

CHURCHFIELD AND PLAWFIELD INTERNAL DRAINAGE BOARD

At a Meeting of the Churchfield and Plawfield Internal Drainage Board
held at the Crown Lodge Hotel, Outwell on Monday the 9th March 2020

PRESENT

S A Calton Esq (Chairman)	P B Cutting Esq
D J W Boyce Esq (Vice Chairman)	K Harrison Esq
P Allen Esq	J Kirk Esq
G D Boyce Esq	D J Lunn Esq
D Cowling Esq	A Robb Esq
C J Crofts Esq	C N T Rose Esq

Mr Robert Hill (representing the Clerk to the Board) was in attendance.

The Chairman welcomed Mr Robb and Councillors Kirk and Rose who were all attending their first meeting of the Board.

B.1072 Declarations of Interest

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

Councillor Crofts declared an interest in minute no. B.1081.

Mr D Boyce declared an interest as District Officer in minute no. B.1090.

B.1073 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 4th March and 28th June 2019 are recorded correctly and that they be confirmed and signed.

B.1074 Completion of the Annual Accounts and Annual Return of the Board – 2018/2019

a) The Board considered the comments of the Auditors on the Annual Return for the year ended on the 31st March 2019.

RESOLVED

i) That, after fully considering the internal controls put in place by their appointed administrators and the checks carried out by their appointed internal auditors, the Board were satisfied that, in all significant respects, the internal control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the authority.

ii) That the present policies concerning risk management, budget monitoring and insured value of properties are adequate for the size of the business and that they be continued.

iii) That the Clerk and responsible financial officer review the internal audit strategy with the internal auditor to ensure the most appropriate method is in place to ensure the Board continue to comply with the Internal control objectives to a standard adequate to meet the needs of the authority.

(iv) That in accordance with the Accounts and Audit Regulations the minutes record that approval of the accounts was given on 28th June 2019.

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

b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2019.

B.1075 Appointment of Chairman

RESOLVED

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

B.1076 Appointment of Vice Chairman

RESOLVED

That D J W Boyce Esq be appointed Vice Chairman of the Board.

B.1077 Board Membership

Further to minute B.1044, Mr Hill reported that Mr Andrew Robb had accepted the invitation to become a Member of the Board.

B.1078 Election of Members of the Board

Mr Hill reported that, as the number of candidates for membership of the Board did not exceed the number of persons to be elected (eight), the following candidates were elected as Members of the Board for a period of three years from the 1st November 2019, viz:-

ALLEN Paul
BOYCE Dale J W
BOYCE Glenn D
COWLING David

CUTTING Peter B
LUNN David J
ROBB Andrew

Mr Hill also reported that Mr R Secker did not seek re-election to the Board and that a letter of thanks, on behalf of the Board, had been sent to him.

(NB) – Messrs D J W Boyce, S A Calton, C J Crofts, K Harrison, J Kirk, R Melton and C Rose are also Members of the Board as the nominees of the Borough Council of Kings Lynn and West Norfolk.

Mr Hill reported that Councillor Pope had resigned from the Council.

B.1079 Vacancy in Membership

Consideration was given to the filling of the vacancy on the Board caused by the resignation of Mr Secker

RESOLVED

That Alderney Livestock Ltd be invited to nominate a representative for membership of the Board, if willing to do so.

B.1080 Water Transfer Licencing

Further to minute B.1004, Mr Hill reported that the relevant licences have been applied for for the MLC and associated Boards and that these were due to be validated before the end of December 2019 and then the EA have 3 further years to determine them. He also advised that it was worth noting that the EA have confirmed that only MLC system to IDB transfers do not require a separate licence.

B.1081 Contraventions of Byelaws

Infilling of Ditch – “Arc Rouge”, Lowside, Outwell

Further to minute B.1047(b), Councillor Crofts reported that there had been a misunderstanding concerning the requirements but he had now received the relevant forms which he would be completing as required.

B.1082 Anglian Water – Culvert at Points 35-36

Further to minute B.1054(iii), the District Officer reported that, other than a small amount of spade work, nothing had been done at this location and although there was slight flow at the moment he expected mechanical intervention would be required very shortly.

The District Officer also reported that although some work had taken place this had been carried out by Mr Cowling and that the works required by Anglian Water still remained outstanding.

RESOLVED

That Anglian Water be requested to carry out the works to the culvert at Points 35-36 as a matter of urgency.

B.1083 Access Strip – Points 29-30

Further to minute B.1054(iv), the District Officer reported that overhanging trees had been pruned but, as yet, no levelling had been undertaken.

The District Officer also reported that works had been carried out to start clearing the site but was progressing at a slow pace. He confirmed that the whole area still required to be cleared and then levelled.

RESOLVED

That a letter be sent to Mr Wagner acknowledging that minor works had commenced but that, following the slippage of the embankment, the access strip between Points 29-30 adjacent to his embankment was required to be cleared and levelled by 30th June 2020 or the Board would commence enforcement action to have the works carried out at his cost.

B.1084 Access Strip – Points 48-49

Further to minute B.1054(v), Mr Hill reminded Members that this matter concerned nursery stock planted within the access strip between Points 48-49 which could prevent drain maintenance works being carried out in future years.

The District Officer considered the position unacceptable and enquired of Mr Hill whether a letter had been received from Mr Clifton concerning this.

Mr Hill reported that he was unable to confirm if any response had been received as a letter to Mr Clifton had only been sent on the 5th March 2020.

B.1085 Clerk's Report

Mr Hill advised:-

i) Middle Level Commissioners and Administered Boards Chairs Meeting

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

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

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

The District Officer considered it was important to retain local knowledge within Drainage Districts. The Chairman considered that there could be savings in time and cost in relation to administration but did not want to be in a position with regards to the loss of local knowledge and the ability to get works done.

RESOLVED

That the Board do not consider it appropriate to be part of a "Middle Level" IDB at this time and that they retain their current structure.

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

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

RESOLVED

That the Board approve in principle

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

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

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

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

ii) Future Meetings Agendas

That as meeting agendas are getting larger, to include more information to meet legal requirements and ensure members are well informed on issues that might concern them in their role as a Board Member, the Middle Level Commissioners are considering moving close to a paperless arrangement. It is therefore proposed that (for those members that have given email addresses) we will issue the agenda in electronic PDF format. The email will ask for confirmation of receipt of the document but will offer to issue a paper duplicate, but only upon request. The aim of this change is to reduce paper wastage, reduce cost and to reduce the carbon footprint of the office.

