MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March Fifth District Drainage Commissioners
held at the Middle Level Offices, March on Tuesday the 9th April 2019

PRESENT

G Hopkin Esq (Vice Chairman)	Mrs J French
Miss E Alterton	P G Hayes Esq
T E Alterton Esq	T D Hopkin Esq
A Payne Esq	

Miss Samantha Ablett (representing the Clerk to the Commissioners) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance. Mr Paul Beeton attended as a member of the public.

In the absence of the Chairman, the Vice Chairman took the Chair.

The Vice Chairman enquired whether ALL Commissioners were happy for the meeting to be recorded. All Commissioners were in agreement.

Apologies for absence

Apologies for absence were received from M Cornwell Esq, R G Jones Esq and J A Lilley Esq.

C.1066 Appointment of a Commissioner

Miss Ablett reported that Mr Beeton had expressed an interest in becoming a Commissioner and confirmed that he did qualify.

RESOLVED

That Mr Paul Beeton be appointed as a Commissioner.

The Vice Chairman welcomed Mr Beeton.

C.1067 Declarations of Interest

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

Mr T Hopkin declared an interest in District Officer matters and the planning application (MLC Ref No 408) for St Johns College, Cambridge.

Mr and Miss Alterton declared interests in the planning applications (MLC Ref Nos 392 & 396) for The Wilkinson family.

C.1068 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Commissioners held on the 10th April 2018 are recorded correctly and that they be confirmed and signed.

C.1069 Appointment of Chairman

Miss Ablett reported that Mr Jones had contacted the office to advise that he wished to remain as a Commissioner but stand down as Chairman. She reported that Mr Jones had been appointed a Commissioner in January 1971 and that he had been Chairman since April 1989.

It was proposed and seconded that Mr T D Hopkin be appointed Chairman.

Miss Ablett reported that, although Mr Lilley had given his apologies for this meeting, he wished it to be recorded that he would be in favour of the appointment of Mr T Hopkin as Chairman of the Commissioners.

RESOLVED

i) That Mr Jones' decision be received with regret and that the Commissioners' appreciation of the manner in which Mr Jones had undertaken his duties as Chairman be recorded in the minutes and a letter of appreciation and best wishes be sent to him.

ii) That T D Hopkin Esq be appointed Chairman of the Commissioners.

Mr T Hopkin took the Chair.

C.1070 Appointment of Vice Chairman

Mr G Hopkin advised that he also wished to remain a Commissioner but stand down as Vice Chairman.

Miss Ablett reported that Mr Hopkin had been appointed a Commissioner in June 1975 and that he had been Vice Chairman since July 1983.

The Chairman thanked Mr Hopkin for his services to the Commissioners.

RESOLVED

i) That Mr Hopkin's decision be received with regret and that the Commissioners' appreciation of the manner in which Mr Hopkin had undertaken his duties as Vice Chairman be recorded in the minutes and a letter of appreciation be sent to him.

ii) That A Payne Esq be appointed Vice Chairman of the Commissioners.

C.1071 Bank mandate

RESOLVED

That the Chairman and Vice Chairman be authorised to sign cheques and authorise payments on behalf of the Commissioners.

C.1072 Appointment of District Officer

RESOLVED

That T D Hopkin Esq be appointed District Officer to the Commissioners during the ensuing year.

C.1073 Land Drainage Act 1991
Fenland District Council

Miss Ablett reported that Fenland District Council had re-appointed Councillors Mrs J French, M Cornwell and S R Court to be Commissioners under the provisions of the Land Drainage Act 1991.

Miss Ablett also reported, however, that more recently Mr Cornwell had advised that, due to various changes at Fenland District Council, he was no longer able to represent the Council. This was confirmed by Mrs French.

C.1074 Land at the Slamp

Further to minute C.1028, Miss Ablett reminded the Commissioners of the 5 year 'Farm Business Tenancy' agreement with the Middle Level Commissioners to hire the land at the Slamp for the annual rent of £200.

RESOLVED

That the Commissioners continue with the tenancy agreement and that there should be no increase in the level of rental.

C.1075 South Creek Pumped System

Further to minute C.1031, Miss Ablett reminded the Commissioners that last year it was reported that there was potential for contaminated sand to be blown into the watercourse from the nearby vehicle spraying business. She confirmed that this had been monitored during the year and there was no evidence of any contamination. Miss Ablett also enquired whether there had been any issues arising from the pipes.

The Chairman confirmed there had been no problems and that the situation should just be monitored.

RESOLVED

That no further action be taken at this time, but that the situation continued to be monitored.

C.1076 Potential Amalgamation with March Sixth DDC

Further to minute C.1032, the Chairman advised that he had had no input into any previous discussions or meetings.

Miss Alterton reported that last year it was agreed that the Chairmen and Vice Chairmen of March 5th, 6th and 3rd DDCs would meet to discuss any potential amalgamation and that, as Vice Chairman of March 6th DDC, she was not aware of any meeting having been arranged.

The Chairman considered that the Commissioners should remain as they are and enquired of the thoughts of other Commissioners.

Mr Alterton advised that, in his view, the March Fifth Commissioners had sufficient members and numbers in attendance and had no need to amalgamate at this time.

The Vice Chairman supported these views and felt that the Commissioners should not be looking to amalgamate.

RESOLVED

That the Commissioners have no interest in amalgamating at this time.

C.1077 Updating IDB Byelaws

Further to minute C.1043(e), the Commissioners considered their updated Byelaws.

RESOLVED

That the updated Byelaws be adopted.

C.1078 Policy Statement

The Commissioners 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.

C.1079 Requirements for a Biosecurity Policy

Further to minute C.1048, the Commissioners considered their Biosecurity Policy.

