

UPWELL INTERNAL DRAINAGE BOARD

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18 December 2019

Mr Chairman and Gentlemen

Meeting of the Board
20th January 2020

I enclose the Agenda for the Meeting of the Board to be held at the Lamb & Flag Public House, Welney at 6.00 pm on Monday the 20th January 2020.

PLEASE NOTE THAT THIS AGENDA INCLUDES CONFIDENTIAL PAPERS. APART FROM THE COPY RETAINED WITH THE CONFIDENTIAL MINUTES THEY WILL BE DESTROYED FOLLOWING THE MEETING AND MEMBERS ARE REMINDED THAT THEY MUST NOT BE DISCUSSED WITH ANYONE OTHER THAN A BOARD MEMBER.

AFTER THE MEETING PLEASE DESTROY YOUR COPY OF THE PAPERS OR RETURN THEM TO THE OFFICE TO BE DESTROYED.

Please telephone or e-mail to confirm your attendance as soon as possible.

Yours truly

D C THOMAS

Clerk to the Board

To the Chairman and the Members of the Upwell Internal Drainage Board

A G E N D A

1. Apologies for absence

2. Declarations of interest

Members to declare any interests relating to the agenda.

3. Confirmation of Minutes

To confirm the Minutes of the Meetings of the Board held on the 20th May and 17th June 2019.

(Copy pages 11-28)

4. Matters arising from the Minutes

5. Death of Mr Graham Nunn

The Clerk will refer to the death of the Board's former District Foreman, Mr Graham Nunn, on Sunday the 8th September 2019.

6. Death of Mr John Hartley

The Clerk will refer to the death of the Board's former Chairman, Mr John Hartley, on Sunday the 3rd November 2019.

7. Land Drainage Act 1991
Board Membership

a) The Clerk will report that the Borough Council of Kings Lynn & West Norfolk have re-appointed Councillor C J Crofts and appointed Councillor S A Calton to be Members of the Board under the provisions of the Land Drainage Act 1991.

The Clerk will also report that Councillor Spikings was not re-appointed and Councillor Pope had resigned from the Council.

b) The Clerk will report that Fenland District Council have re-appointed Councillor W Sutton and appointed Councillor B Rackley to be Members of the Board under the provisions of the Land Drainage Act 1991.

8. Amendments to the Constitution

Further to minute B.1790, the Clerk to report.

9. Potential Amalgamation Discussions – Sutton & Mepal IDB, Manea & Welney DDC and Upwell IDB

The Chairman will report on a meeting held on the 25th November 2019 and will refer to the summary of benefits/disbenefits of amalgamation together with a spreadsheet showing the makeup, finances and structure of each Board.

(Copy pages 29-30)

10. Water Transfer Licences

Further to minute B.1764, the Clerk will report that the relevant licences have been applied for for the MLC and associated Boards. These will be validated before the end of December 2019 and then the EA have 3 further years to determine them. It is worth noting that the EA have confirmed that only MLC system to IDB transfers do not require a separate licence.

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

Further to minute B.1766, the Clerk will refer to the Newsletters from the Environment Agency dated May, September and December 2019.

(Copy pages 31-36)

12. Worlds End Farm, Nordelph

Further to minute B.1791, the Clerk to report.

13. Hales Drove, Old Croft River

Further to minute B.1792, the Clerk to report.

14. Site of Former Shrub House, 46 Church Road, Christchurch – Planning Application F/YR15/0104/F

Further to minute B.1793, the Clerk to report.

15. Roadway to Nordelph Pumping Station

Further to minute B.1794, the Clerk to report.

16. Collection of Fly Tipped Rubbish

Further to minute B.1796, the Clerk to report.

17. Complaint regarding the administration of the Board

Further to minute B.1809, the Clerk to report.

18. Structure under the road at the Sixteen Foot River

Further to minute B.1822, the Clerk to report.

19. Clerk's Report

The Clerk advises:-

i) Middle Level Commissioners and Administered Boards Chairs Meeting

That a fourth Chair's Meeting was held on the 26th November 2019.

The meeting commenced with a presentation with slides covering the lottery funded 'Fens Biosphere' bid. This UNESCO designation would have no statutory backing but instead aims to draw attention to the unique nature of the area. Good practice sharing would be facilitated and a framework of support for positive action developed. The idea is to frame the application around the Cambridgeshire peat lands and the IDB districts which provide a network of interconnecting watercourses. As this designation would not lead to a set of actions which would be enforced but could have a positive impact on the area the Board are asked (at this stage) to consider giving its approval in principle to the bid. A summary document detailing the vision is appended.

(Copy pages 37-40)

The Board's/Commissioners' approval in principle is sought.

Health and Safety discussions followed and it was agreed that the new arrangement with Cope Safety Management was working well.

The future vision for the MLC and IDBs was discussed and is covered as a separate agenda item.

On member training, after discussion, it was agreed that members would benefit from training on 'communications and engagement' as it was felt that Boards generally had challenges in getting messages across to the public.