RESOLVED

That the Board would consider receiving future agendas in electronic PDF format if appropriate software was available to enable Members to read the papers properly at meetings.

iii) Applications for byelaw consent

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

<u>Name of Applicant</u>	<u>Description of Works</u>	<u>Date Consent Granted</u>
Mr S Smith	Piping and filling of approx. 12m of Board's District Watercourse between Points 2 & 5, Back Drove, Upwell	19 th March 2019

RESOLVED

That the action taken in granting consents be approved.

iv) Association of Drainage Authorities

a) Annual Conference

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

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

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

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

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

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

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

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

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

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

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

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

3. Total catchment management

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

4. Sustainable drainage systems (SuDS)

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

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

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

6. Local Government Finances

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

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

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

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

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

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

b) Annual Conference

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

RESOLVED

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

c) Annual Conference of the River Great Ouse Branch

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

d) Good Governance Guide for Internal Drainage Board Members

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

e) Workstreams

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

f) Emergency Financial Assistance for Internal Drainage Boards

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

v) 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.

vi) Environment Agency consultation on changes to the Anglia (Central) RFCC

That a consultation is taking place on the constitution of three RFCCs following a formal proposal for two new unitary authorities to be formed in Northamptonshire (West Northamptonshire and North Northamptonshire) has been submitted to the Government for consideration. If approved these authorities would coming into existence on the 1 April 2020.

In Buckinghamshire the decision to create a single unitary authority replacing the existing five councils has been made by the Government, subject to Parliamentary approval. It would come into existence on the 1 April 2020.

Each new authority will be a unitary authority, delivering all local government services in their respective areas, including their functions as a Lead Local Flood Authority (LLFAs).

The membership of Thames RFCC, Anglian (Central) RFCC, and Anglian (Northern) RFCC currently includes representation from one or both of the existing county councils. To reflect the changes proposed the membership of all three RFCC will need to be varied before 1 December 2019.

At the same time to better reflect a catchment-based approach it is proposed to change the name of Anglian (Central) RFCC to Anglian (Great Ouse) RFCC. ADA has stated that it supports the naming revision.

vii) Tactical Plans for the Fens Agreement

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

RESOLVED

That the Board approve in principle

viii) Water Resources East (WRE)

That the Middle Level Commissioners' Chief Executive has been appointed as ADA's area representative on the Board of WRE. He will act as spokesman for IDBs who have an interest in the future management and provision of water in the East of England. This is

particularly important as government consider plans to make the area more resilient and as the impacts of climate change start to bite in an area of rapid housing growth.

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

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

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

B.1086 Consulting Engineers' Report, including planning and consenting matters

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

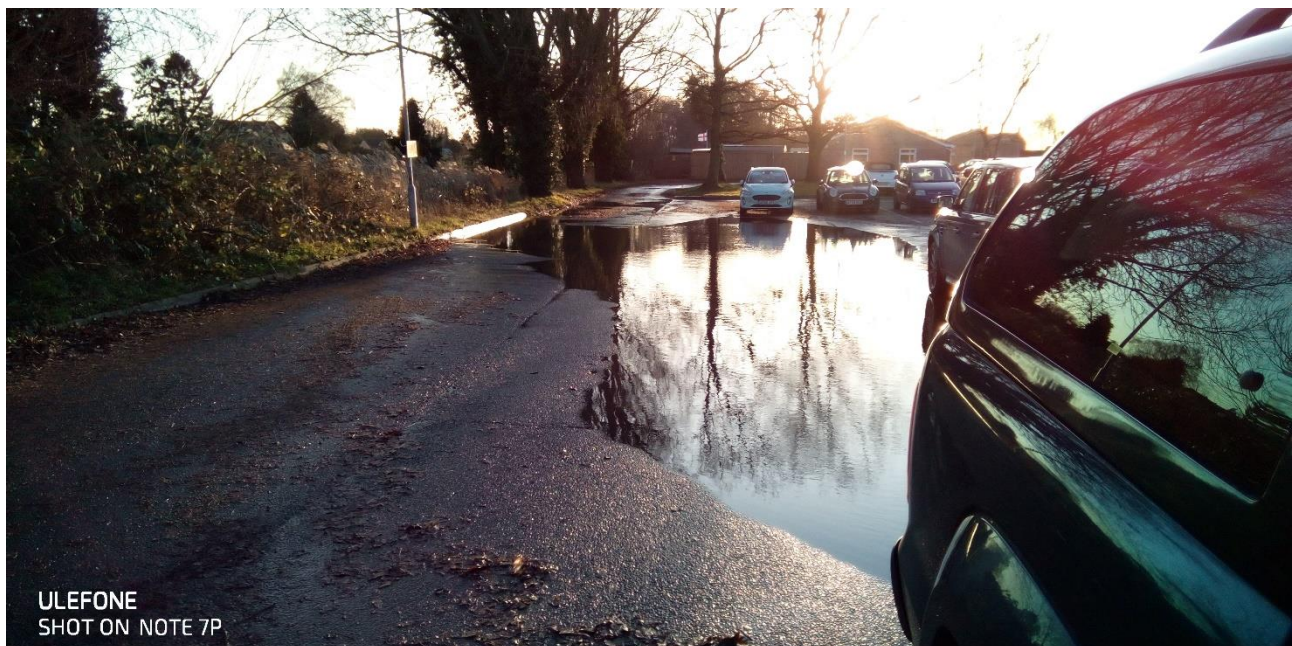
Churchfield & Plawfield I.D.B.

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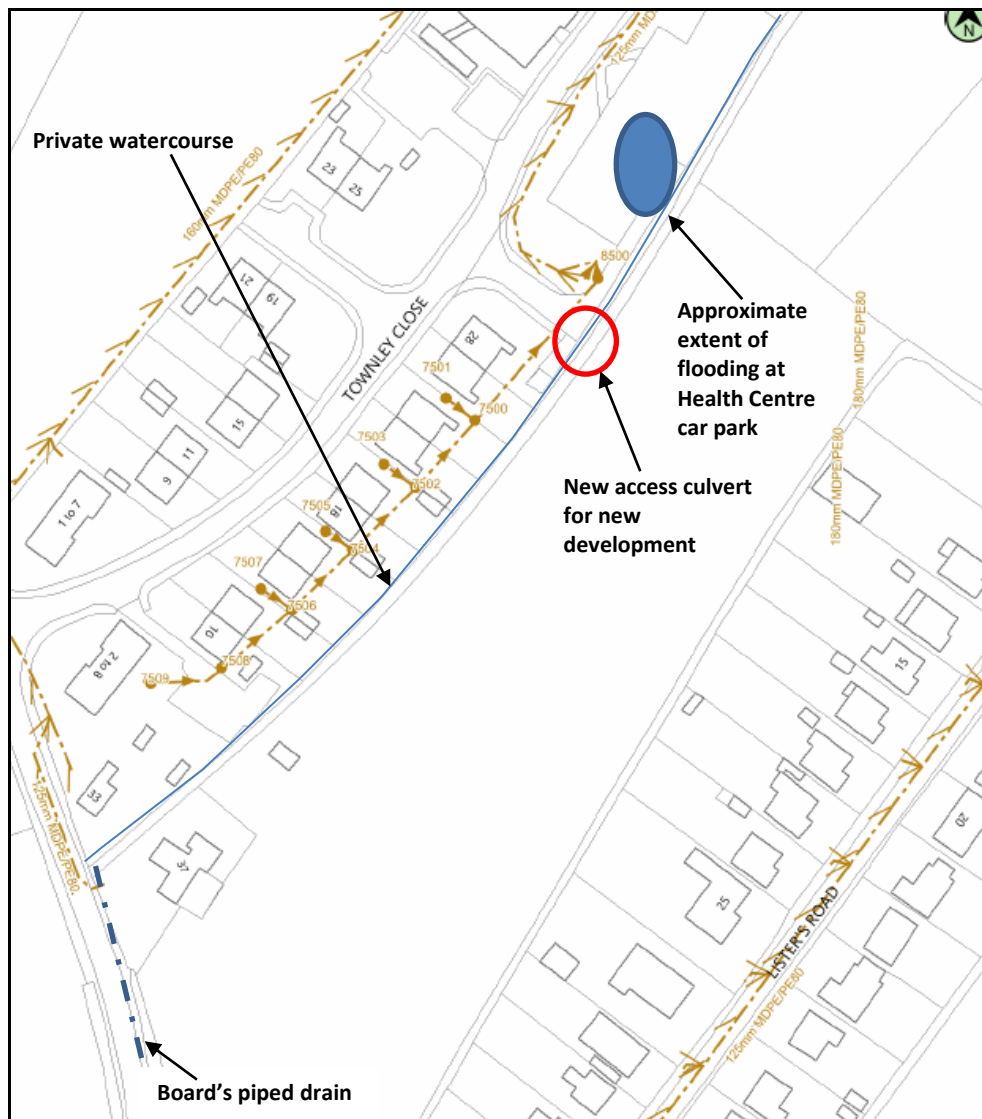
Flooding adjacent to Upwell Health Centre, Townley Close, Upwell

