stile – Contravention of Byelaws

Further to minute B.218(iii), Mr Hill reported that following last year's meeting a site meeting had been held with the resident. The Vice Chairman reported that the meeting was productive and the resident understood the need for the Board to have access to carry out maintenance works and had agreed to allow access from the bottom end of the section in question as there were public rights of way issues elsewhere along the section. He further reported that although there were prunings along the length of the watercourse these would not cause any issues and there was now a good working agreement established. The Vice Chairman reminded Members that it had been agreed to carry out the maintenance works over 2 years; with the tree/bush cutting works carried out in 2018 and the revetment works programmed for 2019. Mr Boyce commented that the piling works would be dependent on ground conditions and Mr Lakey informed the Board that they were not urgent and if conditions were not suitable they could be carried over to the following year.

B.254 Clerk's Report

Mr Hill 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.

One option for future Board arrangements discussed at the second and third meetings was the subject of a briefing paper.

The Board briefly discussed the paper. The Chairman reported that there was a feeling at the Chairman's meeting that the duplication of paperwork needed to be reduced. In response to Mr Calton, Mr Hill considered that if Board's amalgamated and opted for differential rating, then the complexity of the finances would increase. In response to the Chairman's comments concerning the reasons for this being considered, Mr Hill confirmed that he was unaware of any current instruction from Government, although the matter had been raised by Government previously and an alternative 'geographical area based structure' had been put forward and accepted.

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

That ADAs workshops were well attended and are helping to deal with the questions being raised by Defra following the Audit Commission Report which criticized aspects of IDB governance. At least one member of this Board attended one of the two local workshops in the area and hence the Board will be able to record in the IDB1 Defra return that training has been provided on Governance. In addition to governance Defra appear to expect over time that training will be given for the following; Finance, Environment, Health, safety and welfare and Communications and engagement. The Board may wish to consider an order of priority for future training and a timetable for delivery.

e) Workstreams

That ADA annually review their workstreams and an update is included.

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.

The Vice Chairman reported that water intake into the Middle Level system was via one point at Stanground and current flows were very low and, in his opinion, unless there is reasonable rainfall there could be the possibility of shortages. He reported that part of the work of the group was to model the intake for Anglian Water which could hopefully lead to a better overall allocation for agricultural use.

vi) The New Rivers Authorities & Land Drainage Bill

That this Bill has completed its Committee stage in the House of Commons and passed through its Third Reading. It has now started its progression through the House of Lords.

The Bill, which has been prepared by Defra, aims to put the Somerset Rivers Authority onto a statutory footing as a precepting body, but it would also enable the reform of IDB ratings annual value lists. It does this by recognising the need to ensure that the methodology through which IDBs calculate and collect drainage rates and special levy sits on a sound legal basis that can be periodically updated to contemporary values better reflecting current land and property valuation.

With the above in mind ADA has been working with Defra and a number of IDBs to test a new methodology using contemporary valuation and Council Tax lists that could be applied via this legislative change.

B.255 Consulting Engineers' Report, including planning and consenting matters

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

Needham & Laddus I.D.B.

Consulting Engineers Report – April 2019

Weed Control and Drain Maintenance

The weed control and drain maintenance strategy generally accorded with the programme approved by the Board at its last annual meeting.

A joint inspection of the district was undertaken pre-harvest last year to ascertain the Board's requirements for herbicide application and machine cleansing works. The inspection revealed that although some drains contained substantial growths of filamentous algae (Cott), and some dense stands of emergent and vigorous submerged aquatic vegetation, the majority were found to be in a satisfactory condition. With the Chairman's approval herbicide application and machine cleansing programmes were arranged.

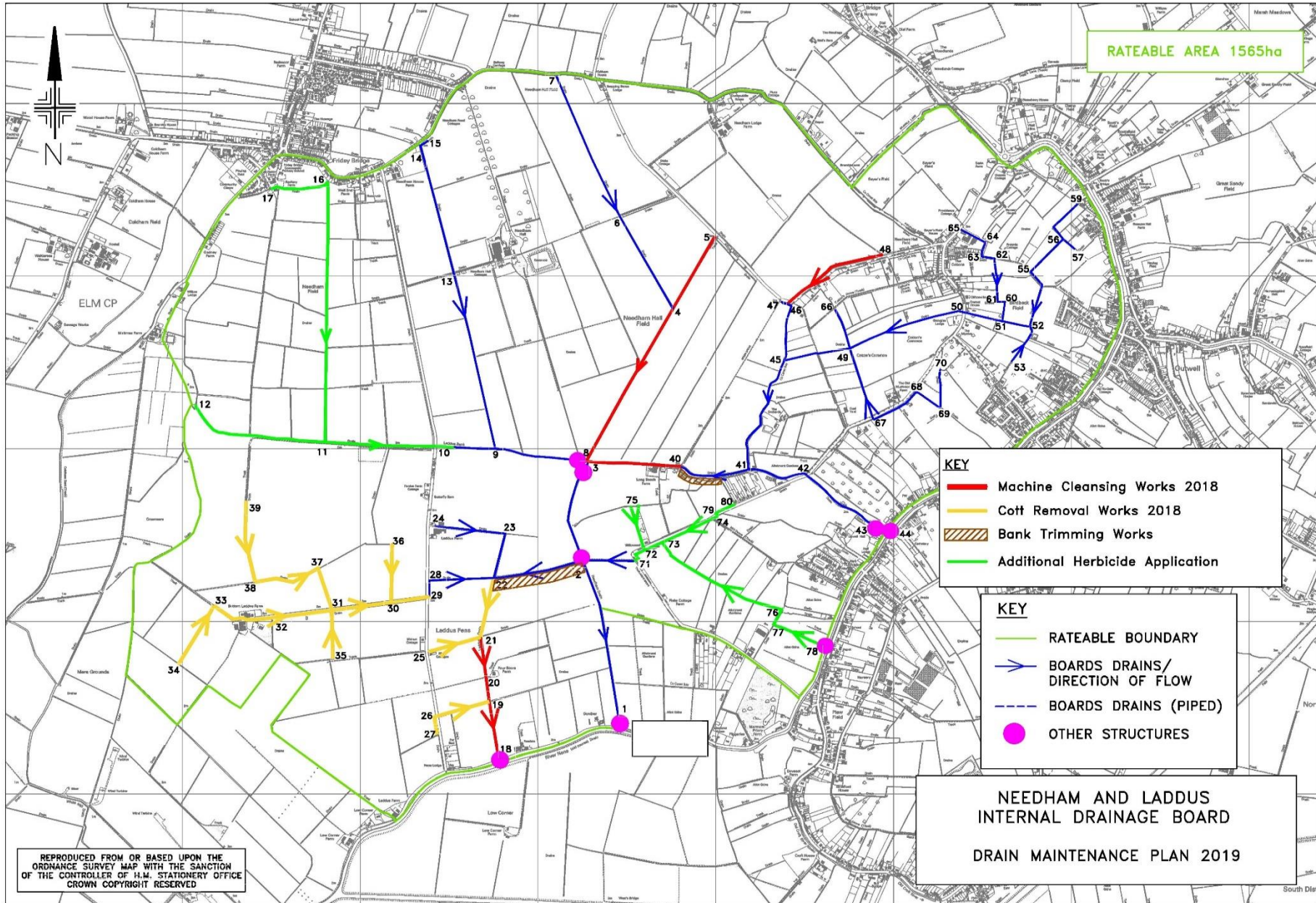
Please refer to the plan on the following page indicating the reaches where machine cleansing was deemed necessary to retain the Board's drains in a satisfactory condition.