RESOLVED

That the Biosecurity Policy be adopted.

C.1080 Clerk's Report

Miss Ablett 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.

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 Commissioner 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 there is a free workshop in relation to Good Governance in London at the CIWEM Venue Farrington (3rd April) at which ADA hope to see as many Board Members as possible.

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

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 Commissioners:-

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.

vi) Anglia Farmers

Further to minute C.1061, Miss Ablett advised that the running of the remainder of the Anglia Farmers electricity contract had been monitored and was pleased to report that the service provided had improved.

In view of the significant increase in prices observed a utility specialist was approached and like for like prices at the time of tender, for a sample of meters, were requested in order that a comparison could be made with the prices obtained by Anglia Farmers. Although some savings may have been made, overall the prices obtained from Anglia Farmers were found to be generally competitive.

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

The Clerk had recommended that the Commissioners also remain with Anglia Farmers. However, should the Commissioners wish to choose to end their current contract, notice was required to be given by late January/early February 2019 following which they would then be responsible for negotiating their own separate electricity contract thereafter.

Miss Ablett reported that the Chairman had subsequently agreed for the Commissioners to remain with Anglia Farmers.

RESOLVED

That the actions of the Chairman be approved and the Commissioners remain with Anglia Farmers for a further contract period post 30th September 2019.

vii) 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.

C.1081 Consulting Engineers' Report, including planning and consenting matters

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

March Fifth D.D.C.

Consulting Engineers Report – March 2019

Weed Control and Drain Maintenance

The maintenance and drain works carried out last year generally accorded with the recommendations approved by the Commissioners at their last Annual Meeting.

The pre-harvest district inspection indicated that the majority of the Commissioners' district drains were in a satisfactory condition and being maintained to a good standard. However, the inspection highlighted sporadic stands of aquatic vegetation throughout the Flagrass Hill drains, reach 33-34-35-36-37 and with the District Officer's approval these reaches were included in the annual herbicide application programme.

Following previous years' requirements and with the Commissioners' approval, the Commissioners' drains immediately upstream of North and South Creek pumping stations, reaches 1-2-3 and 20-21, were included in the annual machine cleansing programme. This was in an attempt to reduce the mass of aquatic weed required to be manually cleaned from the pumping station weedscreen. It is recommended both reaches be included in this year's machine cleansing programme.

A recent joint inspection of the Commissioners' district drains was undertaken with the District Officer. The inspection indicated that the majority of drains are currently in a satisfactory condition, however as the Commissioners' annual meeting falls during the early part of the growing season a subsequent district inspection will be required during the summer months to accurately identify drain maintenance requirements.

North Creek Pumped System

The Commissioners' drains within the North Creek area are in a generally satisfactory condition. Sporadic stands of reed and aquatic vegetation are evident in the Flagrass Hill drains, reaches 28-29-30-31-32. It is recommended these reaches are treated with an early season application of Roundup herbicide and inspected again during a pre-harvest summer inspection for any re-infestations that may require a second herbicide application. Aquatic vegetation was also evident in reaches 33-34-35, 26-33-36-37 and the drain adjacent to the sewer works, reach 21-22. It is recommended that the affected drains are treated with an application of Roundup herbicide, followed by machine cleansing, once the adjacent crops have been harvested.

The inspection highlighted that the gravity outfall at Point 35 has deteriorated to a point where it no longer provides a seal between the Middle Level system and the Board's pumped drains. It is recommended that new dam boards are installed at the structure during the proposed machine cleansing works, utilising the contractor's excavator to assist with removal of the existing timber guillotine door. A sum has been included in the estimated costs in anticipation that the Board agreed to carry out the proposed works.

