NIGHTLAYERS INTERNAL DRAINAGE BOARD

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Attn: All Board Members

26th January 2023

Dear Members,

<u>Extraordinary Meeting</u>
<u>Tuesday 7th February 2023 at 9am</u>

This letter is notice that the Chairman is calling a single item extraordinary meeting as he wishes to urgently discuss the option of the Board adding the length of drain highlighted in yellow on the attached plan to the lengths of watercourses maintained by the Board. If the Board does resolve to take on the maintenance responsibility for this length of watercourse, the next step will be to consult with affected landowners to see if there are any objections.

The Chairman has also raised a question over the time taken to send a letter to the occupier of the small triangle of land at point A on the plan. I have spoken with Chris Convine who has advised that he had been in discussions with the occupier and the MLC conservation officer to review options in the Board's interests, such as diversion of the watercourse locally (by running a new drain from point B to C – shown on land registry plan extract) that would both help to remove the current issues of fly tipping impacting on the drainage system and provide conservation gains.

Members should note that the land registry search undertaken brings to light questions of ownership of the ditch length the subject of this proposal and it is understood that adjacent land owners are in dispute over what is shown.

Kind regards

David Thomas
Chief Executive
Middle Level Commissioners

AGENDA

1. Apologies for Absence

2. Confirmation of Minutes

To confirm the Minutes of the Board dated 26th May 2022.

(Copy Pages 3 – 19)

3. Adding length of Drain to be maintained by the Board

The Chairman to report

(Copy pages 20 – 21)

4. Date of Next Meeting

The next meeting of the Board will be Tuesday 23rd May 2023 at 6pm at MLC offices.

5. Any Other Business

NIGHTLAYERS INTERNAL DRAINAGE BOARD

At a Meeting of the Nightlayers Internal Drainage Board
held at the Middle Level Offices, March on Thursday the 26th May 2022

PRESENT

A Edgley Esq (Chairman)	T Edgley Esq
S Edgley Esq (Vice Chairman)	S P Graves Esq
D Collett Esq	P Murphy Esq
L Edgley Esq	M Smalley Esq

I Benney (FDC)

Miss Samantha Ablett (representing the Clerk to the Board) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance.

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

The Chairman welcomed Councillor Ian Benney who was attending his first meeting of the Board.

Apologies for absence

Apologies for absence were received from D Divine Esq, J Edgley Esq, Mrs A Hay and Miss S Hoy.

B.1144 Declarations of Interest

Miss Ablett 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.

Cllr Murphy declared an interest in all planning matters as a member of Fenland District Council

Mr A Edgley declared interests in the District Officers fee, Payments and minute B.1155.

Mr S Edgley declared an interest in minute B.1155.

B.1145 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 13th May 2021 and 17th January 2022 are recorded correctly and that they be confirmed and signed.

B.1146 Appointment of Chairman

RESOLVED

That A Edgley Esq be appointed Chairman of the Board.

B.1147 Appointment of Vice Chairman

RESOLVED

That S Edgley Esq be appointed Vice Chairman of the Board.

B.1148 Resignation of Board Member

Miss Ablett referred to an email dated 23rd December 2021 from Mr T Scott advising of his resignation from the Board.

RESOLVED

That a letter be sent to Mr T Scott thanking him for his services to the Board.

B.1149 Vacancy in Membership

To consider the filling of the vacancy in the membership of the Board caused by the resignation of Mr T Scott.

RESOLVED

That the Vice-Chairman approach Paul Jackson.

B.1150 Land Drainage Act 1991 – Board Membership – Fenland District Council

Miss Ablett reported that Fenland District Council have appointed Councillors Miss S Hoy and Mrs J French to be members of the Board under the provision of the Land Drainage Act 1991.

B.1151 Potential Grant-In-Aid – Replacement of Electric Pump and Control Panel

Miss Ablett apologised the Clerk had not contacted the Chairman and Vice Chairman with an estimated cost of a business plan for GIA application for a new electric pump and control panel, as requested, but advised the Consulting Engineer had confirmed the cost of the business plan would be in the region of £5,000.

Miss Ablett reported the funding required for a new electric pump and control panel had been identified on the Environment Agency's Project Appraisal Funding Scheme submission for GIA although an application had not yet been made. She advised that the funding requested had been increased to £120,000 as the original estimate of £70,000 was over two years old and costs had increased significantly in that time.

Members discussed the grant in aid application further and enquired whether a new weedscreen and replacement drive coupling could be included. Miss Ablett advised that although she knew that it was no longer possible to obtain GIA for automatic weedscreen cleaners she was not sure whether this was also the case for weedscreens, but she would ask the Consulting Engineer to include both items in the application, if possible.