Bush cutting works approved by the Board at its last meeting to Dodd's Stile Drain, reach 44-45, were carried out in the early part of 2019 to avoid the bird nesting season. The timing also took advantage of favourable ground conditions. The remaining revetment and dredging works will be carried out in summer during suitable weather conditions to limit the impact on the surrounding area. A provisional sum has been included in the estimated costs for the works to be carried out



Dodd's stile Reach 44-45

As the Board's annual meeting falls during the early part of the growing season, a district inspection will be required during the summer months to accurately identify maintenance requirements. A provisional sum, based on previous years' expenditure, has been allocated within the Board's estimated costs, for works that are likely to be required.





Fly tipping of tyres and general waste materials seems to be on the rise again within the Board's drains. Rubbish, tyres and a number of fire extinguishers were removed from the Board's drain along reach 73-74, by the Middle Level Commissioners on a rechargeable basis.

Numerous tyres have also been deposited in the Board's drains at Robbs Chase, reach 52-54.



The Board's instruction on how it wishes to proceed with the fly tipped tyres is requested.

The estimated cost of this year's recommended weed control and drain maintenance works is as follows:

£

Provisional Sum

| | | | |
|--|------|-----|---------|
| Allow sum for Roundup application to Board's drains where it is required | Item | Sum | 700.00 |
| Allow sum for Machine Cleansing and Weed /Cott removal from Board's Drains | Item | Sum | 6500.00 |
| Revetment works and Dredging @ Dodds Stile, reach 44-45 | Item | Sum | 2900.00 |

Estimated Sum

| | | | |
|-----------------------------|------|-----|---------|
| Flail mowing Board's Drains | Item | Sum | 5000.00 |
|-----------------------------|------|-----|---------|

Provisional Item

| | | | |
|---|------|-----|---------|
| Allow for emergency machine cleansing, culvert clearance or bank slip repair works. Removal of fly tipped materials. | Item | Sum | 2000.00 |
| Fees for inspection, preparation and submission of report to the Board, arrangement and supervision of herbicide applications and maintenance works | Item | Sum | 1300.00 |

TOTAL £ 18,400.00

Planning Applications

In addition to matters concerning previous applications, the following 11 new applications have been received and dealt with since the last meeting:

| <i>MLC Ref.</i> | <i>Council Ref.</i> | <i>Applicant</i> | <i>Type of Development</i> | <i>Location</i> |
|-----------------|---------------------|--------------------------------|--|---------------------------|
| 345 | 18/00419/F | Mrs M Murray | Residence (Extension) | Isle Bridge Road, Outwell |
| 346 | 18/00569/F | Mr & Mrs A Broda-Kay | Residence (Extension) | Elderberry Place, Upwell |
| 347 | 18/00581/OM | Beech Property Investments Ltd | Residential (50 plots) | Isle Road, Outwell |
| 348 | 18/00688/F | Mr C Robinson | Residence (Garage and store with living accommodation) | Thurlands Drove, Upwell |
| 349 | 18/00761/F | Mrs M Hilton | Equine (Stable block/Paddock) | The Cottons, Outwell |
| 350 | 18/00674/F | Mrs M Hilton | Residence | The Cottons, Outwell |
| 351 | 18/01224/F | Saxondale Properties Ltd | Retail (Surface water drainage scheme) | Town Street, Upwell* |
| 352 | 18/01409/F | Miss A Squire | Residence (Extension) | Isle Road, Outwell |
| 353 | 18/01658/F | Mr J Sawyer | Kennel and stables | The Cottons, Outwell* |
| 354 | 18/01907/F | Mr J McElligott | Residence | Molls Drove, Outwell |
| 355 | 18/02161/PACU3 | Mr & Mrs E Broad | Residence | Pius Drove, Upwell |

Planning applications ending 'OM' relate to outline application – major development

Planning applications ending 'PACU' relate to change of use

Developments that propose direct discharge are indicated with an asterisk. The remainder propose, where applicable and where known, disposal to soakaways, infiltration devices and/or Sustainable Drainage Systems (SuDS). The applicants have been notified of the Board's requirements.

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

- (i) *Mrs M Murray – Residence (extension) at Isle Bridge Road, Outwell (MLC Ref No 345)*
- (ii) *Mrs M Hilton - Residence at The Cottons, Outwell (MLC Ref No 350)*

No further correspondence has been received from the applicants or the applicants' agents concerning the following developments and no further action has been taken in respect of the Board's interests.

- *Residential development at Doug Clarke Produce, Basin Road, Outwell – Doug Clarke Produce Ltd (Collmart Growers and Circle Anglia) (MLC Ref Nos 156, 190, 218, 221, 247, 268 & 296)*
- *Residential development on land at 34 Isle Bridge Road, Outwell - Mr D Cuckow (MLC Ref Nos 203, 210, 309 & 331)*
- *Proposed 4 No Semi-detached houses and garages at Sayersfield, Basin Road, Outwell – Mr & Mrs Pehl (MLC Ref Nos 289 & 291) & Dene Homes Ltd (MLC Ref Nos 300 & 301)*
- *Outline application for construction of 9 dwellings at Whetsone Way, Outwell – Renham Services Ltd (MLC Ref No 322 & 338)*