Gravity outfall at Point 35

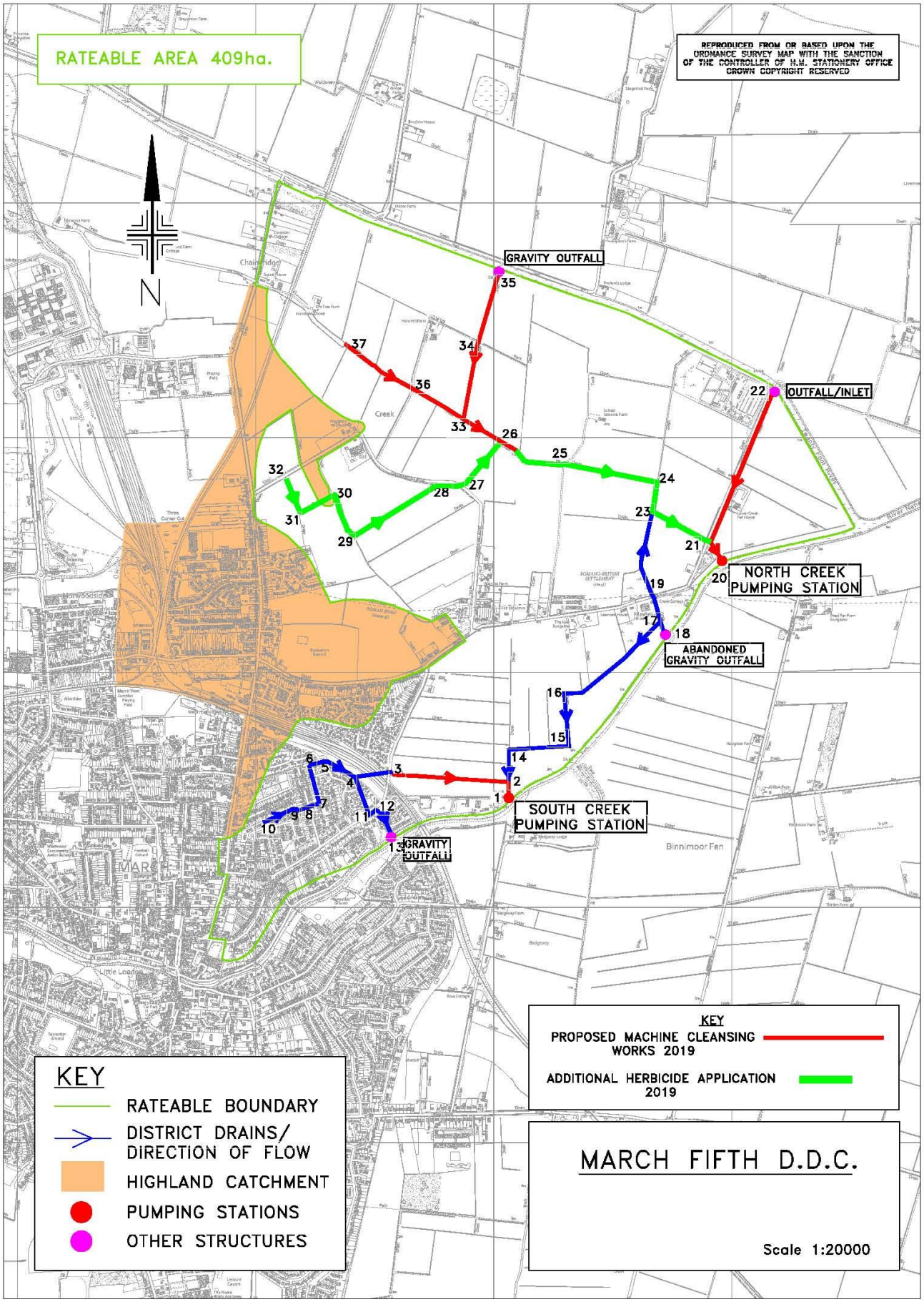
South Creek Pumped System

The recent inspection indicates the Commissioners' drains within the South Creek area are currently in a good condition, following machine cleansing last summer. Historically district drains in the South Creek area have been prone to late occurring infestations of submerged weed growth, most notably semi-buoyant Rigid Hornwort (*Ceratophyllum dermersum*). As mentioned previously reach 1-2-3 will be included in the machine cleansing programme to prevent future issues with large accumulations of aquatic weed at the manually cleaned weedscreen.

Creek Road/Newlands Avenue/Foxglove Way – Gravity System

Regular visual inspections of drains in the Foxglove Way area have been undertaken during the last season. Pleasingly, the inspections have identified minimal amounts of domestic and household debris being fly-tipped into the Commissioners' watercourse. Following the Board's approval at the last annual meeting, the bank trimming works on the south side of reach 5-6 and machine cleansing in the Foxglove Way area have been undertaken. However, the inspection did highlight small sporadic clumps of invasive *Parrots Feather* growing at reach 4-5. It is recommended that this area is included in the early season herbicide application and checked again during the proposed summer inspection.

The Commissioners' flail mowing contractors, Mr J Steward and Messrs Ashman, have indicated that they are available to undertake the Commissioners' flail mowing requirements for the ensuing year. A sum for the completion of flail mowing district drains has been included within the estimate.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RATEABLE BOUNDARY
DISTRICT DRAINS/ DIRECTION OF FLOW
HIGHLAND CATCHMENT
PUMPING STATIONS
OTHER STRUCTURES
KEY
PROPOSED MACHINE CLEANSING WORKS 2019
ADDITIONAL HERBICIDE APPLICATION 2019
MARCH FIFTH D.D.C.
Scale 1:20000

The estimated costs of this year's recommended Weed Control and Drain Maintenance works are shown below, please refer to the previous plan for locations. A provisional sum has also been included within the Commissioners' budget to allow for any emergency machine cleansing, bank slip repair or culvert clearance works required later in the season.

Estimated costs of recommended Weed Control and Drain Maintenance works:

North & South Creek Pumped System				£	£
1. Flail mowing of District drains	Item	Sum			2600.00
2. Application of Roundup to control emergent weed and reed	Item	Sum			800.00
3. Machine cleanse reach 1-2-3	600	m	@	1.20	720.00
4. Machine cleanse reach 20-21	100	m	@	2.00	200.00
5. Machine cleanse reach 33-34-35	300	m	@	1.10	330.00
6. Machine Cleanse 26-33-36-37	800	m	@	1.10	880.00
7. Machine Cleanse Reach 21-22	700	m	@	1.10	770.00
8. Replace dam boards Point 35	Item	Sum			400.00
8. <u>Provisional Item</u> Allowance for any culvert clearance, bank slip repair, emergency or additional machine cleansing that may be deemed necessary later in the year	Item	Sum			1000.00
9. Fees for inspection, preparation and submission of report to the Commissioners, arrangements and supervision of herbicide applications and maintenance works	Item	Sum			950.00
TOTAL					**£8,650.00**

Orders for the application of herbicides by the MLC are accepted on condition that they will not be held responsible for the failure or efficacy of any treatment.

Pumping Stations

Only routine maintenance has been carried out since the last meeting and the pumping plant at each of the stations is mechanically and electrically in a satisfactory condition.