The only other item covered in any detail was in relation to Board agendas and minutes. It was resolved that the Chairs supported the move to reducing the amount of paper leaving the MLC offices and it was also agreed, for reasons of efficiency, that Chairs be provided with an action points list as soon as practical after the meetings but in advance of issuing draft minutes.

ii) Applications for byelaw consent

That the following applications for consent to undertake works in and around watercourses have been approved and granted since the last general meeting of the Board:-

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date consent granted</u>
Frank Hartley & Sons	Piping and filling of approx. 20 metres of private watercourse with 450mm dia pipe to improve access to Ashtree House Horsehead Drove, Three Holes	3 rd September 2019
Mr & Mrs Gladwin	Formation of porous gravel access road and installation of pre-cast concrete headwall	14 th October 2019

iii) Association of Drainage Authorities

a) Annual Conference

That the 82nd Annual Conference of the Association had been held at the ICE building in Westminster on Wednesday 13th November 2019.

The conference was very well attended and the speakers this year were:-

Stuart Roberts - Vice President National Farmers' Union – an arable and livestock farmer who has also worked for Defra and Flood Standards Agency – who shared his views on the need for more radical and bold thinking on flood risk management and the supply of water for agriculture.

Bryan Curtis – Chair Coastal Group Network – Chartered Engineer and a member of CIWEM and ICE.

Bryan is Chairman of the Coastal Group Network. This is a network of Councils, Ports, Government bodies who provide a collective voice for the coast and management of the shoreline.

Robin Price – Interim Managing Director – Water Resources East (WRE)

Water Resources East is a partnership from a wide range of industries including water energy, retail, the environment, land management and agriculture who are working in collaboration to manage the number of significant risks to the future supply of water in the East of England. The NFU and ADA (via the David Thomas) have membership on the Board of WRE.

The conference was introduced by Robert Caudwell who asked all present to mark their appreciation of the work being done in the north east of England to respond to and manage the impacts of the floods. He stated his opinion that warnings at previous ADA conferences over the lack of river maintenance had fallen on deaf ears and that the flooding taking place at the time was clear evidence of the need to better balance capital investment with maintenance spending. He then went on to outline ADA's intention to lobby all parties throughout the general election. This included sharing the 7-point plan detailed below;

1. Long term investment horizons in the face of climate change challenges

Flood risk management delivers enduring benefits and authorities involved need to be able to plan ahead financially over multiple years and need to receive a sensible balance of capital and revenue funding, spread across the river catchments, in order to find efficiencies through climate change adaptation and resilience, and attract business investment.

2. Promote co-operation and partnership working to manage the water environment and reduce flood risk

Close cooperation between flood risk management authorities, water companies, communities, business and land managers needs the continued strong support of government to deliver adaptive and resilient flood risk maintenance and similar activities more efficiently and affordably.

3. Total catchment management

Total catchment management is now the widely accepted approach to managing our water and now is the time to increase and empower local professionals and communities to manage and operate these catchments together.

4. Sustainable drainage systems (SuDS)

The next government needs to fully implement Schedule 3 of the Flood & Water Management Act 2010, to ensure future development can keep pace with the challenges of the changing climate, by ensuring that SuDS are maintained over the lifetime of a development.

5. Support local governance in flood and water level management decision making

In some parts of England there is an appetite for greater local maintenance delivery on watercourses and flood defence assets than that currently afforded from national investment. This can be achieved via the careful transfer of some main river maintenance to local bodies or the expansion of areas maintained by those local bodies, such as Internal Drainage Boards, where there is local support and transitional funding.

6. Local Government Finances

It is vital that Special and Local Levy funding mechanisms for drainage, water level and flood risk management continue to be part of this funding landscape to maintain the democratic link with local communities affected.

7. Brexit: Ensuring a resilient regulatory framework for the water environment

The next government needs to provide clear policy messages about how they wish to make the delivery of environmental improvements to the water environment easier and more effective as we transition from European legislation such as the Water Framework Directive.

Unfortunately, because the conference was held during the pre-election period sometimes known as Purdah, which restricts certain communications during this time, there were no representatives available from the Environment Agency or Defra which significantly restricted the debate on flood risk management, funding and maintenance issues. However, there was considerable support from the floor of the conference for the view that lack of maintenance had significantly contributed to the recent problems with the River Don and the flooding of Fishlake village.

Officers of the Association were re-elected, including Lord De Ramsey as President and Robert Caudwell as Chairman.

Subscriptions to ADA would be increased by 2% for the following year.

b) Annual Conference

That the Annual Conference of the Association of Drainage Authorities will be held in London on Wednesday the 11th November 2020.

c) Annual Conference of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association will be held on Tuesday the 3rd March 2020. The format will be as per the 2019 conference with a workshop in the morning and the conference in the afternoon.

d) Further Research on Eels

Further to minute B.1629(e), ADA have advised that the valuable research work being carried out by Hull University on eels and eel behaviour in pumped catchments will be continuing for at least another two years. ADA consider that the financial support to the project to date provided by IDBs has been positive and noted by the regulator (EA), leading to positive engagement on finding practical solutions at pumping station sites. They therefore consider that it would be useful if IDBs could consider whether they would be willing to continue their annual contributions to this research over that period.