Further flooding of the Health Centre car park occurred in December with water levels in the private watercourse remaining high for prolonged periods of time. It is not known if the flooding has been reported to the County Council who, in its role as the Lead Local Flood Authority (LLFA), is responsible under Section 19 of the Flood and Water Management Act 2010 to investigate flood incidents that meet certain criteria, that include “..one or more properties rendered inoperable or their functions severely compromised due to the access to the premises being impassable.”

Following discussions and with the agreement of the Board's Chairman and District Officer the Board is investigating the condition of the Board's New Road Drain between Points 21 to 25 with the intention of undertaking a topographical survey in order to determine whether any channel maintenance or improvement works need to be undertaken.



Photograph of flooding at Upwell Health Centre car park, December 2019



The Board's Chairman has agreed to carry out jetting of the piped section between Points 24 and 25 upstream of Listers Road. Two estimates have been sought and received from suitable drainage contractors. The estimated cost being £1000. If clearance of the piped section allows, and time permits, additional work is planned at other known culvert blockages, for example at Point 21. A separate quote of £900 has been received for a CCTV survey although this may be dependent on the clearance of the culvert to enable the CCTV survey to be undertaken.

The Board is asked to consider the estimates and provide instruction on how it would wish us to proceed.

Planning Consultation

Further to the last Board meeting the Clerk to the Board has received invitations and attended meetings held by the Borough Council's Developers Forum and Inter-Agency Flood Group.

The Chief Executive attends Inter-Agency Working on Flood & Water group meetings at the Town Hall in King's Lynn. At the last meeting he raised the issue of minor developments (less than 10 houses) not having adequate safeguards in place where infiltration (soakaway) drainage is

proposed, as no authorities are prepared to accept responsibility for checking the adequacy of designs or to police their effective implementation. This matter has now been added to the agenda for future meetings.

Therefore, in order to allow for this arrangement to become settled and able to work efficiently in harmony a specific meeting to discuss development control related issues as requested in item (ii) of Minute B.1052 Consulting Engineers' Report, including planning and consenting matters has not yet occurred.

However, a letter written on behalf of the Boards within West Norfolk to arrange this meeting to discuss the current allocations and other emerging locations in the area has recently been sent to the Borough Council. At the time of writing a response was awaited.

Planning Applications

In addition to matters concerning previous applications, the following 34 new development related matters have been received and, where appropriate, dealt with since the last meeting:

MLC Ref.	Council Ref.	Applicant	Type of Development	Location
584	19/00016/RM	Dr N Walters	Residence	Orchard Gardens, Upwell
585	19/00130/F	D S R Waite	Residence	Orchard Gardens, Upwell
586	19/00181/F	Mr & Mrs A Minas	Residence (Extension)	Small Lode, Upwell
587	19/00318/F	Mr M Roberts	Residence (Extension)	St Peters Road, Upwell
588	19/00287/F	Mr S Amps	Residence	Dovecote Road, Upwell
589	19/00270/RM	Mr S McCurry	Residence	St Peters Road, Upwell
590	19/00406/FM	Mr & Mrs Robb	Residence (Agricultural)	Chalk Road, Outwell
591	18/02234/F	Mr & Mrs P Singfield	Residence	Small Lode, Upwell
592	19/00438/RM	Mr & Mrs T Adcock	Residence	Orchard Gardens, Upwell
593	19/00475/O	Stevens & Sharman	Residential (2 plots)	100 Stonehouse Road, Upwell
594	19/00472/RM	Mr Willis	Residential (2 plots)	St Peters Road, Upwell
595	19/00451/F	Mr M Stevens	4 no additional Traveller pitches including 4 no mobile homes, 4 no touring caravans, hardstanding and associated works	Small Lode, Upwell
596	19/00394/F	Mr P A Jeffery & Mrs E Estall	Residence (Extension)	Baldwins Drove, Outwell
597	Enquiry	Client of Anglia Building Consultants	Residential (5 plots)	Townley Close, Upwell
598	Enquiry	Fountain Foods	Residence (Garage)	Lister Road, Upwell
599	19/01094/PACU3	Mr P Dorling	Residential (2 plots)	Baptist Road, Upwell
600	19/01037/F	Mr & Mrs J Mills	Residence (Extension)	Well Creek Road, Outwell

601	19/01071/F	Mr & Mrs A Minas	Equine [Erection of stables and barn (retrospective)]	Small Lode, Upwell
602	19/01062/RM	Woodgate Developments Ltd	Residential (5 plots)	New Road/Townley Close/ Lister Road, Upwell*
603	Byelaw	Mr & Mrs Lawrence	Residence (Annexe)	Lister Road, Upwell
604	19/01231/F	Mr J Vickers	Agricultural (Barn)	Well Creek Road/Baldwins Drove, Outwell
605	19/01213/F	Mr S Ripley	Residence	Orchard Gardens, Upwell
606	19/01319/F	Mrs E Rigby	Canine (Kennels)	Green Road, Upwell*
607	19/01508/F	Mr & Mrs S Howard	Residence	Orchard Gardens, Upwell
608	19/01577/F	Mr & Mrs M Wiles	Residence	Orchard Gardens, Upwell
609	19/01528/F	Miss E Robinson	Residence (Detached annexe)	New Road, Upwell
610	19/01591/PACU3	Mr J Sculthorpe	Residential (2 plots)	New Road, Upwell
611	19/01716/F	Mr & Mrs Taggart	Residence	Small Lode, Upwell
612	19/01947/RM	Mr & Mrs A Loveridge	Residential (2 plots)	Stonehouse Road, Upwell*
613	19/01810/O	Mr Lawrence	Residential (2 plots)	Baptist Road, Upwell
614	19/02020/RM	Mr D Johnson	Residence	New Road, Upwell
615	19/02163/F	Mr & Mrs S Hampshire	Residence (Annexe)	School Road, Upwell
616	19/02135/F	Mr M Constable	Residence	St Peters Road, Upwell
617	19/02131/F	Mr & Mrs I Rawnsley	Residence	Blunt's Orchard Drive, Upwell