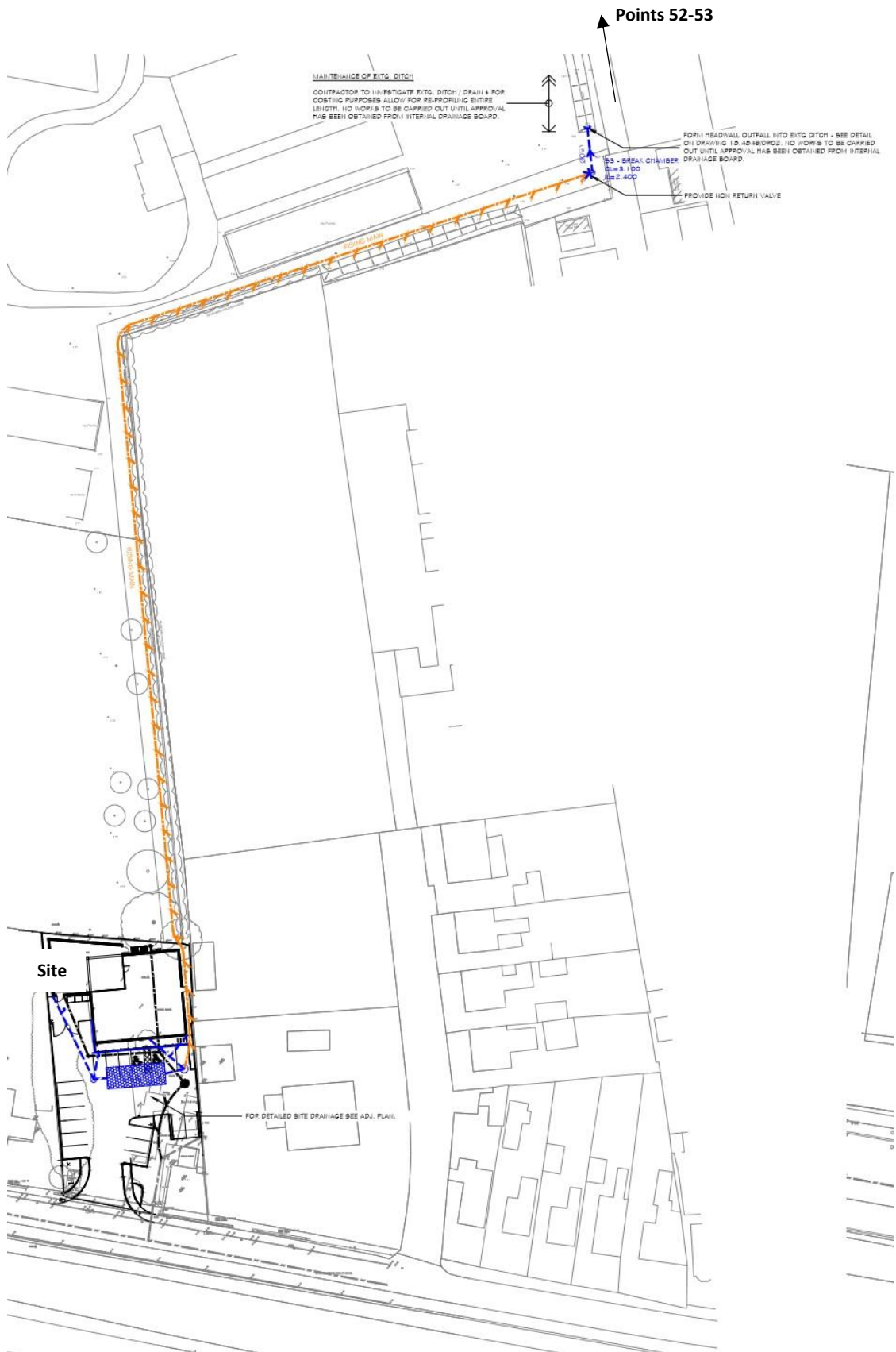
In view of the absence of recent correspondence and any subsequent instruction from the Board it will be presumed, unless otherwise recorded, that the Board is content with any development that has occurred and that no further action is required at this time.

Residential development at Fenland House, Town Street, Upwell – Fen Regis Trophies Ltd (MLC Ref Nos 233, 239 & 280) & Demolition of existing warehouse, erection of new food store to rear with associated parking at Fen Regis House, 9 Town Street, Upwell – Saxondale Properties Ltd (MLC Ref Nos 327, 342 & 351)

Further to the last meeting a planning application associated with Condition 9 of the approved planning application has been submitted to the Borough Council concerning this site.

The application was to:

“Create a surface water drainage route through third party land...” to “.. connect to the Middle Level maintained drain.”



Extract from Keith Simpson Associates (KSA) Ltd Drawing No. 18.4849/DR01 Rev. P1

It was proposed that the attenuated surface water from the site would discharge into the private open watercourse at Horseshoe Court via a rising main.

The Planning Officer's Report advises that:

“The design of the pipework has been undertaken in association with the Middle Level Commissioners and will link into their adopted network – separate byelaw consent required.”

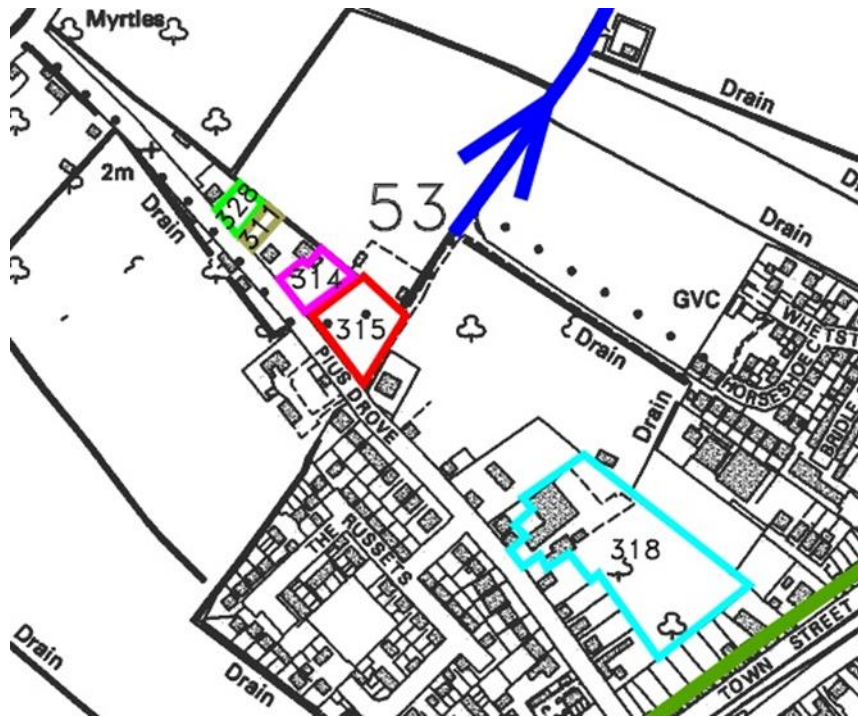
However, with the exception of discussions with the applicant’s consultant, Bingham Hall Associates (BHA), in 2017 the Commissioners’ involvement, on the Board’s behalf, has been minimal.