The Board's instruction is requested.

e) Floodex 2020

That Floodex 2020 will be held at The Peterborough Arena on the 26th and 27th February 2020.

f) Emergency Financial Assistance for Internal Drainage Boards

Whilst in East Anglia we have not had the unprecedented levels of rainfall which have occurred further north and in the west of the county in recent years this by no means equates to there being no risk of it occurring here. ADA have written to DEFRA (Copy pages 41-42) seeking to formalise a mechanism for IDBs providing support to the EA in a major event to recover costs. An update will be given should there be any substantive movement from DEFRA on this matter as a result of this request.

iv) Tactical Plans for the Fens Agreement

That the Environment Agency have set up a multi-partner group (FRM for the Fens) to steer work on developing strategic plans for managing flood risk in the lower Great Ouse catchment. This work is considered necessary to address the impacts of population growth and climate change, which are particularly relevant in this area (Copy pages 43-44). The EA is requesting approval to the approach being taken in principal and follows the letter sent in January 2019. The perceived value of this work is that it pre-apportions the benefits (land and property which would flood if not defended) so that applying for grant should be more straight forward and the amount of grant possible clearer. This should give increased certainty and clarity and resolves the issue of double counting benefits where for example a property is protected from flooding by both EA and IDB assets. Work on developing the strategy could take up to 15 years though and the proposal also therefore includes a mechanism for allowing grant-in-aided works to progress during this time on a hold-the-line basis.

The Board's approval in principle is sought.

v) Water Resources East (WRE)

The Middle Level Commissioners' Chief Executive has been appointed as ADA's area representative on the Board of WRE. He will act as spokesman for IDBs who have an interest in the future management and provision of water in the East of England. This is particularly important as government consider plans to make the area more resilient and as the impacts of climate change start to bite in an area of rapid housing growth.

vi) Vision for the Future of Boards administered by the MLC

Members will be aware that the Chair's meetings hosted by the MLC has had an item on the agenda for the last few meetings on future planning of administration and delivery of operations for the Board's collectively. As part of this process it has been agreed that members thoughts should be sought on what they envisage the collective future can and should look like to ensure the most resilient, delivery focused approach that can be achieved. Members should when developing their vision of water management in the fens in 2030 consider the challenges of maintaining representation, improving financial resilience, reducing duplication of work, the potential for cost savings, advantages and disadvantages of the various options available, the impacts of technology and sharing of resources and knowledge.

The information gathered from individual meetings will be collated and presented to the autumn 2020 Chairs meeting for their consideration.

20. Consulting Engineers' Report, including planning and consenting matters

To consider the Report of the Consulting Engineers

(Copy pages 45-93)

21. District Foreman's Report

To consider the Report of the District Foreman.

(Copy pages 94-95)

22. Conservation Officer's Newsletter

The Clerk to refer to the Conservation Officer's Newsletter, previously circulated to members.

23. District Labour
Board's Employee's Wages

To give consideration to the Board's employee's wages for 2020/2021.

24. Association of Drainage Authorities Subscriptions

The Clerk will report that it is proposed by ADA to increase subscriptions by approximately 2% for 2020, viz:- from £849 to £866.

25. Determination of annual value for rating purposes

The Clerk will submit the recommendation for the determination of annual value for rating purposes.

(See Confidential Papers – Page 1)

26. Rate arrears

To consider writing off rate arrears.

(See Confidential Papers – Page 1)

27. Contributions from Developers

(a) Further to minute B.1810, the Clerk to report.

(b) With reference to minute B.272(b), the Clerk will report that a contribution towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume has been received.

(See Confidential Papers – Page 2)

28. Health and Safety Report

Further to minute B.1811, the Chairman will report and will refer to the report received from Cope Safety Management following their visit to the District on the 8th November 2019.

(Copy pages 96-100)

29. Completion of the Annual Accounts and Annual Return of the Board – 2018/2019

a) To consider the comments of the Auditors on the Annual Return for the year ended on the 31st March 2019.

(Copy pages 101-106)

b) To consider the Audit Report of the Internal Auditor for the year ended on the 31st March 2019.

(Copy pages 107-113)

30. Defra IDB1 Returns

The Clerk to refer to the completed IDB1 form for 2018/2019 and to the letter from the Minister and Annual report summary and analysis received from Defra dated August 2019.

(Copy pages 114-137)

31. Expenditure/Estimate Update

The Clerk will advise the Board of how estimated expenditure for 2019/2020 compares with actual expenditure to date.

(Copy page 138)

32. Date of next Meeting

The Clerk will remind Members that the next meeting of the Board will be held on Monday the 18th May 2020.

33. Any other business