***Planning applications ending 'RM', 'REM' or 'RMM' relate to reserved matters
Planning applications ending 'PNH' and 'PACOU' relate to household permitted regulations notification***

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

The following applicants chose to use the infiltration device self-certification process and, in doing so, agreed that if the device was to fail in the future they would be liable for discharge consent:

- (a) Mr & Mrs Stanford - Residence, St Peters Road, Upwell (MLC Ref No 508) see later application for checking service
- (b) Mr & Mrs Mills – Residence, Well Creek Road, Outwell (MLC Ref No 583)
- (c) Mr & Mrs Minas – Residence, Small Lode, Upwell (MLC Ref No 586)
- (d) Miss E Rigby - Residence (extension), Green Road, Upwell (MLC Ref No 606)

The following applicants chose to use the paid infiltration device checking service and certification was subsequently issued:

- (a) LDW Developments – Residence, Plot 1, St Peters Road, Upwell (MLC Ref No 541) see comments later in report
- (b) Mr J Stanford – Residence, St Peters Road, Upwell (MLC Ref No 552)

(c) Fountain Construction (Anglia) Ltd – Residence, New Road, Upwell (MLC Ref Nos 539 & 540) see comments later in report

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

- *Bungalow, side extension and new garage at 28 Well Creek Road, Upwell – W Buzzard* (MLC Ref No 188) & *Ms A Alexander* (MLC Ref Nos 566, 574 & 575)
- *Developments at Janis, 176 New Road, Upwell – Mrs J Watts* (MLC Ref No 309, 338, 375, 461, 551 & 568)
- *Residential development of redundant commercial land to provide 4 new dwellings on land south of 31 School Road, Upwell – Mr D Masters* (MLC Ref Nos 445 & 536)
- *Four semi-detached dwellings at 72 Small Lode, Upwell – Colville Construction Ltd* (MLC Ref No 446)
- *Proposed residential development on land to the south of Plawfield, Back Drove, Upwell – Fountain Developments (Anglia) Ltd* (MLC Ref No 505)
- *Re-development of existing bus garages at D Hircock, School Road, Upwell – Messrs W Hircock, L Pears & C Parsons* (MLC Ref No 512)

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

Developments at Fountain Foods Ltd, New Road, Upwell – Fountain Foods Ltd/Anglia Growers (MLC Ref Nos 405, 421, 436, 472 & 543)

- (a) In the absence of a further instruction concerning the current illegal issues in respect of both surface water and byelaw related consents at this location, no further action has been taken following the Board's resolutions, Item (iii) B.865 Fountain Frozen Foods, made at its 2014 meeting, and Item B.929 Fountain Frozen Foods, made at its 2016 meeting.

These contraventions of the Board's Byelaws continue and have been exacerbated by further development of the site, the Onion Store (MLC Ref No 472) and a storage building (MLC Ref No 543).

The Board is reminded that it is in its interests to resolve these issues and in not doing so there is a reluctant acceptance of the situation. In view of the above, it is proposed that, subject to confirmation from the Clerk to the Board concerning any legal issues, the Board issues consent.

In view of the above, the Board may want to consider how it wishes to resolve these on-going matters and its further instruction is requested on how it would wish us to proceed.

- (b) *Construction of an annexe to a House of Multiple Occupancy at Cranligh House, 48 Listers Road, Upwell, - Mr & Mrs Lawrence (Frozen Foods) (MLC Ref No 603)*

An application for encroachment within the Board's 9.0m wide maintenance access strip was received in July for an annexe to this House of Multiple Occupancy (HMO). The applicants have advised that they would be willing to extend the maintenance agreement with the Board for a section of its New Road Drain, downstream of Point 24 to include this section as well.

Following discussions with the Board's Chairman and District Officer, the applicant was advised that consent would not be granted for this due to the drainage issues and the need to retain full access to maintain the Board's Drain when required. As a result, a recommendation to refuse the application was submitted to the Clerk to the Board in late August.

Residential development consisting of twenty six properties, site access and internal road - Maxey Grounds & Co (MLC Ref No 479); Reserved Matters Applications: plot 1 – Mr L Willis (MLC Ref No 541); plot 2 – Mr Clarke (MLC Ref Nos 559 & 573); plot 3 - Mr & Mrs Wiles (MLC Ref No 542); plot 4 – Mr & Mrs Lunn (MLC Ref No 553); plot 5 – Mr & Mrs Rawnsley (MLC Ref No 562); Affordable housing for plots 6, 7, 10, 11 and 13 – The Hollies (Upwell) Ltd (MLC Ref No 516); plot 8 – Mr P Stead (MLC Ref No 571); plot 9 – Mr G Thomas & Miss Fitzpatrick (MLC Ref Nos 529, 538 & 548); plot 12 – Mr S Waite (MLC Ref No 582); plot 13 – The Hollies (Upwell) Ltd (MLC Ref No 555); plot 15 – M & A Developments (MLC Ref No 578); plot 16 – Mr & Mrs Yeoman (MLC Ref No 564); plot 17 – Mr & Mrs Wiles (MLC Ref No 572); plot 23 – Mrs L Connolly (MLC Ref Nos 558 & 576); plot 24 – West Norfolk Homes Ltd (MLC Ref No 565); plot 25 – Dr N Walters (MLC Ref No 584) on land to the south of 21 to 42 St Peters Road Upwell

The majority of plots have now been assessed and signed off in terms of adequacy of infiltration drainage proposals. Most recently, design details have been submitted and processed for the use of infiltration devices at Plots 21 and 22 Mr L Willis (MLC Ref No 541), these have been checked and it is confirmed they now meet the Board's requirements.

Development at Waterways, 125 Small Lode, Upwell – Mr & Mrs Singfield (MLC Ref No 500) & Mr & Mrs Minas (MLC Ref No 586 & 601)

Two planning applications have been submitted to the Borough Council since the last Board Meeting.

These are for the construction of a front porch, two storey extension to the side and rear and the construction of a double garage (MLC Ref No 586) together with the retrospective erection of stables and a barn (MLC Ref No 601).

It is understood that the former will discharge its surface water to infiltration devices and has been the subject of the Self-Certification process, see above.

The latter is to regularise the erection of a barn and stables. It is not known when the buildings were erected but aerial photographs (see below) submitted with the planning application infer that the stables replaced similar size buildings with the barn erected before 2011.

In planning terms, the site was regularised by the granting of planning permission in August.

Whilst the potential pollution entering the Board's System is not its responsibility and is likely to be small the Board's attention is drawn to the fact that the muck heap should be designed and sited in accordance with relevant technical standards and best practice for such items.