Members agreed to proceed with the GIA application and for a business case to be prepared. They requested the cost of the business case be paid from the development charges account if the GIA application was not fully funded.

RESOLVED

That a business case be prepared and a GIA application submitted, to include a weedscreen and drive coupling, if possible.

That the cost of the business case be paid from the development charges account if the GIA application was not fully funded.

B.1152 Illegal Discharge – Cambridge Property Group

Further to minute B.1105, Miss Ablett reported an application for discharge consent had been received from Tesco Stores Ltd for the disposal of treated foul effluent water from its site off Fenland Way, Chatteris.

B.1153 Overgrown Watercourse from the Junction of A142, Isle of Ely Way, Chatteris Bypass and Short Nightlayers Drove East

Further to minute B.1107, Miss Ablett reported that letters were passed onto all landowners advising of the need to maintain the channel and that Fenland District Council did eventually accept ownership of part of the ditch and asked for a quotation from the MLC to arrange for and supervise the works (£6.5K). She advised there had since been an extensive exchange of emails which did include a challenge from FDC over the need for works along the whole length and this was rejected with photographic evidence proving need being provided. Miss Ablett reported that an order had since been received from FDC who state that they will recover part of the cost from Anglian Water. She advised that due to prohibitions (risks of nesting birds being present) work will be undertaken in late July/August.

B.1154 Actions of Chairman and Vice-Chairman

Miss Ablett reported that a Special Meeting was held on the 17th January and that resolutions were passed by members, as was considered appropriate, and the matter was now considered closed.

B.1155 Proposed Agreement with Floorspan Contracts Ltd.

Miss Ablett reported the Option to Purchase Agreement was in the hands of Floorspan Contracts Ltd.'s solicitors who had requested several amendments relating to planning matters.

She further reported the solicitors had asked for the agreement to allow for a 6-month period to enable the applicant to submit a planning application and for this to be processed. Miss Ablett advised the solicitors had also asked for an extension should planning be refused to allow for them to appeal the Council's decision and for further time should an inspector refuse any appeal as the applicant may wish to take the matter to the High Court.

Miss Ablett reported the Assistant Clerk had agreed to these requests as she considered them to be reasonable and a normal request for this type of development. Miss Ablett advised that in order to protect the Board, the Assistant Clerk had included in the agreement a cut- off date of 2 years from the date the option is to be signed.

Miss Ablett reported that once terms had been agreed the agreement could be signed.

B.1156 Inspection of the District

Further to minute B.1108, the Chairman asked the Consulting Engineer to report.
Mr Lakey reported that a recent joint inspection of the Board's drains had been undertaken and he referred to the comments made in the Consulting Engineers' Report. He added that although there had not been much rainfall in the current year, a lot of slubbing work had been required during 2021-2022 due to the significant rainfall event in December 2020.

Mr Lakey confirmed the District was maintained to a good standard.

B.1157 Clerk's Report

Miss Ablett advised:-

i) COVID-19 Actions

That the majority of control measures have been removed now and normal office working has resumed (with the exception of trialling a degree of flexible working, which has been shown to be effective following the previous periods of enforced home working). Impacts now are largely confined to the high rates of COVID-19 illness cases in the UK.

ii) Middle Level Commissioners and Administered Boards Chairs Meeting

That an eighth Chair's Meeting was held on the 12th April 2022.

The meeting covered a wide variety of matters likely to affect IDBs. A summary of the key points and resolutions follows;

It was recorded that there had been a number of MLC staff changes over the period. These included the retirement of Deb Watts, Katie Hunt and Malcolm Downes. Also, Sarah Lemmon and Richard Lloyd had handed in their notice. New members of staff replacing them and linked with some restructuring of the finances and admin departments were Dave Bantoft (M&E Engineer), Sarah Bowd (Accounts Assistant), Polly Tombleson (PA Secretarial) and Claire Collings (Secretarial).

It was reported that following the successful telemetry grant bit for Local Levy £125K in grant had been secured and consequently an order had been placed for in excess of 45 new telemetry outstations. The MLC have tested the new system with the six stations they commissioned and were satisfied with its operation.

Training for Board members was covered and it was noted that ADA provide online training videos. Various methods for delivering these and recording attendance was discussed and it was finally resolved that the best way forward would be to ask all members to watch one or two videos a year and to record when they had been viewed. A record of who had watched which video would be retained and this information recorded at Board meetings and used to support DEFRA IDB1 returns.

A proposal to move from time charges to lump sum annual fees for planning and consenting matters was discussed and it was agreed that a proposal to move to this more efficient and effective way of working would be put to each Board. For similar reasons it was resolved that a proposal should be put forward which would reduce the scale of content reported to Boards under planning matters.