Whilst this is a potential solution to serve the site it does not provide an outfall for the wider area which may be required in the longer term if further development in the area occurs.

Planning permission was granted on 21 August but with the exception of a note advising that the permission only refers to the Town and Country Planning Acts and “..does not include any consent or approval under any other enactment, byelaw order or regulation” no informative was included on the Decision Notice. No further correspondence has been received.

Developments in the vicinity of Pius Drove, Upwell

- (a) *Construction of a dwelling – Mr & Mrs P Bradley (MLC Ref No 311) and Reserved Matters application for proposed dwelling and garage at plot to the north west of Trevordale, Pius Drove, Upwell - Fountain Construction (Anglia) Ltd (MLC Ref No 341)*
- (b) *Residential development at land to the south east of Trevordale, Pius Drove, Upwell and Reserved Matters Application for construction of 2 dwellings and garages – Mr & Mrs P Bradley (MLC Ref Nos 314 & 344)*
- (c) *Residential development on land east of Pius Drove, Upwell – Mr G Brown (MLC Ref No 315) & P B Construction Ltd (MLC Ref No 334)*
- (d) *Residential development for 22 dwellings at land on the east side of Pius Drove, Upwell – Mr E Broad (MLC Ref No 318)*
- (e) *Residential development of 2 dwellings at Pius Drove, Upwell – Fountain Construction (Anglia) Ltd (MLC Ref No 328)*



The Operations Engineer has confirmed that the works to bring the drain up to an adoptable standard have now been completed. In conjunction with this, we have received discharge consent applications for sites (a), (b) and (c) above, (MLC Ref Nos 311, 314 and 315 respectively) which have been granted as per the agreement at the on-site meeting.

However, site (e) (MLC Ref No 328) has already been built and is occupied using non-approved soakaways so the Local Land Charge note cannot be removed on this development at this time.

It would be beneficial to receive the Board's further instruction on whether it would like us to contact the residents in order to resolve this potential issue.

It should also be noted that site (d) (MLC Ref No 318) is unaffected by the improvement works but the planning permission was withdrawn last year.

Residential development on land west of Tikka Chef, Isle Road, Outwell – Beech Property Investments Ltd (MLC Ref No 347)

Further to the Needham, Burial & Birdbeck DDC 2012 Meeting Report and the Needham & Laddus IDB 2014 and 2015 Meeting Reports a planning application was submitted to the Borough Council in April 2018. The site previously formed part of a larger site Ref. 1085 [Borough Council Strategic Housing Land Availability Assessment (SHLAA)] which was reduced in size to become Policy OUT2 Land surrounding Isle Bridge [Borough Council Detailed Policies & Site Plan] and more recently G.104.6 - Land surrounding Isle Bridge [Borough Council Site Allocations & Development Management Policies (SADMP)].

The adopted Site Allocations and Development Management Policies plan (SADMP) advises that:

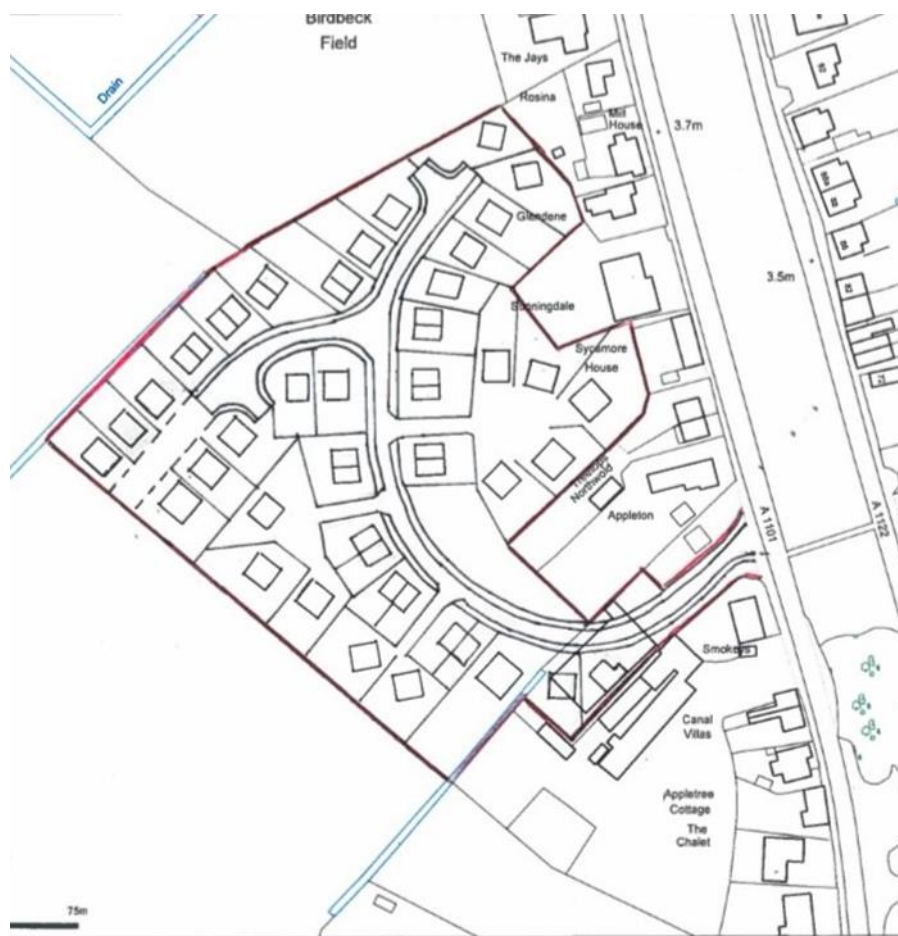
"G.104.39 These sites are considered favourably by the Council as the preferred options for housing allocation in Upwell and Outwell. These sites are considered advantageous in comparison to the other submitted sites; it is felt that development on the other sites would have a greater impact on the character, Conservation Area and landscape of the locality."

No reference is made by the Borough Council to issues raised by or of interest to the Board but Members will recall that responses to the Public Consultations advised that:

- (i) The site is in an area where there is an absence of a positive outfall and/or flooding/surface water ponding/poor drainage has previously been reported.
- (ii) If discharges of surface water are to be made direct to the Board's system then suitable maintenance works may be needed, at the developer's expense, to ensure that it continues to perform its function and provide a suitable Standard of Protection (SoP) for the lifetime of the development.