In the absence of definitive drawings, it is difficult to advise further but these buildings appear in close proximity to the Board's Drain and according to our records Byelaw Consent for these structures has not been sought. The means of surface water disposal is not known and may be direct to the Board's System.

In view of the above, the Board may want to consider whether it wishes to regularise the situation and its further instruction is requested on how it wishes to proceed.



.Aerial photographs from 2004, left, and 2011, right, showing the location of the stables and barn



An amended extract from Anglia Building Consultants' Drawing No. 19-1879-2
 showing the location of the Board's Drain and potential encroachment within the Board's maintenance access strip.

Residential development and new access on land to the east of New Road, south of Townley Close and north of Listers Road, Townley Close, Upwell – Messrs S & J Bradley (MLC Ref No 498, 513) and Woodgate Developments Ltd (MLC Ref No 602)

Members will be aware of the flooding problems experienced in the area (as discussed in previous meeting reports and earlier in this report), and care needs to be taken to ensure that if consent is issued these proposals do not exacerbate the current situation.

An application made under Section 23 of the Land Drainage Act (LDA) for the formation of a road culvert to enable access to the site, together with an application for an attenuated discharge into the Board's system via the private watercourse have been submitted. The contents of these applications and the supporting documents are, at the time of writing, being reviewed.

It is proposed that foul water is connected to the existing public sewer located in Townley Close.

Following conversations with the applicant it was agreed that any further discussion and action, beyond the processing of any required consents, would be undertaken as part of a detailed post-application consultation. As a result, the submitted information is currently being reviewed to assess the engineering proposals.

A meeting with the Chairman, District Officer and Gary Roberts was held in December to discuss known problems with the drainage in the area. A subsequent meeting attended by Gary Roberts was held in January at which the known problems, the proposals and potential improvements to the downstream system were discussed. As a result, the applicant has agreed to carry out clearance work to the private watercourse to its junction with the Board's New Road Drain.

A response is currently awaited from the Borough Council who is believed to be one of the riparian owners of the private watercourse beside Townley Close.

Residential development on land north west of Townley Close, New Road, Upwell – Mr & Mrs M Starr (MLC Ref No 523); Starr Developments (MLC Ref Nos 560 & 579) and Mr D Johnson (MLC Ref No 614)

Further to item (iii) of Minute B.1052 Consulting Engineers' Report, including planning and consenting matters, a letter was sent to the Borough Council in March concerning MLC Ref Nos 523, 560 & 579 requesting that a note be added to the Local Land

Charges Register stating that “In this area the surface water drainage arrangements will also need to be approved of by this Authority to ensure compliance with the Land Drainage Act 1991”.

A Reserved Matters planning application has subsequently been submitted to the Borough Council (MLC Ref No 614) for a single dwelling on plot 4. An enquiry has been received from Engineering Support Practice (ESP) Ltd on behalf of its client but no details relating to surface water drainage have been provided.

Members will recall that this site was previously the subject of two Infiltration device checks, the last in May 2018, which proved that such devices would be ineffective.

Construction of a new highway access and associated culvert at 167 New Road, Upwell – Pro Edge Plant Hire (MLC Ref No 537)

Further to the last meeting a byelaw consent application for the installation of a culvert in the Board's Drain between Points 15 and 16 was received from ESP Ltd, the applicant's consultant, in February but unfortunately it did not meet the Board's minimum validation requirements. Following further discussion with ESP Ltd, a revised application was received in May. This application was subsequently sent to the Board's Chairman and District Officer as part of an internal consultation and their responses were duly received and incorporated into a recommendation for approval which was passed to the Clerk to the Board later that month.

No subsequent correspondence or contact has occurred with either the applicant or ESP Ltd concerning this site.

Residential development on land to the east of Main Road, Three Holes – Fountain Construction (Anglia) Ltd (MLC Ref No 539 & 540)

Further to the last Board report, the Infiltration Device Self-Certification (Option 1) application submitted in January 2018 was refused and in accordance with a request from the Board at its last meeting a letter was sent to the Borough Council requesting that an advisory note be placed with the Local Land Charges Register (LLCR) advising that “.....surface water drainage arrangements will also need to be approved of by this Authority to ensure compliance with the Land Drainage Act 1991”.

The applicant's consultant ESP Ltd submitted a completed Infiltration Device Checking Service (Option 2) in May and following consideration the Clerk to the Board was

advised in June that whilst there were concerns about the design the application had passed the numerical check. A Soakaway Certificate was subsequently issued and the removal of the advisory note with the LLCR was requested.

Development at Plawfield Cottage, 112 Green Road, Upwell – Mrs E Rigby (MLC Ref No 567 & 606)

A retrospective planning application was submitted to the Borough Council in July and subsequently approved in September.

Members will be aware that the site is in close proximity to the water control structure at Point 13 but it does not appear, from the information provided, that the proposal will detrimentally affect the Board's access and operations but its consent may be required for any structures within its maintenance access strip.