Inflationary pressures were touched upon and it was recognised that if this continues there will be pressure placed upon Boards to raise their rates more than has occurred in recent years. It was also recognised that along with these inflationary pressures there were increasing demands (with legal backing) evolving in relation to environmental gains and Boards should be aware of the costs of delivering on these. Examples are the government's commitment to protect 30% of all land by 2030 for the environment and of the Doubling Nature initiative in Cambridgeshire.

An update on work in relation to climate change and carbon reduction was given. Work currently in hand comprises of production of a carbon baseline for the MLC. Once complete the scale of the challenge to target carbon neutrality will be known and work will be undertaken to identify possible opportunities for reduction and mitigation, prior to production of a policy statement. During these next stages it is expected that Boards associated with the MLC will be similarly assessed and plan proposals made for them.

iii) Application(s) for byelaw consent

That the following application(s) for consent to undertake works in and around watercourses has/have been approved and granted since the last general meeting of the Board/Commissioners:-

Name of Applicant	Details of Work	Date of Consent
W G Beaumont & Son Ltd	To undertake maintenance painting works to a Cadent Gas pipe spanning the Board's watercourse at Point 8	24/9/2021

iv) Association of Drainage Authorities

a) Annual Conference

That the 84th Annual Conference of the Association was held on Wednesday the 10th November 2021.

The Conference was once again held virtually and was split into two parts; the Conference in the morning and AGM in the afternoon. It is expected that, whilst in future years it is hoped to return to a face-to-face format, the clear separation between conference and AGM is likely to be retained.

Speakers this year included Rebecca Row MP (Parliamentary Under Secretary of State – Defra), Dieter Helm (economist) and Lord De Ramsey (then President of ADA).

Topics covered included the challenges of climate change and the need to step up to the plate in delivering on the aim to achieve a net zero target as soon as possible, the importance of partnership working and the importance of agriculture in feeding the nation. The latter included the need to better educate the population, who clearly desire to move forward on delivering climate change and ecological objectives, but do not fully appreciate the role of agriculture, its real impacts or even properly understood where and how food is sourced. One example given that challenged a common assumption that agriculture was bad for the environment was that recent monitoring of CO^2 release had shown that a well irrigated peat field of onions released less CO^2 than adjacent dry grassland.

In his speech Lord De Ramsey announced that he was stepping down as President and that his place would be taken by Henry Cator. He was warmly thanked by ADA for his many years of service and was presented with a painting by an artist which it is known he admires. Henry spoke about how pleased he had been to be invited to take over the role and that he looked forward to working with ADA to meet the future challenges of the industry.

The AGM that followed gave an update on the work of ADA, noting the likelihood that, despite vigorous lobbying, the expectation was that from 1st April 2022 IDBs would no longer be able to use red diesel for anything other than heating or to run generators. This will impact on costs and will provide challenges to the continued use of agricultural contractors. The passing of the Environment Bill was touched upon which will release barriers to the formation of new IDBs and will also provide opportunities for IDBs to explore extending their boundaries if it was clearly beneficial to do so. Innes Thomason spoke on the work of ADA and the consultations ADA had responded to, including proposals to extend beaver introduction and a water abstraction licencing charging review amongst other things. Finally, it was reported that the ADA Board had agreed to a 1% rise in subscriptions for the 2022/23 year and noted that with inflationary pressures a higher increase should be expected next year.

b) Annual Conference

That the Annual Conference of the Association of Drainage Authorities will be held on Wednesday the 9th November 2022, venue yet to be announced.

c) Meeting of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association was held on Tuesday the 1st March 2022.

This was the first face to face meeting held since the COVID-19 outbreak but the format was restricted to the AGM only. It is planned however to reintroduce the popular and useful morning workshops for 2023.

Marc Heading was reappointed as chair with Councillor Doug McMurdo as vice chair. Topics covered included unsurprisingly red diesel, and water resources/the work of WRE.

Sofi Lloyd announced that Brian Stewart and Ian Hodge from the EA had recently joined the ADA Board and that DEFRA had asked ADA to liaise with them on the implementation of schedule 3 of the Flood and Water Management Act. She was also pleased to be able to report that ADA had been instrumental in initiating an all-party parliamentary group with a remit to discuss and consider Sustainable Flood and Drainage Management.

Phil Hulme and Amanda Macloughlan spoke on behalf of the EA covering the challenging associated with significant staff changes at the EA and noted that with the capital program for this six-year cycle being double that of the previous one this would be generating considerable additional work load.

It was advised that this coming years revenue (maintenance) budget was £5.3M which was more than the previous year but what could be delivered within this budget could be impacted by inflation.