- (iii) Long term ownership funding, management and maintenance issues of the surface water disposal devices, open watercourses etc have not been considered.
- (iv) The aspirational number of dwellings proposed for each site if designed to meet current standards and the Board's requirements would be constrained from the water level/flood risk management perspective and may be non-technically viable or deliverable without increasing flood risk.

However, as elsewhere in the Borough Council's area the relevant RMAs comments have been overlooked and may be expected to resolve the resultant problems to enable the completion of the development.



Extract from Maxey Grounds & Co Site Plan showing an illustrative layout

The site was allocated in the SADMP 2016, referencing a development of at least 35 dwellings. However, the planning application is for fifty plots.

Despite flood risk and sustainable drainage being key issues and sixteen items of correspondence objecting to the proposal, including the Parish Council, being received

the planning application was granted permission in mid-December subject to the imposition of conditions including surface water disposal.

The Planning Committee Report includes the following;

“Lead Local Flood Authority (NCC): NO COMMENTS - Officers have screened this application and it falls below our current threshold for providing detailed comment. This is because the proposal is for less than 100 dwellings or 2 ha in size and is not within a surface water flow path as defined by Environment Agency mapping. Standard advice applies.”

Whilst this does not assist the Board on this occasion it does identify the previously unknown threshold at which the LLFA (Norfolk County Council) is prepared to respond upon and therefore, provides clarity on the extent of its involvement in the area.

“Surface water drainage issues can be conditioned as recommended by CSNN. However, at this stage, the site layout is not being agreed and the finalised drainage strategy would need to be designed and agreed around the Reserved Matters application; associated management/maintenance plans would be secured via Section 106 agreement at this stage. The proposal would accord with the NPPF and the provisions of Policy CS08 of the Core Strategy 2011.”

“..... the detailed design of SuDS would be required in conjunction with the Reserved Matters stage, with the management and maintenance of SuDS features to be secured via the S106 Agreement in the form of a SuDS Management Plan.”

The Board’s further involvement in this development will be required if this proposal progresses; this may require its consent to be issued.

It would be beneficial to receive the Board’s comments and guidance upon this site in order to aid further discussion and enabling responses to be made as the development progresses.

Development Contributions

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

Fenland District Council (FDC)

FDC Liaison Meeting

A follow up meeting was held on 28 March.

Planning Committee Decision at Estover Road, March

Members may be aware of the District Council's decision in relation to the outline planning application for a residential development at Estover Road, March. However, members may be interested in the principles established at the Committee Meeting in respect of the Board's interests.

The Commissioners requested that the Planning Engineers represented them at the Planning Committee's September meeting.

It was interesting to note that the Commissioners' presence was acknowledged with one Councillor stating that as the Commissioners have made the effort to attend the Committee should listen to them. Another comment made was that the Committee is concerned that Statutory Consultees do not attend the Planning Committee Meetings.

There was considerable support for the Drainage Boards particularly from Cllrs Bligh, Laws and Newell, but you will note the comments which were quite rightly made by Cllr Sutton and Nick Harding.

In view of this it appears that, within Fenland at least, the comments of the LLFA, as a Statutory Consultee, override that of the Commissioners, even though they have to receive and transfer any flows and deal with any resultant problems at their ratepayers' expense.

Relevant extracts from the minutes from the Planning Committee meeting held on Wednesday 12 September are copied below:

"F/YR15/0668/O

LAND NORTH OF 75-127, ESTOVER ROAD, MARCH, CAMBRIDGESHIRE

OUTLINE WITH ONE MATTER COMMITTED DETAILED AS ACCESS IN RELATION TO 95 NO DWELLINGS (MAX) WITH ASSOCIATED LANDSCAPING, DRAINAGE AND OPEN SPACES

Middle Level Commissioners strongly object to the application.

Members received a presentation in accordance with the public participation from Mr Graham Moore (Middle Level commissioners), who was speaking on behalf of Middle Level Commissioners and March Fifth Internal Drainage Board [sic] and Mrs Liz Whitehouse, who were both speaking in objection to the Application.

It is the IDB not the Environment Agency, FDC, CCC or Anglian Water, which has to receive and transfer flows that emit from the site.

The site is located in flood zone 1 and the applicant has provided information to evidence that surface water from the development can be managed and there have been no objections from the Lead Local Flood Authority and Environment Agency who are statutory consultees. The Middle Level Commissioners are not statutory consultees; however the queries that have been raised by them have been looked at by the applicant but as this is an outline planning application and it would not be reasonable to supply the information requested currently and the details relating to the design of the scheme and details regarding the drainage scheme details are unknown. The condition that the LLFA have requested will put an appropriate safeguard in place to ensure a suitable strategy is established prior to the commencement of construction.

Members asked questions, made comments and received responses as follows:

- Councillor Mrs Laws stated that it is a windfall site but the drainage issue is an area of concern. With regard to viability, the site does not deliver what it should and although the Section 106 Officer has looked into this. The development is therefore less sustainable than it should be.*
- Councillor Sutton stated that he believes the development is sustainable. It is in flood zone 1 and the Lead Local Flood Authority who is a Statutory Consultee has no objection to the proposal. The issues concerning the discharge raised by Middle Level Commissioners and the IDB can be reviewed at a later stage and do not need to be considered today. Planning Committee Members have to make decisions on material planning reasons. The proposal does not go against the Neighbourhood Plan; if it did then Officers would not be recommending it for approval.*
- Councillor Sutton stated he can see no material planning reason to refuse the application.*
- Nick Harding stated that in terms of the surface water issues which have been raised. The IDB have recognised that the LLFA is the authority that we should be going to in consideration of these matters and if the NPPF is referred to it does state that major development should incorporate sustainable drainage systems and should take account of the advice of the LLFA. The advice from the LLFA is that this development proposal with conditions is acceptable.*
- Nick Harding stated that he is very supportive of the IDB's they have a separate legal process which has to be complied with by persons who wish to discharge their surface water and just because planning permission is granted for a development it does not mean they are automatically going to get consent from the IDB's. The Developer still has to apply to the IDB and the detail for the scheme has to be agreed.*
- Nick Harding stated that with regard to Anglian Water, they have raised no objection to this application. They have indicated that they will make necessary improvements to their network to ensure they can deal with the water and therefore as we do not have an objection from Anglian Water, and members should consider on what basis would we be able to defend a reason for refusal based on foul water capacity.*

Following the meeting the Planning Engineer advised the Clerk to the Commissioners that:

“Whilst I was concerned when we originally stood back and stopped making bespoke responses to the LPA in preference to writing to the applicant and/or agent, which does cause some problems, the planning decision confirmed that this choice was the correct one, as the Commissioners and associated Boards are not wasting their limited resources by issuing letters that will be ignored by the LPA. However, this procedure is, under the current circumstances, potentially wasteful as the developer, LPA and LLFA could put considerable effort into an application which may be granted planning permission but which a Board refuses to consent.”