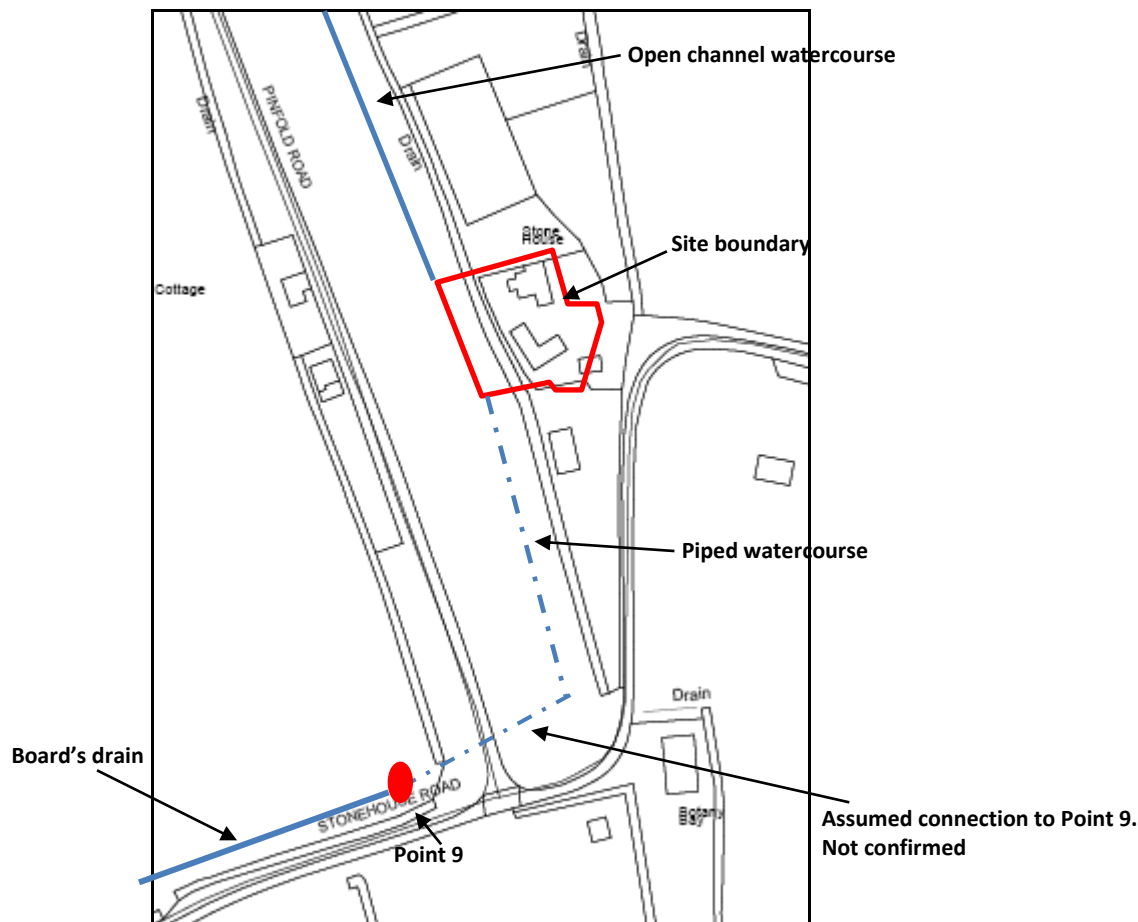


An extract from Trundley Design Services' Drawing No 19-P24-PL001 showing the proposals in proximity to the Board's System at Point 13

The planning application advises that the kennels discharge surface water into "Existing watercourses".

In view of the above, the Board may want to consider whether it wishes to regularise the situation and its further instruction is requested on how it wishes to proceed.

Construction of 2 dwellings to replace mobile residential units at Stonehouse Road, Upwell, Mr & Mrs Loveridge (MLC Ref No 612)



An application for the attenuated disposal of both surface and treated foul effluent water together with an application made under Section 23 of the Land Drainage Act (LDA) have been received from the applicants' consultant, ESP Ltd.

At the time of writing the fees associated with these have not been received and, therefore, the applications have not been progressed.

The applicants' agent has agreed on his clients' behalf that any further discussion and action, beyond the processing of any required consents, would be undertaken as part of a detailed post-application consultation and the submitted information is being reviewed to check the engineering proposals.

It is proposed that treated foul effluent water will drain to a septic tank and for a partially attenuated discharge of surface water, only marginally above greenfield run-off rates, to

the adjacent private watercourse. The proposal also includes the piping and filling of a section of open watercourse within the property which will connect into a section of piped watercourse that was granted consent in November 2003. The new section of pipeline will accept the surface water discharge and provide improved connectivity for the upstream and downstream watercourse the condition of which has deteriorated since it was given up by the Board.

Proposed 2 self-build plots on land to the south west of 83 Baptist Road, Upwell – Mr D Lawrence (MLC Ref No 613)

An outline planning application has been submitted to, and is currently being considered by, the Borough Council for the erection of two detached dwellings on a “greenfield” site to the south west of New Bridge Lane.

As can be seen from the proposed site plan, below, the proposal encroaches within the Board’s maintenance access strip beside its Baptist Road Drain.



An extract from Peter Humphrey Associates (PHA) Ltd's Drawing No 6071/PL01 showing the proposals in proximity to the Board's Baptist Road Drain.

According to the Borough Council's planning portal this development is "Awaiting Decision".

With the exception of issuing the applicant with a copy of the “standard” response in December, no subsequent correspondence has been received and no discussions have been held

The Board is asked to consider the proposal and provide instruction on how it would wish us to proceed.

Development Contributions

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

King's Lynn & West Norfolk Local Plan

Local Plan review 2016-2036

In delivering development that supports the economy and housing for current and future generations, the Borough Council needs to balance this with the need to protect and enhance the environment.

The Local Plan for the Borough currently consists of the Core Strategy (adopted in 2011) and the Site Allocations and Development Management Policies Plan (SADMP) (adopted in 2016).

These two documents have been reviewed and combined to create a new draft document which identifies a strategy and detail for delivering growth in the Borough, identifying where development should be located and how it should be delivered up to 2036.

The draft Local Plan review was published for an eight week public consultation period from 4 March to 29 April 2019.

The document was considered and a response was submitted to the Borough Council on behalf of both the Middle Level Commissioners and our associated Boards for whom we provide a planning consultancy service within West Norfolk. The response included comments on consultation during the planning process and flood risk design with re-iteration of the previous comments on sites at:

- G96.1 - land adjacent to ‘The Bungalow’, Main Road, Three Holes
- G104.1 – land north of Townley Close, Upwell
- G104.2 – land south/east of Townley Close, Upwell
- G104.3 – land at Low Side, Upwell
- G104.4 – land off St Peter’s Road, Upwell

The relevant Borough Council's web page advises that the submitted comments and suggestions are being reviewed with another version of the plan being issued for further consultation in line with its [Local Development Scheme \(LDS\)](#) "to take place towards the end of the year/earlier next year."

Local Plan review Programme 2019-2021

Local Plan Documents	2019				2020				2021			
	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec
Local Plan review (2016 – 2036)	B/C	C/D	D	D/E	F	G	G		H/I/J			
Housing & Economic Availability Assessment												
Authority Monitoring Report												

Key Stages of Local Plan Preparation		Regulation
A	Sustainability Appraisal Scoping Report Consultation (completed 2016)	
B	Development of options – on-going engagement on issues and emerging options	
C	Publish and Consult on draft Local Plan	Regulation 18
D	Pre-Submission plan development	
E	Pre-Submission publication and consultation	Regulation 19 & 20
F	Submission of document to Secretary of State	Regulation 22
G	Examination (Including Hearing Sessions)	Regulation 24
H	Receipt of Inspectors Fact Check Report	
I	Receipt of final Inspector's Report	Regulation 25
J	Adoption	Regulation 26

Upwell Neighbourhood Plan 2018 – 2038

Both the draft and revised versions of the plan have been considered as part of public consultations held between 5 April – 24 May and 18 November – 13 January.

The plan is very Upwell Village centric and the response made on behalf of both the Middle Level Commissioners and the associated Boards for whom we provide a planning consultancy service within the Upwell Parish was largely generic. Items of interest to the Board within the submitted document include Economic development including Housing – Scale and Location; Tourism, Leisure, Recreation, and Marina; Open Community Space including Local Green Spaces; the Natural Environment; Flood Risk and Prevention including maintenance of flood defences and specific comments on allocated sites at St Peters Road/Blunts Orchard.

The opportunity was also taken to provide general information on Risk Management Authorities (RMA); Watercourses protected by the LDA and relevant RMA Bylaws; Consultation during the planning process; Early engagement and the better design of infrastructure; River setting and corridors/Green Infrastructure; Biodiversity and protected habitats and species; Flood risk and water level management including hazard mapping and development within the floodplain, open watercourses and Water Resources.

Norfolk Minerals & Waste Local Plan

Norfolk County Council is preparing a Norfolk Minerals and Waste Local Plan Review, to consolidate its three Development Plan Documents (DPD), including the Site Specific Allocation DPD referred to in the Board's April 2017 meeting report, into one Local Plan, and ensure that the policies within them remain up-to-date and to extend the plan period to the end of 2036 to ensure consistency with the other plans being developed by the Local Planning Authorities in Norfolk.