The date of the next meeting is Tuesday 7th March 2023.

d) Updating IDB Byelaws

Further to minute B.1037, ADA have advised that there was an error in the Model Byelaws relating to a Penalty Notice which referred to s37 of the Criminal Justice Act 1982, which was actually repealed on the 1.12.2020 by the Sentencing Act 2020. Consequently, Defra has amended the Penalty Notice attached to the byelaws to include the correct reference. This Penalty Notice is not part of the Byelaws and, as such, is a simple correction. There is no requirement either to readvertise, or seek Defra approval and the version now uploaded to the website is the corrected one.

v) Environment Act

In November 2021 Defra announced that the Environment Act became law. The stated aim of this Act is to improve air and water quality, tackle waste, increase recycling, halt the decline of species, and improve the natural environment. However, the Act also includes powers (specific to IDBs) which amend the Land Drainage Act 1991, addressing the technical issue of missing or incomplete data, which is preventing existing internal drainage boards from expanding and new ones from being established. Defra have stated that they will be working on the associated secondary legislation over the coming year and will be engaging with IDBs through ADA on this.

vi) Water Resources East (WRE)

A draft WRE plan went out for public consultation and responses to it were to be received by 28th February 2022. The latest news can be found by visiting www.wre.org.uk.

vii) Smart Level System/District Wide Telemetry Bid

Further to minute B.1109(v), Miss Ablett reported that an order has been placed for an outstation for the Board's pumping station and that the final cost to the Board will be just under £2.5K total (with Local Levy grant matching this). This cost includes equipment, installation and 5 years of mobile data and website hosting.

viii) National Drainage Show & Floodex 2022

That the National Drainage Show & Floodex 2022 will be held at ExCel, London on the 23rd and 24th November 2022.

ix) Anglia Farmers

Miss Ablett reported that following the last meeting of each Board/Commissioners the Anglia Farmers electricity contract was renewed in October 2021 for a shorter period of 6 months to 31st March 2022 and this was due to the volatile energy market at the time. As there remains an enormous amount of volatility and uncertainty surrounding energy prices and as competition is very limited, it was decided that the Commissioners and Boards should remain within the Anglia Farmers buying group at the moment as there is likely to be little scope for us to negotiate better deals. The Clerk will also report a new contract has been signed for a 12 month period to 31st March 2023 with EDF Energy through Anglian Farmers.

The Anglia Farmers Energy team does not have to commit to buying energy for years ahead at the current price levels and the flexible contract that they have to buy energy from 1st April 2022 allows them to risk manage the portfolio for their Members, which means they will be well positioned to take advantage of any energy market normalisation ahead. When market conditions have settled down/normalised the Board/Commissioners will be asked whether they wish to remain with Anglia Farmers. But this may not be for several years based upon current market assessments.

x) Fens Biosphere

Miss Ablett reported that this project is on hold and will remain so unless and until Fenland District Council is prepared to engage with a redefined brief and vision for it.

xi) Red Diesel

Following extensive lobbying and the efforts of ADA, DEFRA and Treasury have softened their stance on the potential loss of access to red diesel use by IDBs. Going forward then as long as the work undertaken by the IDB can be shown to have some agricultural benefit then red diesel use can continue. The exception will be construction works and works where the sole beneficiary is an urban area.

xii) Planning and Consenting Fees

Proposed changes to planning and consenting service supply charging

Two changes are proposed. The current arrangements and the proposed changes are outlined below.

1. The current arrangements for charging for Technical Services advice and support, for planning and consenting matters, is based upon a direct cost recovery arrangement. To achieve this all time spent on every item of work undertaken has to be logged and recorded in detail. This information is then pulled together and invoices prepared and checked before being passed to the Board Chairs for sign-off. This requires a considerable amount of time and effort and this time is of course included in the eventual fees paid. It is considered that a more efficient model would be to mirror the one used for charging for Clerking services which is based upon a lump sum annual fee. This has a number of advantages. It reduces internal workload which in turn releases time to carry out productive work. It also allows Boards to budget for the fees knowing at the time of rate setting what the annual fees will be.
To ensure that a fair assessment is made it is suggested that the last five years of fees are looked at and an average taken. If there is clearly one or two years where one or two planning matters have impacted heavily upon the figures then an appropriate adjustment will be made. The final fee will be converted into a fraction of the costs of overall cost of supplying planning and consenting services for all Boards including the MLC and this percentage will become fixed until such time that a review is called for.

   In addition, we will still actively encourage developers and their agents to enter into Pre/Post application contracts. This will help keep the overall planning costs to a minimum. We will also be looking to move more and more to lump sum charges for developers for the same reasons outlined above, i.e., to reduce internal administration work and costs where possible.