Fenland Flooding Issues Sub-group

The next meeting is due to be held in early April. There are currently no known issues with the Board’s catchment.

King's Lynn & West Norfolk Local Plan

No further correspondence has been received from the Borough Council concerning the Local Plan.

Site Allocation & Development Management Policies Plan (SADMP)

As discussed elsewhere in this report problems have been experienced in the local area due to the lack of consideration given to water level and flood risk management and related issues by the Borough Council. The neighbouring Churchfield & Plawfield IDB has requested that a meeting be arranged with the Council to discuss these issues. This meeting has yet to be arranged and it would be advantageous if representatives from the Board would also be willing to attend.

It would be beneficial to receive the Board’s further instruction on whether it would like to attend a meeting when it is organised.

Joint Norfolk Authorities Strategic Flood Risk Assessment (SFRA)

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

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

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

Emergency 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.

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.

The EA's 2018 Flood Action Campaign

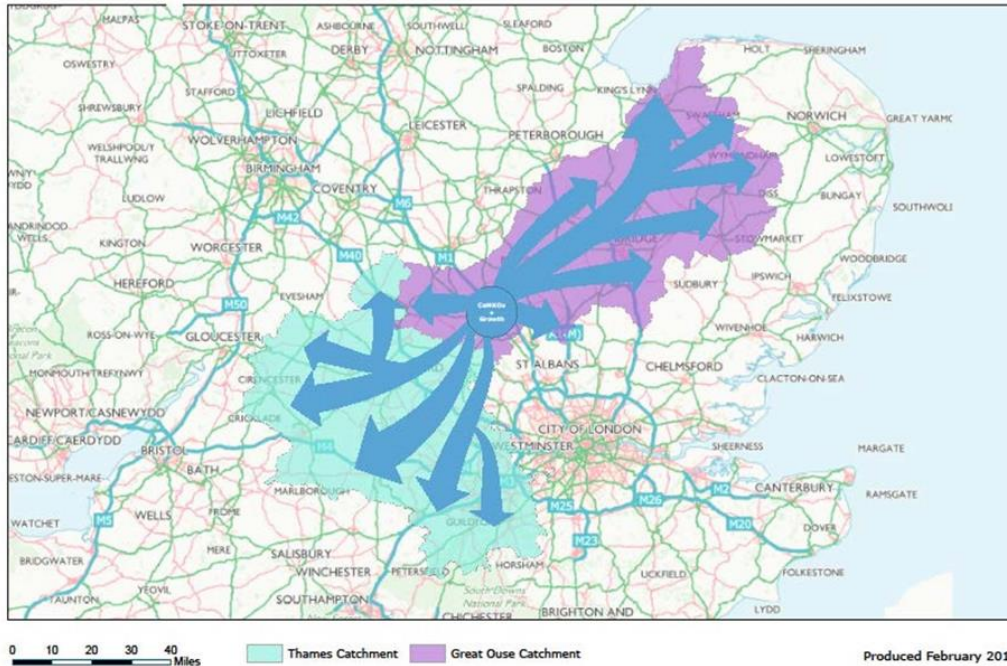
Research undertaken by the EA in conjunction with the Red Cross reveals that most 18-34 year olds do not know what to do in a flood. Further information can be found at:

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

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).



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

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 were held during March and 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/>

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 (previously reported as the Future Fenland Project)

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 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.

creating a better place
for people and wildlife



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

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



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

Mobile: 07824 431597

paul.burrows@environment-agency.gov.uk

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

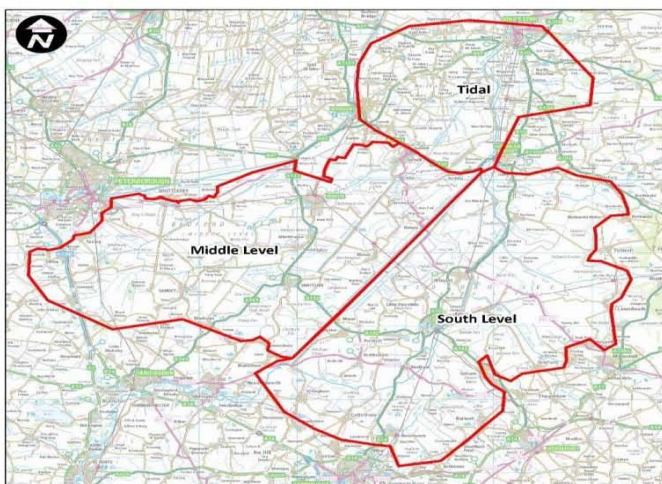
It is understood that there is a significant variation in the types of schemes which may be eligible for FCERM GiA funding. Therefore, it is reasonable to expect that the attention given to investigating a strategic approach should be proportional to the size of the scheme. Therefore, for smaller schemes (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.



Cambridgeshire and Peterborough Combined Authority (CPCA)

The final report of the Cambridgeshire and Peterborough Independent Economic Review (CPIER), prepared by the Cambridgeshire and Peterborough Independent Economic Commission ([CPIEC](#)) was published in September.

Jointly funded by the CPCA and Cambridge Ahead the report sets out how the CPIEC considers the area can sustain its own economy and support the UK economy whilst providing a better and more fulfilling way of life for the people who live and work in this area and details how this should be achieved, with fourteen key recommendations, and another thirteen subsidiary recommendations. Some of the suggested actions will be difficult to implement requiring close collaboration between leading institutions in the area, this is likely to include the relevant RMAs including the Commissioners and associated Boards, who will be needed to deliver them effectively.

Issues considered relevant to our interests include the following:

General

- a) The success of Cambridgeshire and Peterborough is a project of national importance.
- b) The Government should recognise the benefits further devolution to Cambridgeshire and Peterborough would bring

Flood Risk and Water Level Management

- a) The area has not been subject to dramatic flooding events in recent years, which can mean the issue is paid little attention.
- b) Flood risk infrastructure should be considered enabling infrastructure, in that it allows a great deal of economic activity to happen in the first place (land being the most fundamental of all the economic factors of production).
- c) In the fens, water has an especially significant effect on the local economy with much of the area classified by the EA as being in flood zone 3 and this presents challenges to local economic development. Finding solutions to this problem is likely to have to happen little by little, with the finer points of detail being worked through with the EA, Anglian Water, and others. Wisbech should be seen as a UK testbed for new flood-resistant approaches to development, and levels of investment in flood defence infrastructure should be substantially increased.