Hours Run

Pumping Station	March 2018-March 2019	March 2017-March 2018	March 2016-March 2017	March 2015-March 2016	March 2014-March 2015	February 2013-March 2014
North Creek	62	66	52	28	160	82
South Creek	115	157	121	110	337	193

Planning Applications

In addition to matters concerning previous applications, the following 18 new applications have been received and dealt with since the last meeting:

MLC Ref.	*Council Ref.*	*Applicant*	*Type of Development*	*Location*
458	F/YR18/0262/F	Mr T Land	Residence (Extension)	Station Road, March
459	F/YR18/0349/F	Mr M Simpson	Residence	Norwood Road, March
460	F/YR18/0366/F	Mr R Moore	Containers for self-storage (Retrospective)	Off Creek Road, March
461	F/YR18/0397/F	Mr & Mrs J Manchett	Residence	Shaftesbury Avenue, March
462	F/RY18/0719/F	Mr & Mrs J Brooks	Residence (Extension)	Estover Road, March
463	F/YR18/0723/F	Mr & Mrs Whitby	Residence (Extension)	Elm Road, March
464	F/YR18/0807/F	Mr Cooke & Mrs Johnson	Residence (Extension)	Station Road, March
465	F/YR18/0861/F	Mr D Gowers	Residence	New Park/Newlands Avenue March
466	F/YR18/3120/COND	Mr M Simpson	Residence	Norwood Road, March
467	F/YR18/0889/F	Mr & Mrs P Richardson	Residence (Extension)	Highfield Road, March
468	F/YR18/0901/F	Mr S Birt	Residence (2 bay car port)	Elm Road March
469	F/YR18/0972/F	Mr & Mrs Spendelow	Residence (Extension)	Shaftesbury Avenue, March
470	F/YR18/3129/COND	Mr J Smyth	Residential (2 plots)	Estover Road, March
471	F/YR18/0984/RM	FPP Facades	Residential (28 plots)	Land east of Berryfield, March*
472	F/YR18/1114/F	Mr & Mrs D G Davies	Residential (2 plots)	Highfield Road, March
473	F/YR18/1119/F	Ms D Bower	Residence (Extension)	Station Road, March
474	F/YR18/1139/F	Mr D Ward	Residence (Extension)	Elm Road, March
475	F/YR19/0020/F	Mr M Dilorio	Residence	Elm Road, March

Planning applications ending 'COND' relate to the discharge of relevant planning conditions
Planning applications ending 'RM', 'REM' or 'RMM' relate to reserved matters

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-certification process and, in doing so, agreed that if the soakaway was to fail in the future, they would be liable for discharge consent.

- *Mr & Mrs P Richardson - Extension at Highfield Road, March* (MLC Ref No 467)
- *Mr & Mrs D G Davies - Residential development at Highfield Road, March* (MLC Ref No 472)

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

Proposed residential development at 250 Creek Road, March – Mr M Hardiman (MLC Ref Nos 289, 299, 388, 423 & 439)

Residential development involving the demolition of existing dwelling at land west of Kinloss, St Johns Chase, March - Mr D Fisher & Executors of Mrs J Easter Deceased (MLC Ref No 393) & *Solar Savings 4 U Ltd* (MLC Ref Nos 424, 431 & 443)

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

Erection of a 2-storey rear extension and porch to side of existing dwelling New Park, March – Mr L Johnson (MLC Ref Nos 379 & 384) & Mrs G Clarke (MLC Ref No 427)

Further to the resolution made at the last Board meeting this outstanding issue was forwarded to the Clerk to the Commissioners who has been requested to contact the relevant parties in an effort to resolve matters.

Erection of 30 dwellings (max) east of Berryfield, Berryfield, March – The Wilkinson Family (MLC Ref Nos 392 & 396)

Following discussions with several Board members concerning the surface water sewer that bisects the site enquiries were made to both AWSL and Cambridgeshire Highways concerning its "ownership". After several enquiries to various contacts AWSL confirmed its interests in the area. Disappointingly Cambridgeshire Highways has not confirmed whether it is responsible for the sewer.

Conscious of the fact that only highway drainage may be allowed to discharge into the sewer concerned and that no allowance appears to have been made for "domestic" surface water disposal to either infiltration devices, SuDS etc and that the alignment of the sewer could affect the site layout, the following was sent to the District Council.

"Further to our previous correspondence, the Board has strongly expressed severe distress about this and other developments within its catchment in respect of the adverse impacts on water level and flood risk management systems and, as a result, wishes to **object** to this planning application.

It is accepted that Conditions 4 and 5 of the outline planning application F/YR14/1020/O, were considered appropriate when your Council considered the water level and flood risk management associated with this development despite the contents of the Boards letter dated 21st April 2015 which highlighted several issues concerning water level and flood risk management. Please note that these concerns remain relevant and have not been resolved to the Boards satisfaction.

Reference is made within the outline planning application submission documents to a sewer which crosses arable land to the north-east of the site and discharges into the Boards system.

In the absence of any survey data the route of the sewer, as shown in the documents submitted with the outline planning application, have been transposed onto the attached extract of Swann Edwards Drg No SE-893. You will note that the sewer passes under a garage, the estate road hammer head and between a dwelling and garage. It is likely that this sewer will be the subject of build over requirements and/or easements which may require the re-positioning of these structures.

Further investigation has revealed that this sewer does not form part of AWSL's adopted system and, in the absence of any evidence to the contrary is presumed to be the responsibility of the County Highways. It is noted that the County Highways responses are silent in this respect. Therefore, whilst it may be possible to drain the highway into this no allowance appears to have been made to the drainage of the properties themselves.

It is unlikely that the use of infiltration devices including permeable paving would meet current design standards or the Boards requirements in terms of design or spatial constraints. Plots of particular concern are numbers 4, 5, 6, 8, 9, 12-21, 23-25 and 27-28.

We note the comments of the LLFA and support its comments on the use of SuDs this is particularly relevant considering the contents of the Boards concerns.