The National Planning Practice Guidance (NPPG) states that most local plans are likely to require updating in whole or in part at least every five years and this requirement was incorporated into the adopted Minerals and Waste Core Strategy.

A public consultation on the draft Preferred Options document took place over a six week period from 18 September until 30 October. The County Council has reviewed the responses received and these, together with the other relevant documents, can be viewed on the County Council's webpage.

A response made on behalf of the Middle Level Commissioners and our relevant associated Boards, within West Norfolk, in response to a public consultation, advised that the document had been considered and the proposals were found to be outside the respective catchments and, therefore, no specific comments were made.

Flood Risk Management (FRM) for the Fens Technical Group [previously reported as the Future Fenland Project]

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

An article detailing the project was included on page 16 of the Summer edition of the ADA Gazette. This can be found at <https://flickread.com/edition/html/index.php?pdf=5d1efbbc0a48b#16>

The project is further discussed under a separate Agenda item.

General Advice

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

- (a) A request was made by the District Officer to provide an estimate for works to prevent erosion/vermin activity that is undermining the dam at Point 13. The estimated cost of the work to drive steel piles on the upstream end of the dam, to either side of the concrete headwall and to fill in behind with clay is £2,800+VAT.

Consulting Engineer

13 February 2020

Churchfield & Plawfield I.D.B (306)\Reports\February 2020

Flooding adjacent to Upwell Health Centre

The Chairman reported on the issues in the area and that, having instructed ADC (East Anglia) Ltd to carry out jetting of the piped section, works had commenced last Monday. He reported on other issues within private watercourses in the area and advised that he was currently awaiting the results of a CCTV survey of the piped section. If it was confirmed that the District pipeline was clear and in good order, he considered that the Board should not become involved in any other works to private drainage systems.

The District Officer considered that there could be issues where a private watercourse entered the Board's piped system due to a collapsed headwall/joint, but he confirmed that this was part of the private watercourse and not the District system.

The Chairman reported on several site meetings he had attended at which the Borough Council had confirmed that they did not own any properties in the area, their interests being transferred to Freebridge Community Housing. He further reported that the Board's Consulting Engineers were to look at the best options for drainage in the area and would report back on this when the most beneficial method had been identified.

The Chairman considered that although reasonable provisions had been made in the budget proposals these works could cost in the region of £6,000.00.

The District Officer referred to problems in the car park where the drain was situated in the wrong place meaning that the adjacent kerbing stops rainfall from getting into the drainage system.

The District Officer considered the culvert at Fountain Foods would require jetting during this phase of works and the Chairman referred to the agreement with Fountain Foods that they would carry out maintenance works along this section. In view of this he considered that these costs should be borne by Fountain Foods.

District System Sections 42-40

The District Officer referred to Sections 42-40 of the District system which had very little flow and was difficult to maintain. He wondered if there would be benefit in relinquishing this section and adopt additional sections of watercourse to the east. Mr Hill outlined the procedure for relinquishing/adopting sections of District watercourses. The Chairman considered that the area should be monitored over the course of the year to ensure the correct action was taken.

Construction of general purpose agricultural barn – 54 Well Creek Road and east of Baldwins Drove, Outwell – Mr J Vickers (MLC Ref No. 604)

The District Officer reported that a sign and post box had been erected within the Byelaw distance which was restricting access.

Developments at Fountain Foods Ltd, New Road, Upwell – Fountain Foods Ltd/Anglia Growers (MLC Ref Nos. 405, 421, 436, 472 & 543)

The Chairman reported that these issues related to fencing, discharges and structures within the Byelaw distance. He reported that an accommodation had been reached concerning the maintenance of that section of watercourse, but that final documentation remained outstanding.

Sulivans Dam

The District Officer reported that he could not see any benefit in retaining the structure as there were no landowners who would gain benefit from holding water levels in that part of the District. The Chairman did not consider that the structure currently serves any drainage function.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Flooding adjacent to Upwell Health Centre
 - a) That the Board approve the actions of the Chairman in instructing ADC (East Anglia) Ltd to carry out jetting and CCTV works on sections of the Board's piped system.
 - b) That, on satisfactory completion of the works and receipt of the CCTV reports, the Consulting Engineer write to Simon Bradley, Freebridge Community Housing and the Highways Department to inform them that the works have been completed to the District system and works are required to their private systems.
 - c) That the Consulting Engineers be requested to investigate the options available for drainage improvements in the area.
 - d) That Fountain Foods be re-charged for jetting works to clear the access culvert at their premises.
 - e) That the Chairman and District Officer be authorised to take any further actions as they consider necessary
- ii) District System Sections 42-40

That the District System between Sections 42-40 be monitored over the next twelve months and reviewed at the next annual meeting of the Board.

- iii) Construction of general purpose agricultural barn – 54 Well Creek Road and east of Baldwins Drove, Outwell – Mr J Vickers (MLC Ref No. 604)

That a letter be sent to Mr J Vickers requiring him to remove the sign and post box from within the Byelaw distance.

- iv) Developments at Fountain Foods Ltd, New Road, Upwell – Fountain Foods Ltd/Anglia Growers (MLC Ref Nos. 405, 421, 436, 472 & 543)

That the outstanding documentation/agreements concerning these applications be completed.

- v) Development at Waterways, 125 Small Lode, Upwell – Mr & Mrs Singfield (MLC Ref No. (500) and Mr & Mrs Minas (MLC Ref Nos. 586 & 601)

Development at Plawfield Cottage, 112 Green Road, Upwell – Mrs E Rigby (MLC Ref Nos. 567 & 606)

That the Developers be requested to submit any required Byelaw/Discharge applications to the Board to regularise the situation.

- vi) Proposed 2 self-build plots on land to the south west of 83 Baptist Road, Upwell – Mr D Lawrence (MLC Ref No. 613)

That the Board object in principle to any development within the Byelaw distance and require any relevant Byelaw/Discharge applications to be submitted for consideration before any works commence.

- vii) Sulivans Dam

That the dam boards be removed from the structure and the situation be monitored and further reviewed at the next annual meeting of the Board.

B.1087 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

The Chairman referred to the works identified in the current year and noted that although the reinstatement of the open watercourse was unlikely to happen, the overall costs indicated were in line with the jetting and CCTV inspection works already approved.

The District Officer referred to the costs for the refurbishment of Sulivans Dam and the earlier resolution to review its function at the next meeting of the Board.

RESOLVED

- i) That the Capital Programme be approved in principle and kept under review.
- ii) That the expenditure for jetting and watercourse reinstatement be changed to reflect the works currently authorised.

B.1088 District Officer's Report

The Board considered the Report of the District Officer.

RESOLVED

- i) That the Report and the actions referred to therein be approved and that the Officer be thanked for his services over the preceding year.
- ii) That the necessary drainworks notices be sent and the District Officer be authorised to obtain quotations and organise the maintenance works for 2020/2021.