   It is not proposed that this change will extend to other Technical Services work, such as surveys, catchment analysis, and refurbishment/replacement/improvement scheme work or associated advice which will continue to be logged and charged on a "hours spent" basis.

   RESOLVED

   That a lump sum fee arrangement be agreed in principle, but figures to be presented to the Board at their January 2023 meeting.

2. Many members have noted that the reporting in relation to planning application comments and responses is comprehensive. Again, it often takes many hours to produce such detailed reports for which the Board is charged. This time could be spent in dealing with and taking

action on planning and consenting matters. There is also the issue of the potential time lapse between any planning/byelaw issue raising its head and the meeting of the Board. It is of course normally advantageous to take action as soon as possible after any issue had become apparent. It is therefore proposed that going forward the Board nominate who they wish to be copied in on all planning correspondence, for example the Chair and Vice-Chair. They will then be able to liaise with the Planning Engineer if they wish to and will be conversant with discussions being undertaken. The Board may also wish to delegate decision making for initial actions for bylaw infringements to the Board nominee/s.

To ensure that the Board is consulted on the most important matters it is proposed that when it is wished for a matter to be raised within the Board report then a request from the Chair can be made and a detailed report would follow. This would normally be the case where significant costs might be associated with enforcement, including perhaps incurring legal fees or where an unusually large or significant development is proposed.

Should the above change be agreed to, then going forward the Engineer's report will provide a list of all planning applications of interest to the Board and consents applied for/approved but unless requested by the Chair no detail will be provided.

RESOLVED

That no further detailed reports on individual planning matters to be included in the Consulting Engineer's Report unless requested by the Chairman or Vice Chairman.

B.1158 Consulting Engineers' Report, including planning and consenting matters

The Board considered the Supplementary Report of the Consulting Engineers.

Mr Lakey reported on the works carried out over the past year and of future works, together with the associated costs.

Miss Ablett highlighted the Consulting Engineer's comment regarding a fault with the motor relay protection and enquired whether the Board wished for this to be replaced. Members agreed for the Consulting Engineer to take the necessary action.

Miss Ablett referred to the Planning Engineer's comments regarding the proposed development at Womb farm, south west of Doddington Road, Chatteris and enquired whether the Board was able to confirm its approval to the actions taken by the Planning Engineer.

Members approved the actions of the Planning Engineer as he was qualified on such matters and as they relied upon his knowledge and expertise that he continue to act in the best interest of the Board.

The Right to Connect

Miss Ablett outlined the current position concerning the right to connect to public sewers and enquired whether the Members would support removal of the Right to Connect to public sewers or not.

Following discussions, it was agreed the removal of the Right to Connect should be opposed due to the potential applications being made for private treatment plans.

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

iii) That the motor protection relay be replaced.

iv) That the Board do not support the removal of the Right to Connect be public sewers.

v) That the actions of the Planning Engineer, concerning the proposed development at Womb farm, south west of Doddington Road, Chatteris, be approved and that he continues to act in the best interest of the Board on this matter.

(NB) - Cllr Murphy declared an interest this item as a member of Fenland District Council

B.1159 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

RESOLVED

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

B.1160 District Officer’s Report

The Chairman reported that last year’s drain maintenance had gone well and all drains were in a satisfactory condition and maintained to a good standard, as previously confirmed by the Consulting Engineer.

He further reported that the automatic weedscreen cleaner which had been repaired the previous year, was operating well.

He referred to the problems experienced with the electric motor, identified in the Consulting Engineers’ Report, which the Board had now agreed to repair

The Vice Chairman enquired when the telemetry would be available and Mr Lakey confirmed this would be installed and available by the winter.

The Chairman considered this would be of benefit to both him, as District Officer, and the Board as it would allow for the system to be managed more efficiently.

RESOLVED

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

B.1161 Conservation Officer's Newsletter and BAP Report

Miss Ablett referred to the Conservation Officer's newsletter, previously circulated to Members, and to consider the most recent BAP Report.

Members considered and approved the most recent BAP report.

B.1162 District Officer's Fee

The Board gave consideration to the District Officer's Fee for 2022/23.

RESOLVED

That the Board agree that the sum of £4,195.00 be allowed for the services of the District Officer for 2022/2023.

(NB) – Mr A Edgley declared an interest when this item was discussed.

B.1163 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 other than that already approved regarding replacement of the pump and control panel.