Therefore, in summary, it is considered that in the lack of evidence to the contrary the layout of the site does not provide adequate space for SuDs or any other water level/flood risk management systems and thus does not meet current national or local advice. As a result the number of dwellings being proposed is likely to be unachievable and the layout must be reviewed."

Extract from Swann Edwards Drawing No. SE-893 as sent to the District Council

Further information on the alignment of the sewer has been received which confirms that its presence would, at the very least, affect the garages serving plots 14, 15, 18 and 19.

No subsequent correspondence has been received from the applicants, their agent or the District Council and it is noted from the latter's Public Access webpage that a decision is currently pending.

Outline with one matter committed detailed as access in relation to 95 no dwellings (max) with associated landscaping, drainage and open spaces at land north of 75-127 Estover Road, March – St Johns College, Cambridge (MLC Ref No 408)

The Commissioners requested that a formal response opposing the planning application and stating the areas of concern be sent to the District Council. A copy of this letter was sent to the LLFA who revised its original comments and objected "to the grant of planning permission until the point of discharge has been resolved."

A further response was made to the District Council in response to the applicants' consultant, Cannon Consulting Engineers, in respect of some of the issues made including the hydraulic modelling, the freeboard provided to the "infiltration" pond and the long-term maintenance of the pond. The District Council was also advised that the Commissioners consider it "reasonable" for the applicant to meet their requests even if

this requires the further consideration of the problems and the submission of detailed design solutions.

As a result of the Surface Water Management Note prepared by Cannon Consulting Engineers, dated 20 July 2018 the LLFA advised that:

> "Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.
>
> The document demonstrates that surface water from the development can be managed through the use of an attenuation basin discharging into the IDB watercourse to the north west of the site. Surface water will be restricted to 1.5 l/s/impermeable ha."

In the absence of details on the receiving watercourses including the Board's system we are uncertain how this statement can be made.

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 sections of 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.

Graham Moore stated that in addition to its own functions, Middle Level Commissioners provide planning consultancy services to various Internal Drainage Boards.

He stated that March Fifth Internal Drainage Board and Middle Level Commissioners are not Statutory Consultees on Planning Applications and Internal Drainage Boards (IDB's) are independent public bodies funded by the rate payer, responsible for water level and flood risk management in local areas and work in partnership with other authorities to manage and reduce the risk of flooding.

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 IDB does not believe that the downstream water level and proposed flood risk management system can receive the flow concerned and or that for the lifetime of the development the site, the IDB is not currently prepared to accept any increase to the rate of flow into the system, and will not agree to any discharge until the necessary requirements are met.

During the planning process the applicant has amended the previous proposals for surface water disposal and the scheme is now for a balancing pond facility which is a better solution, however there has been no consideration regarding the upkeep and management arrangements going forward.

The Neighbourhood Plan states that developments should not create flooding problems either on or off site. Estover Road runs to the south east of the site and the risk assessment states that any flow will tend to flow towards the lower land in the south east of the site and the solution that has been recommended leaves an unacceptable risk for local residents.

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 Davis stated that although it would appear that the site is compliant, we have also heard how the site has drainage issues from the representative from the Drainage Board. Whilst she understands what Officers

have stated, and although the proposal fits all of the requirements, it doesn't sit well with the local residents.

- 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; it if did them Officers would not be recommending it for approval.

- Councillor Sutton stated he can see no material planning reason to refuse the application.

- Councillor Mrs Newell stated that in her opinion, members must take notice of the IDB. The March water recycling centre does not have the capacity to treat the flows from the site.

- 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 maintenance contained within the NPPF the guidelines state that there must be an arrangement in place to ensure there is an acceptable standard of operation for the lifetime of the development. The Government has been looking at how to deal with surface water flooding for many years. It looked like they were going to ensure that all surface water drainage schemes were adopted by a responsible authority, however this has not happened and the Government are no longer forcing developers to have their schemes adopted by a responsible authority. We cannot realistically insist on adoption of this system by the District Council, Anglian Water or the IDB's and therefore if an alternative option is tabled which is satisfactory there would be no reasonable prospect of being successful in defending a refusal of planning permission.

- 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.

- Councillor Mrs Newell stated that on page 32 of the report, Middle Level IDB [sic] have expressed concern over water levels and flood risks.

- Councillor Mrs Bligh commented that whilst she appreciates that the NPPF have been referred to, members must be mindful that this is Fenland and the area is reliant on drains and dykes."

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."

At the time of writing it is understood that the applicant has made an appeal to the Planning Inspectorate. Further details are awaited but it may require the Commissioners' further involvement.

Erection of 1 x 3-storey 6-bed and 3 x 2-storey 4-bed dwellings with garages at land north of Elm House, Elm Road, March – Mr & Mrs Coe (MLC Ref No 436)

Further to the last Board meeting report it has been noted in passing that work on this development has commenced but to date the applicant has failed to meet his duties under the Commissioners' Byelaws and the Land Drainage Act. An "Advisory" letter is currently being prepared for issue to the applicant.

Regeneration of playing field to include: erection of a single-storey pavilion, formation of a car park ; netball courts/multi-games use courts; hard-standing for external terrace and walkways; siting of 3 x storage containers; erection of 4.5m high (max height) mesh fencing bounding both the football pitch and netball court and the erection of 4 x 8.0m high lighting columns to car park and footpaths; 6 x 10.0m high floodlights to netball courts and 6 x 15.0m high floodlights to football pitch at Playing Field, Estover Road, March – Estover Playing Fields 2015 CIC (MLC Ref No 440)

It is understood that work at this site has commenced but no relevant documentation has been received from the applicants and, therefore, they have not fulfilled its duties under the Commissioners' Byelaws.

Therefore, in order to resolve this matter and guide further discussion it would be beneficial to receive the Commissioners' opinion, further instruction and approval to initially write to the persons concerned in order to resolve this potential issue.