B.1089 Conservation Officer's Newsletter and BAP Report

Mr Hill referred to the Environmental Officer's Newsletter, dated December 2019, previously circulated to Members.

Members considered and approved the most recent BAP report.

The Chairman referred to conversations with the Conservation Officer over the supply of mink traps for the District and that he had informed the Officer that they would not be appropriate in the District.

B.1090 District Officer Expenses

The Board gave consideration to the appropriate reimbursement of the out of pocket expenses for 2020/2021 incurred by the District Officer on the Board's behalf.

Mr G Boyce considered that the reimbursement given was not sufficient for the time now being spent on the Board's work. The District Officer reported that he had no problems attending to the District system but has found that he was now spending a lot of time dealing with planning applications and development related issues. The Chairman confirmed that in the last two weeks he had been involved with the District Officer on four separate occasions attending meetings and inspections regarding planning matters. The Chairman wondered if it would help to ease the workload of the District Officer if he were to liaise more with other Board members in the areas of proposed development.

RESOLVED

- i) That the Board agree that reasonable out of pocket expenses incurred by the District Officer for 2020/2021 be allowed, if substantiated by an invoice and that the Chairman be authorised to agree the final amount.
- ii) That the Board agree that a sum of up to £1,600.00 be allowed for the services of the District Officer for 2019/2020.
- iii) That the payment submitted for 2019/2020 in the sum of £2,381.55 be approved.
- iv) That, in an attempt to ease the workload of the District Officer, the Chairman try to liaise with other Board members on planning matters and the position be reviewed at the next meeting of the Board.

(NB) – Mr D J W Boyce declared a financial interest when this item was discussed.

B.1091 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.

Update on the EA grant-in-aid position

Mr Hill reported that the EA undertook a 'refresh' of its grant allocation schedule and optimised it to increase the likelihood of meeting the government outcome measure targets. As part of this some schemes were deferred in favour of those which could be delivered within the next two years with certainty and the programme has, as a consequence, become financially oversubscribed. This effectively means that there will be little or no chance of receiving grant for any new schemes between now and 2021 (at the earliest). This date marks the end of the six-year funding commitment and whilst it is understood that the EA are pressing hard to have another six-year settlement and, if agreed to by treasury, for this to be larger than the previous one to help address the increasing investment required to tackle climate change driven impacts. At this point in time we do

not know what will happen and changes could be made in any event to the funding model, what outcome targets are or the process of securing grant. What is clear is that the further ahead that IDBs collectively plan their investment needs the more likely whatever grant is available will be accessible by them.

RESOLVED

That no proposals be formulated at the present time.

B.1092 Environment Agency – Precepts

Mr Hill reported that the Environment Agency had issued the precept for 2020/2021 in the sum of £2,838.00 (the precept for 2019/2020 being £2,769.14).

B.1093 Association of Drainage Authorities

a) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 2% in 2020, viz:- from £553 to £565.

RESOLVED

That the increased ADA subscription be paid for 2020.

B.1094 Determination of annual values for rating purposes

The Board considered the recommendations for the determination of annual values for rating purposes.

Mr Hill reported on a rate query for Mr Lawrence.

Members considered that some of the land had been sold and areas retained without being developed, but they were unaware of the areas that had been sold and/or developed.

RESOLVED

- i) That the determinations recommended be adopted by the Board.
- ii) That the Clerk be empowered to serve notices and to take such other action as may be necessary to comply with statutory requirements.
- iii) That the Chairman and the Clerk be empowered to authorise appropriate action on behalf of the Board in connection with any appeals against the determinations.
- iv) That Mr Lawrence be informed that he is required to inform the Board of the details of any changes to his assessment, without which, under the Land Drainage Act, he will be responsible for the payment of the rates.

B.1095 Rate arrears

Consideration was given to writing off rate arrears amounting to £12.27.

RESOLVED

That the arrears be written off.

B.1096 Contribution from Developer

With reference to minute B.185(iii), Mr Hill reported that a contribution towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume had been received.

B.1097 Health and Safety

a) Further to minute B.1060(b), Mr Hill reported that quotes were sought and a letter sent to the Chairman on the 25th April 2019 advising that it had been agreed at the Chairs meeting to enter into a 3 year contract with Cope Safety Management with the annual payment being split between the Boards. Assuming all Boards joined the arrangement, the cost to the Board would be £200 per annum. However it was understood that, particularly in the first year or so, extra support may be needed and this could be provided at a day rate of £500 or at an hourly rate of £85 for part days.

Mr Hill advised that the Chairman had confirmed that the Board wished to be included in the arrangement with Cope Safety Management.

RESOLVED

That the actions of the Chairman be approved.

b) Further to minute B.1060(a), the Chairman referred to the report received from Cope Safety Management following their visit to the District on the 7th February 2020.

Mr Hill reminded Members that the Board is responsible for ensuring they are compliant with all Health and Safety legislation and are adequately insured. In view of this, all points for action raised by its' Health and Safety consultant must be implemented so as to avoid the Board's insurance policy from becoming invalid.

c) Mr Hill referred to the ADA Internal Drainage Boards' Health, Safety & Welfare Survey 2018.

B.1098 Annual Accounts of the Board – 2019/2020

Mr Hill reported that in accordance with the Accounts and Audit Regulations, Internal Drainage Boards' accounts were required to be approved by resolution on or before 30th June.

B.1099 Defra IDB1 Returns

Mr Hill referred to the completed IDB1 form for 2018/2019 and to the letter from the Minister and Annual report summary and analysis received from Defra dated August 2019.

B.1100 Review of Internal Controls

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

B.1101 Risk Management Assessment

Mr Hill reported that it was necessary every 4-5 years to consider the formal Risk Register and in between times to judge the risks when considering the Consulting Engineer's and other reports and when setting budgets and rates/special levies. He advised that these risks had been analysed by the use of the Risk Matrix and added that, although the risk registers for IDBs very rarely changed, they would/could change over time and it was important for Boards to consider formally and that consideration was due this year.

Members considered the Board's Risk Register.

RESOLVED

That the Risk Register be approved and kept under review and the policy to review risk between formal reviews be continued.

B.1102 Transparency Code for Smaller Authorities

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

RESOLVED

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

B.1103 Exercise of Public Rights

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

B.1104 Payments

The Board considered and approved payments amounting to £4,123.95 which had been made during the financial year 2018/2019 (1st February to 31st March 2019) and £21,181.32 made during the financial year 2019/2020 (1st April 2019 to 31st January 2020).

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

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

B.1105 Expenditure estimates and special levy and drainage rate requirements 2020/2021

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2020/2021 and were informed by Mr Hill that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 18.24% and 81.76%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £27,567 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 £5,028 and £22,539 respectively.
- iv) That a rate of 5.80p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £22,539 be made and issued to the Borough Council of Kings Lynn and West Norfolk for the purpose of meeting such expenditure.
- vi) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

B.1106 Display of rate notice

RESOLVED

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

B.1107 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Monday the 8th March 2021 at the Crown Lodge Hotel, Outwell.