B.1164 Environment Agency – Precepts

Miss Ablett will report that at the Environment Agency Flood Defence Committee meeting the Committee voted to adopt an indicative 2% increase in the precepts on Internal Drainage Boards for the next 6 years commencing from 2022/23, with the ability to revisit annually should exceptional circumstances indicate this is required. The Committee voted for a 0% increase (for exceptional circumstances) above the indicative 2% increase for the year ending 31st March 2023 - total of a 2% increase on the level of precept on Internal Drainage Boards for the year ending 31st March 2023.

The precept for 2021/2022 was £3,438.00.

B.1165 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss Ablett reported that following his submission of claims for contributions the gross sum of £3,082.92 (£5,853.66 less £2,770.74 received on account) (inclusive of supervision) has been received from the Environment Agency for the financial year 2020/2021 based on the Board's actual expenditure on maintenance work for that financial year and the sum of £2,884.06 in respect of 80% of the Board's estimated expenditure for the financial year 2021/2022.

B.1166 Association of Drainage Authorities - Subscriptions

Miss Ablett reported that ADA had increased subscriptions by 1% for 2022, from £565 to £571.

RESOLVED

That the requested ADA subscription for 2022 be paid.

B.1167 Contribution from Developer

With reference to minute B.181, Miss Ablett reported that a contribution towards the cost of dealing with the increased flow or volume or surface water run-off and treated effluent volume has been received.

B.1168 Health and Safety

The Vice Chairman referred to the report received from COPE Safety Management following their visit to the District on the 14th October 2021. He reported the only matters raised related to mounting the new fire extinguisher on the wall and displaying a sign indicating the extinguisher type and confirmed that both matters were in hand.

B.1169 Completion of the Annual Accounts and Annual Return of the Board -2020/2021

a) The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2021.

b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2021.

B.1170 Defra IDB Returns

Miss Ablett referred to the completed IDB1 form for 2020/2021 which the Board noted and approved.

B.1171 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 2022.

B.1172 Review of Internal Controls and appointment of Internal Auditor

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

Miss Ablett advised that due COVID-19 challenges the current Internal Auditor, Whiting & Partners, had been approached and asked and had agreed to extend their contract beyond the originally agreed three-year term (under the original contractual terms). It was also noted that going forward auditors be invited to tender for a five-year term, the principle being that this gave both parties certainty over a longer period. For the Boards this meant that the investment in time in getting a new auditor up to speed represented better value.

RESOLVED

That the Board approve a further one-year extension of the appointment of Whiting & Partners as Internal Auditor and to support the proposal for a five-year contract to be tendered thereafter.

B.1173 Risk Management Assessment

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

b) Miss Ablett enquired whether the Board wished for the insured sum of the pumping station to be index linked, in view of the significant increase in material costs. The Board considered and approved the insured value of their buildings and requested the insured sums be index linked as from 1st April 2023.

RESOLVED

That the Board considered and approved the insured value of the pumping station be index linked as from 1st April 2023.

B.1174 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.

B.1175 Annual Governance Statement 2021/2022

The Board considered and approved the Annual Governance Statement for the year ended on the 31st March 2022.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31st March 2022.

B.1176 Future use of development account funds

Miss Ablett advised Members that the development charges account was to be used predominantly for the areas for which development contributions had been received and that monies should be retained in this account should works become necessary on these areas to prevent flooding.

Miss Ablett reminded Members they were looking at replacing the pump and control panel at the pumping station and that although this may be fully funded by GIA, they needed to be mindful that this may not be the case and some funds may be required. She further reminded the Board that it had approved to pay for the business case from the development charges account if the application was not successful, further depleting the funds.

Miss Ablett advised she was highlighting the use of funds from the development charges account as the Board may wish to consider reviewing their policy regarding the transfer of funds to the general fund so that substantial funding is not required in the future.

Members discussed the funds held, potential future expenditure and the uncertainty surrounding estimated expenditure at this time and agreed to reduce the transfer from 5% to 2.5% for 2022-2023 and to review it again next year.

RESOLVED

That the transfer from the development charges account to the general fund be reduced from 5% to 2.5% for 2022-2023 and be reviewed next year.

B.1177 Payments

The Board considered and approved payments amounting to £54,860.34 which had been made during the financial year 2021/2022.

(NB) – Mr A Edgley declared an interest this item.

B.1178 Annual Accounts of the Board – 2021/2022

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2022 as required in the Audit Regulations.

RESOLVED

That the Chairman be authorised to sign the Annual Return, on behalf of the Board, for the financial year ending 31st March 2022.

B.1179 Expenditure estimates and special levy and drainage rate requirements - 2022/2023

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2022/2023 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 15.68% and 84.32%.