Erection of a cold storage building including plant rooms, 6no loading docks, 14no vehicle charging points, 2no condensers and new hardstanding at Marwick Road, March - March Cold Stores Ltd (MLC Ref No 455)

Further to the last meeting the applicant's agent, Trundley Design, questioned why the Commissioners' consent was required when:

> "….. the drainage from this site all surface and foul water drainage discharges into the AWA underground drainage network, all details have been agreed with AWA with all details included within the Drainage strategy submitted. To clarify there is no discharge into ditches of MLC drains, in light of this could you advise why an application needs to be made for discharge to MLC?"

Trundley Design was subsequently advised that:

> "(i) The surface water system in Marwick Road discharges into a Board's Drain under the jurisdiction of March Fifth D.D.C. to the north of 129 Creek Road.
>
> (ii) Treated foul water effluent is discharged into the Middle Level Commissioners' Twenty Foot River via March WRC.
>
> Therefore, whilst the contents of your e-mail are noted they are incorrect and the Board's and possibly the Middle Level Commissioners' prior written consent is required and failure to obtain such consent is an illegal act in contravention of the Commissioners'/Board's byelaws as created under the Land Drainage Act."

No further correspondence or applications for consent have yet been received.

Cambridgeshire Flood Risk Management Partnership (CFRMP)

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

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)

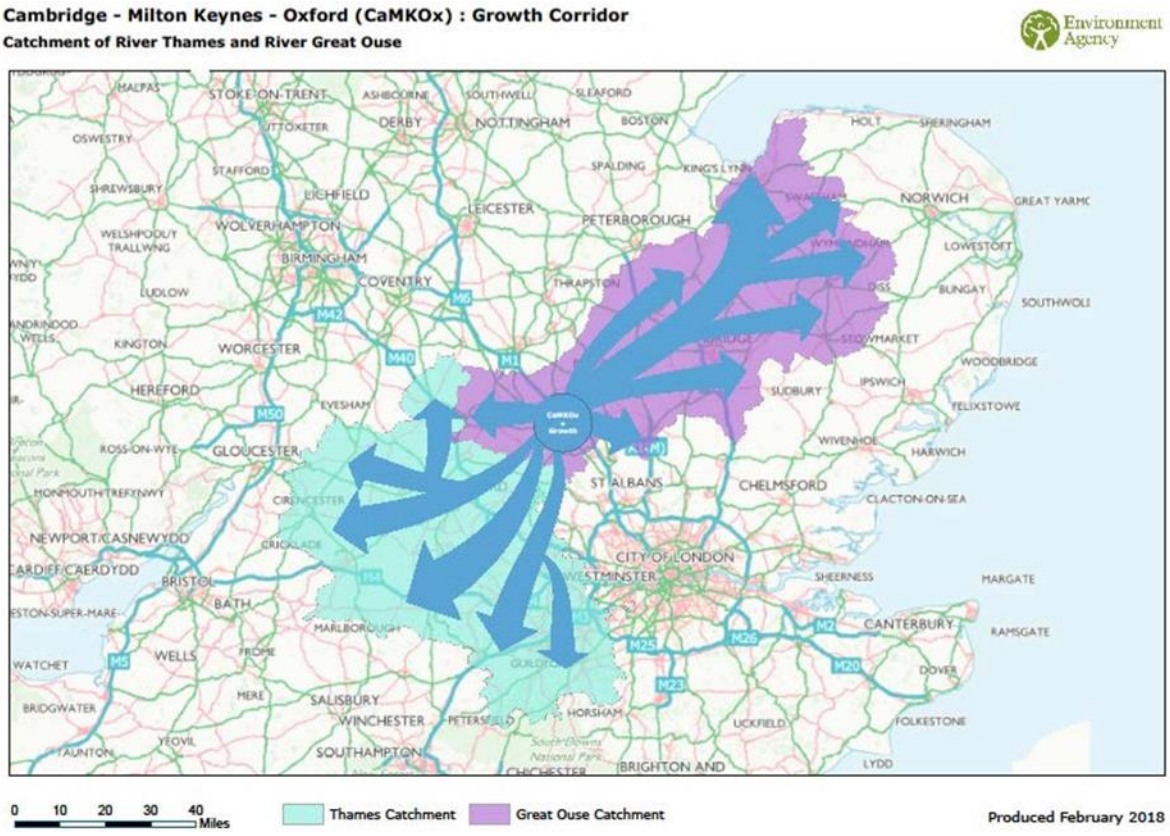
The RFCC has expressed a keen interest in knowing more about the different projects that partners in Cambridgeshire have put forward to the MTP for FDGiA. This is in part because the RFCC wants us to all understand each other's projects better. They would particularly like it if the RFCC Member Councillors 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.

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.

Flood Risk Management Trainees

As part of closer partnership working, training has been given to junior members of Cambridgeshire County Council and Peterborough City Council staff and an undergraduate studying for a FRM degree under the EA foundation scheme. The main purpose of the training was to give the candidates a better and broader understanding of water level and flood risk management and also how the Commissioners and IDBs operate.

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

IDB Good Governance Guide/East Ridings of Yorkshire Council Guide

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

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

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

- Deafblind UK Conference Centre, Peterborough (28 March), and the
- CIWEM Venue, Farringdon London (3 April).

Further details on the guide and the workshops can be found at the following link https://www.ada.org.uk/2018/11/ada-publishes-guide-to-good-governance-for-internal-drainage-board-members/

The EA's 2018 Flood Action Campaign

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

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

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

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

The potential environmental funding is available for the following areas noise, water, carbon, landscape, biodiversity and cultural heritage and, therefore, could include flooding, pollution, water framework directive and biodiversity projects associated with the Strategic Road Network – A1, A14, A47 etc. Further information can be found at https://www.gov.uk/guidance/highways-england-designated-funds

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

(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.