- d) It is estimated that during a serious drought scenario, England could face £1.3 billion of lost economic activity every day.
- e) A requirement of 110l per person per day should be enforced in water stressed areas, and that in future councils should have the power to enforce 80l per person per day requirements for new developments where appropriate.

The Environment

NB. 'Natural capital' refers to the stock of living ('biodiversity') and non-living (eg minerals, water) resources that interact and provide a flow of services ('ecosystem services') upon which society depends. Some of these services are delivered locally, others may have national or international value. All other capitals (human, social, intellectual, manufactured, financial) are ultimately underpinned by natural capital.

- a) Climate change is already having a damaging effect on biodiversity and could put a strain on the water supply.
- b) Within Cambridgeshire and Peterborough, most districts were put into the middle band for levels of natural capital, although fenland (perhaps unsurprisingly) scores highly on this measure.
- c) The fens must also be considered as one of the UK's greatest natural assets with a rich wetland ecosystem which affords great leisure opportunities. The value of this natural capital must not be overlooked.

Economic Growth

- a) The Commission reached the conclusion that the Cambridgeshire and Peterborough area is not one, but three economies, the Greater Cambridge area, which includes Cambridge, South Cambridgeshire, and parts of Huntingdonshire and East Cambridgeshire; the Greater Peterborough area, the area around Peterborough; and the fens but should function significantly more as a single area than it does at present. This ought to be feasible whilst being compatible with each part of the Combined Authority area retaining its distinctive sense of place.
- b) A distinguishing feature of the whole area is how strongly it continues to grow outpacing both the East of England and UK over the last decade. This has been driven primarily, but not entirely, by rapid business creation and growth in Cambridge and South Cambridgeshire, where knowledge-intensive sectors are strongly clustered, densifying and highly dependent on their location.

- c) Evidence from the review identifies that both employment and turnover growth have been picking up right across the area. Employment growth has seen strong growth numbers in all districts but has been highest in East Cambridgeshire. Looking at growth rates in the global turnover of companies based in the area between 2010/11-2016/17 all six districts have seen turnover growth of over 2% per annum. In South Cambridgeshire this rises to over 10% per annum, which shows impressive company growth.
- d) Many very large firms, such as McCain and Del Monte, have plants in the north-east of the county and export from here around the world. Figures show that primary sectors constitute 24% of East Cambridgeshire's turnover, and 17% of Fenland's with Wholesale and Retail Distribution making up 33% of Fenland's turnover, and 28% of South Cambridgeshire's.
- e) The Netherlands, which has similar prevailing conditions to the fens but produces much higher-value agricultural goods, should be seen as an exemplar.
- f) Laws governing planning permission may impede business growth.
- g) It is very important to support the growth of market towns.
- h) There is a need for companies to invest in their employees.
- i) There is potential for greater commercial office development, particularly in Peterborough.

Housing

- a) To account for the fact that actual delivery of housing has been less than previously predicted and if employment growth continues to be significantly above what is forecast it might be necessary to build in the range of 6,000 – 8,000 houses per year over the next 20 years.
- b) In some areas, particularly in the north of Cambridgeshire, house prices are too low to make sufficient profit from development, rendering them unviable.
- c) There is positive evidence that ecological considerations are being taken seriously in new developments, with the new Eddington District in Cambridge being a notable

example. Eddington reuses surface level water, reducing wastage and minimising flood risk.

Infrastructure

- a) Utilities underpin all economic activity, and there are areas of concern, particularly regarding electricity capacity. The government has committed to banning new diesel and petrol vehicles from 2040, but if it is envisioned that these will be replaced by electric vehicles, substantial levels of investment into upgrading the grid will be needed.
- b) The importance that flood defence infrastructure and the equally clear stresses upon water in one of the UK's driest counties are recognised.
- d) The level of the infrastructure of Cambridgeshire and Peterborough has been inadequate for too long. The growth seen in Cambridge and South Cambridgeshire seems very unlikely to be sustained in the future without further and significant investment in infrastructure.
- e) A package of transport and other infrastructure projects to alleviate the growing pains of Greater Cambridge should be considered the single most important infrastructure priority facing the Combined Authority in the short to medium term. These should include the use of better digital technology to enable more efficient use of current transport resources.

Projects that seem likely to further this aim are the full dualling of the A47, better connecting the Peterborough economy to the Fenland economy; the A10, better connecting the Cambridge economy to the Fenland economy; and improvements to rail between Peterborough and Cambridge, particularly the Ely North junction thus better connecting all three economies.

- f) There should be greater awareness of potential supply chains and scope for collaboration within the region.
- g) It was suggested that several elements were needed to underpin the approach to financing infrastructure:
 - An Investment Fund should be created to execute priorities which leverages third party resources, meaning a sustainable momentum can be achieved by the prudent use of public resources (from both local and central government)

- An Investment Pipeline should be established showing what is feasible to be delivered over a three, five, and ten-year period
- A Mayoral Development Platform (such as a development corporation) is needed to facilitate and support development in collaboration with the private sector (investors and developers) and wherever practicable the community in which development takes place.
- Relevant RMAs possibly including the Commissioners and associated Boards may be asked to contribute to these.

Consulting Engineer

4 April 2019

N&L(319)\April 2019

With regard to the fly tipping of tyres and general waste materials within the Board's drains, Mr Lakey reported that in Fenland the Local Authority run a scheme to remove fly tipped materials but this was not the case in Norfolk.

Mr Boyce considered that it was not right for the Board to pay for its' removal but unfortunately it probably needed to.

Members further discussed the position.

The Chairman reported a recent conversation he'd had with Mr John Scott concerning the clearance of cott last year which had been carried out very late even though fields had been left clear. Mr Lakey reported that there had been a problem as the contractor's machine had broken down. The Chairman reported that he had spoken with the Board's other contractor who had purchased a wheeled 360 machine which could be better for cott clearance works. Mr Scott commented that although Section 33-34 was shown as being completed last year, it had not been and would require attention this year.

With regard to the revetment works and dredging at Dodd's Stile, Mr Lakey reported that this was the proposed 2nd year works, as agreed at last year's meeting, and Mr Hill reminded Members that they had agreed that these works should be funded from existing balances.

Mr Hill reported on the position regarding the residential development at Pius Drove, Upwell (MLC Ref No. 328).