RESOLVED

i) That the estimates be approved.

ii) That a total sum of £ 32,275 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 £ 5,061 and £ 27,214 respectively.

iv) That a rate of 5.50p in the £ be laid and assessed on Agricultural hereditaments in the District.

v) That a Special levy of £ 27,214 be made and issued to Fenland District Council for the purpose of meeting such expenditure.

vi) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special 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.1180 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday 23rd May 2023.

B.1181 Any other Business

The Vice Chairman referred to an email received from Mrs Gravenor regarding an application made by Mr D Hall for the erection of a 3-bedroom dwelling at land north west of 7 Doddington Road, Chatteris relating to the discharge of treated foul water. (MLC ref: 864).

He reported Mr Hall had requested to discharge to the ditch on site, which it is presumed connects to the Board's system near Point 9, via a treatment plant due to the cost involved in connecting to the AWS foul sewer.

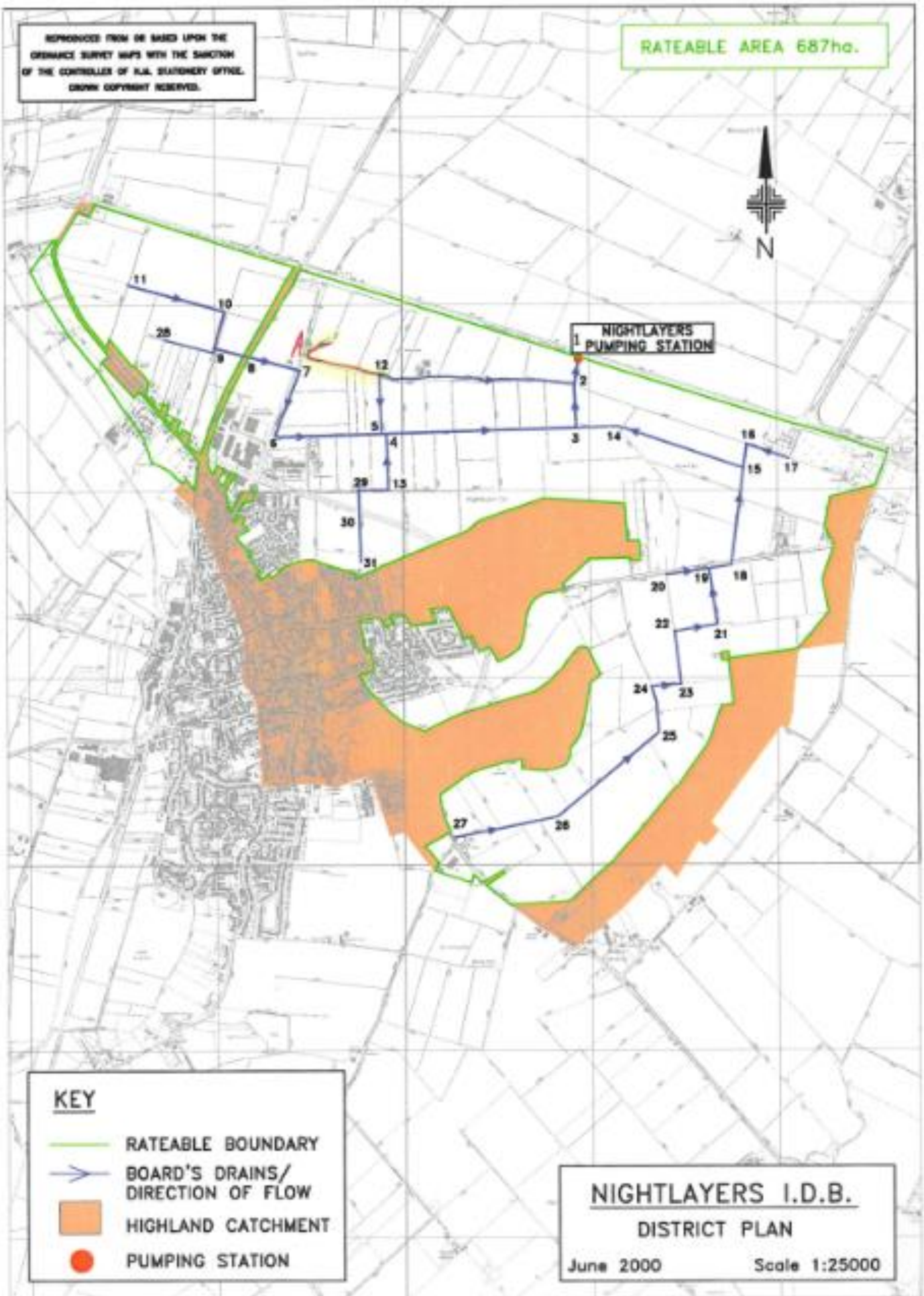
Members discussed the request further and agreed that the Board could not approve of a private treatment plant as this would be setting a precedent for other applications in the future where applicants considered it too expensive to connect to a mains sewer. Mr Lakey also raised the issue of who would be responsible for maintaining the private watercourse, which is owned by adjacent landowners.