Fenland District Council (FDC)

FDC Liaison Meeting

A follow up meeting is due to be held on 28 March.

Fenland Flooding Issues Sub-group

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

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

Environment Agency

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.

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

MGWVEM GWVEM CLHV

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*

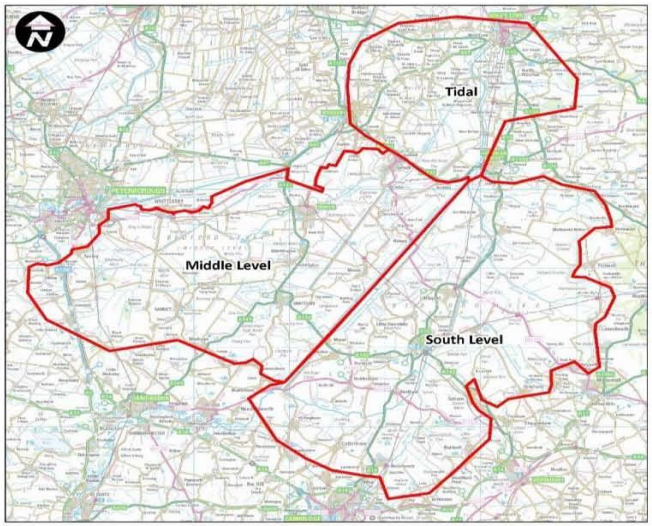
It is understood that there is a significant variation in the types of schemes which may be eligible for FCERM GiA funding. Therefore, it is reasonable to expect that the attention given to investigating a strategic approach should be proportional to the size of the scheme. Therefore, for smaller schemes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

Ely Group of Internal Drainage Boards · love every drop anglianwater · Water Management Alliance · Cambridgeshire County Council · middle level commissioners · Environment Agency · Norfolk County Council · NFU

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 £1.3billion 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.

<u>Housing</u>

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

25 March 2019

March Fifth (314)\Reports\March 2019

Mr Alterton enquired whether the handrail at the Foxglove Way culvert had been repaired. Mr Lakey confrmed that it had been repaired and he can only assume that it keeps getting vandalised.

The Vice Chairman reported that the gate to the Slamp is being left open and enquired whether it was open for a reason. Mr Lakey advised that the lock had been broken off, hence the gate being open, but confirmed it was in the process of being repaired.

Miss Ablett advised that, prior to the meeting, she had spoken with the Planning Engineer regarding the following planning applications:-

a) Erection of a 2 storey rear extension and porch to side of existing dwelling – Mr L Johnson (MLC Ref Nos. 379 & 384) and Mrs G Clarke (MLC Ref No 427)

This outstanding issue had been forwarded to the Clerk to the Commissioners who had been requested to contact the relevant parties. However, at this point in time a letter had not yet been sent to either the applicant, agent or Fenland District Council, but it was hoped that this would be done shortly.

The Commissioners considered that every effort should be made to protect their Byelaw distance and that, as requested last year, the strongly worded letter should be sent to the applicant, agent and Fenland District Council immediately.

It was felt that, as the applicant may not be residing at the property, a gentle letter should also be sent to the current occupier advising them of the Board's byelaws.

b) Erection of 30 dwellings (max) east of Berryfield, Berryfield, March – The Wilkinson Family (MLC Ref Nos 392 & 396)

The Commissioners discussed the application in detail and further raised their concerns relating to the layout of the site and the fact that it did not provide adequate space for any drainage systems.

Mrs French reported that, although the applicant had requested 30 dwellings, if it was considered there was not enough room to allow for an adequate drainage system, then the application would be refused and the applicant would be asked to withdraw it. She advised that, as there had already been more than 6 objections, the application had therefore had to go back to the Committee so it would be a decision for them.

Miss Alterton felt that, if the Commissioners were in agreement, the Consulting Engineer should represent the Commissioners by putting forward their views in relation to this application. She further commented that if the applicant came up with a suitable drainage system then this would satisfy the Commissioners however, in the meantime, the Consulting Engineers should continue to request this.

c) Estover Road – St Johns College (MLC Ref No 408)

Miss Ablett reported that, as previously resolved, the Planning Engineer had been representing the Commissioners in all matters relating to this application and had attended the planning committee meeting held on the 12th September 2018.

She advised that the applicant had made an appeal to the Planning Inspectorate and that a response to the appeal was required before the end of the month. Miss Ablett enquired

whether there were any additional comments the Commissioners wished the Consulting Engineer to make on their behalf.

Miss Alterton requested that the Consulting Engineer continues to represent the Commissioners in all matters relating to this application and the concerns raised by them regarding potential further development in the area and the implications of it on the District drainage system.

Mrs French confirmed that March Town Council had officially objected.

d) Regeneration of playing field at Estover Road (MLC Ref No 440)

Miss Ablett reported that the Consulting Engineer had asked for further instruction and approval to initially write to the persons concerned in order to resolve the issue as no relevant documentation had been received from the applicants, despite work having already commenced.

Mrs French advised that this was down to the Trustees, but as March Town Council were funding the project, she enquired which documents the Consulting Engineer required. Miss Ablett suggested that the Consulting Engineer telephone her to discuss the matter further to which Mrs French requested that this be done as soon as possible, as she would be unavailable after Tuesday.

e) Erection of a cold storage building (MLC Ref No 455)

Mr Alterton enquired of the current position regarding this application and Miss Ablett advised that, following the Consulting Engineers initial response to the applicant, no further correspondence had been received. The Commissioners agreed that a further letter should be sent advising that consent is required.