Mr Hill referred to the Middle Level Commissioners' Planning Engineer's comments regarding the problems experienced in the local area due to the lack of consideration given to water level and flood risk management and related issues by the Borough Council, and also whether the Board wished for a representative to attend a forthcoming meeting to be arranged with the neighbouring Churchfield & Plawfield IDB and the Council to discuss these issues.

The Board discussed the lack of attention given by planning authorities to the requirements of drainage authorities and the problems this then causes when developments are allowed to proceed without taking into account the Board's requirements. Mr Calton commented that this was a problem resulting from drainage authorities not being statutory consultees and, although the Board had Byelaws, these generally only became enforceable after the development had started instead of being taken into account at the planning stage.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance
 - a) That the recommendations contained in the Report be approved.
 - b) That Harrison Agricultural Contractors Ltd, B J Button and P Lankfer be requested to carry out the Board's drain maintenance for the coming year.
- iii) That the Consulting Engineers arrange the removal and disposal of the fly tipped tyres as shown at the Board's expense.

iv) Residential development at Pius Drove, Upwell (MLC Ref No. 328)

That the Consulting Engineers write to the resident to explain that the soakaway system was unapproved and could cause local flooding, and that the position could be rectified by utilising the Board's drainage system, for which there would be a development contribution payment required.

v) That the Consulting Engineer arrange a meeting with the Borough Council to discuss the lack of consideration given to water level and flood risk management and related issues by the Borough Council and Messrs Boyce and Calton be authorised to represent the Board at this meeting.

(NB) – Messrs Boyce and Calton declared an interest (as a Member of Churchfield & Plawfield IDB) when this item was discussed.

B.256 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

Mr Lakey referred to the possible replacement of the outfall pipe and that the Hundred of Wisbech IDB were currently investigating the replacement of similar pipework within their District. He informed Members of two proposals they had to 'sleeve' the pipework. He enquired if the Board considered it appropriate to wait and see how Hundred of Wisbech IDB works progressed before making any final decisions. Mr C Hartley referred to the demonstration given to the Hundred of Wisbech IDB concerning these methods.

The Chairman considered it appropriate in the circumstances to wait and see the viability and costings of these methods before any works were commenced.

RESOLVED

- i) That the Capital Programme be approved in principle and kept under review.
- ii) That no immediate investigations or works be carried out to the main outfall pending the viability of the methods of sleeving existing pipework being assessed and for the Consulting Engineers to continue to monitor.
- iii) That the expenditure for investigation/works to the main outfall be moved back 2 years at this stage

(NB) – Mr C Hartley declared an interest (as a Member of Hundred of Wisbech IDB) when this item was discussed.

B.257 District Officer's Report

The District Officer reported all matters had been dealt with fully in the Consulting Engineer's report. He further reported that the new drain at Pius Drove had been completed to a good standard.

RESOLVED

That the Report and the actions referred to therein be approved and that the Officer be thanked for his services over the preceding year.

B.258 Conservation Officer's Newsletter and BAP Report

Mr Hill referred to the Conservation Officer's newsletter, dated December 2018, previously circulated to members.

Members considered and approved the most recent BAP report.

B.259 District Officer's Fee

The Board gave consideration to the District Officer's fee for 2019/2020.

RESOLVED

- i) That the Board agree that the sum of £1,607.00 be allowed for the services of the District Officer for 2019/2020.
- ii) That, in future years, an increase in accordance with the Middle Level Commissioners' pay award be made to the District Officer.
- iii) That the District Officer be thanked for his services over the preceding year.

(NB) - Mr M Fenn declared a financial interest when this item was discussed.

B.260 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.261 Environment Agency – Precepts

Mr Hill reported that the Environment Agency had issued the precept for 2019/2020 in the sum of £6,304.95 (the precept for 2018/2019 being £6,005).

In response to the District Officer, Mr Hill reported on the process agreed for IDBs to be involved with the Environment Agency for the allocation of precept money to be spent on local works.

B.262 Association of Drainage Authorities

a) Subscriptions

Mr Hill 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

Mr Hill 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.263 Proposal to add new Board managed drain lengths

Following channel improvement works carried out by the landowner, the Chairman was proposing that the additional lengths of watercourse to the north of the Pius Drove development sites be added to the list of channel lengths maintained by the Board. All the recommended works to these ditches were completed in the week leading up to Christmas and were undertaken to a good standard. The Vice Chairman inspected the site following the works and advised that the reaches in question were in a suitable condition for the Board to take them on.

The Vice Chairman reported on the background and that it had been agreed that, if the developers constructed a watercourse to the Consulting Engineer's acceptable standards, the Board would consider its' adoption. The Chairman reported that it should be easy for the Board to maintain. The Vice Chairman reported that the overall length of the watercourse was approximately 380m.

In response to the District Officer, Mr Hill reported that, if the Board approved to adopt for maintenance the length in question, all adjoining landowners would be written to to advise them of the position and of the Board's Byelaws.

RESOLVED

That the additional lengths of watercourse to the north of Pius Drove be adopted.

B.264 Contributions from Developers

Mr Hill reported that contributions towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume have been received.

B.265 Health and Safety Audits

Further to minute B.228, the Vice Chairman considered that the Board's operations were well covered and that the contractors used by the Board were now up-to-date with supplying the information required.

He 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 accept the Health and Safety services offered, if considered appropriate, up to a maximum cost of £1,000.

B.266 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 ending on the 31st March 2018.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ending on the 31st March 2018.

B.267 Defra IDB1 Returns

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

B.268 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 2019.

B.269 Review of Internal Controls

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

B.270 Risk Management Assessment

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

B.271 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.

B.272 Annual Governance Statement – 2018/2019

The Board considered and approved the Annual Governance Statement for the year ending 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.273 Payments

The Board considered and approved payments amounting to £41,345.48 which had been made during the financial year 2018/2019.

(NB) – Mr C Hartley declared an interest (as a Member of the Middle Level Board) and Mr J Fenn (as an employee of the Middle Level Commissioners) in the payments made to the Middle Level Commissioners.

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

B.274 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.275 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 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 42.35% and 57.65%.

RESOLVED

- i) That the estimates be approved.

- ii) That a total sum of £38,999 be raised by drainage rates and special levy.
- ii) 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 £16,515 and £22,484 respectively.
- iv) That a rate of 6.56p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) a) That a Special levy of £19,265 be made and issued to the Borough Council of Kings Lynn and West Norfolk for the purpose of meeting such expenditure.
b) That a Special levy of £3,219 be made and issued to Fenland 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.276 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.277 Date of next Meeting

RESOLVED

That next Meeting of the Board be held on Tuesday the 21st April 2020.