The Vice Chairman requested that further information relating to the application be forwarded to both him and the Chairman.

RESOLVED

That further information relating to the application be forwarded to both the Chairman and Vice Chairman.

That the Board do not approve the use of a private treatment plant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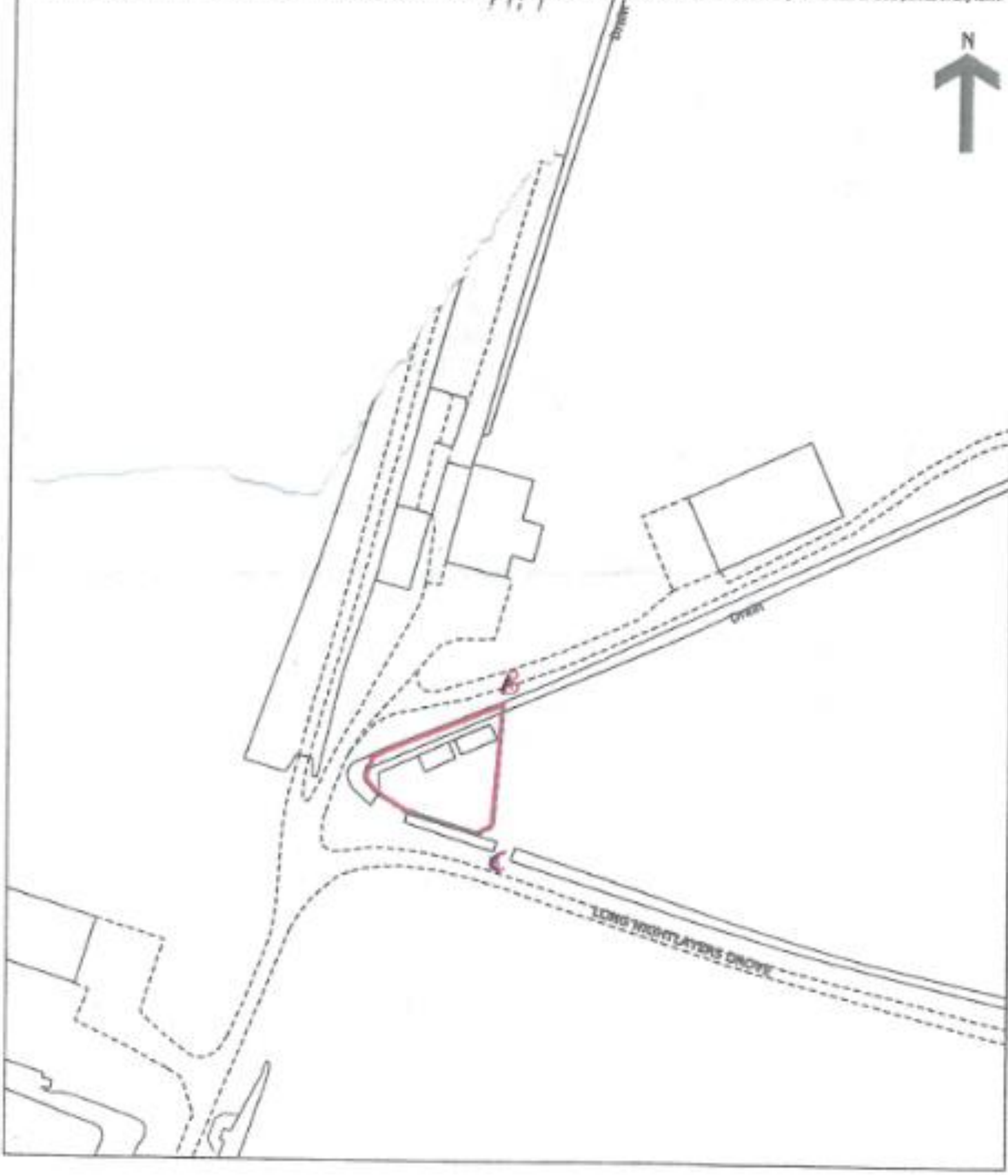
HIGHLAND CATCHMENT
PUMPING STATION
NIGHTLAYERS I.D.B.
DISTRICT PLAN
June 2000
Scale 1:25000

HM Land Registry
Official copy of
title plan

Title number **CB398356**
Ordnance Survey map reference **TL3987NE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Cambridgeshire : Fenland**



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