Miss Alterton advised that if any application was made in contravention of the Commissioners' Byelaws then this needed to be addressed and a further letter sent. She also advised that all applications should be dealt with in the same way and any action required should be taken and followed up well before the next meeting.

RESOLVED

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

ii) Weed control and drain maintenance

That the maintenance works contained within the Report be undertaken.

ii) (MLC Ref Nos. 379, 384 & 427)

a) That the Clerk be requested to write a strongly worded letter to Fenland District Council, the agent and the applicant.

b) That the Clerk be requested to send a gentle letter to the current occupier advising them of the Commissioners' Byelaws.

iv) That the Consulting Engineer be authorised to represent the Commissioners in all matters relating to these planning applications and be authorised to attend any meetings regarding this to represent the Commissioners (MLC Ref Nos 392 & 396).

v) That the Consulting Engineer be requested to respond to the appeal made by the applicant setting out the objections already made in respect of the planning application (MLC Ref No 408).

vi) That the Consulting Engineer be requested to write to the persons concerned and to telephone Councillor Jan French to discuss all the information required, as soon as possible, in respect of the planning application (MLC Ref No 440).

vii) That the Clerk be requested to send a further letter to the applicant and agent advising that a consent application must be made (MLC Ref No 455).

viii) That if any application is made in contravention of the Commissioners' Byelaws, then all applications must be dealt with in the same way for all applicants and needed to be addressed, dealt with, chased where necessary, further letters sent and followed up, well before the next meeting

C.1082 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

RESOLVED

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

C.1083 District Officer's Report

The District Officer advised that he had nothing further to report since he considered that any matters of importance had been satisfactorily covered in the Consulting Engineers report. He did bring to the Commissioners' attention, however, the increased amount of fly tipping around District drains.

C.1084 Conservation Officer's Newsletter and BAP Report

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

The Commissioners considered and approved the most recent BAP report.

C.1085 District Officer's Fee

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

RESOLVED

That the Commissioners agree that the sum of £800.00 be allowed for the services of the District Officer for 2019/2020.

(NB) – Mr T Hopkin declared a financial interest when this item was discussed.

C.1086 State-aided Schemes

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

RESOLVED

That no proposals be formulated at the present time.

C.1087 Environment Agency – Precepts

Miss Ablett reported that the Environment Agency had issued the precept for 2019/2020 in the sum of £2,066.06 (the precept for 2019/2020 being £1,968).

C.1088 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Miss Ablett reported that the sum of £1,174.80 (inclusive of supervision) had been received from the Environment Agency (£1,592.25 representing 80% of the Commissioners' estimated expenditure for the financial year 2018/2019 less £417.45 overpaid in respect of the financial year 2017/2018).

(b) Further to minute C.1040, Miss Ablett referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

That the position be kept under review.

C.1089 Association of Drainage Authorities

a) Subscriptions

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

RESOLVED

That the increased subscription be paid for 2019.

b) Future ADA Communications

Miss Ablett 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.

C.1090 Health and Safety Audits

Further to minute C.1046, Miss Ablett reported that last year it had been resolved that the Commissioners would participate in any training organised by the Middle Level Commissioners. The Chairman confirmed that following the last meeting he had attended a Manual Handling training session.

Miss Ablett further reported that last year the previous Chairman had been appointed Health and Safety Officer and in view of the current position with regards to the Middle Level Commissioners looking to appoint a consultant on behalf of all Boards, the Commissioners may wish to wait before appointing another Officer.

She 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 therefore 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 and Vice Chairman be authorised to accept the Health and Safety services offered, if considered appropriate.

C.1091 Completion of the Annual Accounts and Annual Return of the Commissioners – 2017/2018

a) The Commissioners considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2018.

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

C.1092 Defra IDB1 Returns

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

C.1093 Governance and Accountability for Smaller Authorities in England

Miss Ablett referred to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1st April 2017.

C.1094 Budgeting

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

C.1095 Review of Internal Controls

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

C.1096 Risk Management Assessment

a) The Commissioners considered and expressed satisfaction with their current Risk Management Policy.

b) The Commissioners considered and approved the insured value of their buildings.

C.1097 Transparency Code for Smaller Authorities

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

RESOLVED

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

C.1098 Exercise of Public Rights

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

C.1099 Annual Governance Statement – 2018/2019

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

RESOLVED

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

C.1100 Payments 2018/2019

The Commissioners considered and approved payments amounting to £28,369.13 which had been made during the financial year 2018/2019.

C.1101 Annual Accounts of the Commissioners – 2018/2019

The Commissioners 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 Return, on behalf of the Commissioners, for the financial year ending 31st March 2019.

C.1102 Expenditure estimates and special levy and drainage rate requirements 2019/2020

The Commissioners considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2018/2019 and were informed by Miss Ablett 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 11.30% and 88.70%.

RESOLVED

i) That the estimates be approved.

ii) That a total sum of £16,598 be raised by drainage rates and special levy.

iii) That the amounts comprised in the sum referred to in ii) above to be raised by drainage rates and to be met by special levy are £1,875 and £14,723 respectively.

iv) That a rate of 3.50p in the £ be laid and assessed on Agricultural hereditaments in the District.

v) That a Special levy of £14,723 be made and issued to Fenland District Council for the purpose of meeting such expenditure.

vi) That the seal of the Commissioners be affixed to the record of drainage rates and special levies and to the special 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.

C.1103 Display of rate notice

RESOLVED

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

C.1104 Date of next Meeting

RESOLVED

That the next Meeting of the Commissioners be held on Tuesday the 7th April 2020.