

## SUTTON AND MEPAL INTERNAL DRAINAGE BOARD

At a Meeting of the Sutton and Mepal Internal Drainage Board  
held at the Cricket Club, Chatteris on Thursday the 4<sup>th</sup> January 2018

### PRESENT

M R R Latta Esq (Chairman)	T Scott Esq
P W Allpress Esq	R H Smith Esq
R J Angood Esq	J O Sole Esq
J Deamer Esq	P E Sole Esq
R J Lee Esq	E F Veal Esq
W Veal Esq	

Mr Robert Hill (representing the Clerk to the Board) and Mr Richard Lloyd (Mechanical and Electrical Engineer) were in attendance.

### Apologies for absence

Apologies for absence were received from A Allan Esq, S J Criswell Esq, M E Heading Esq, M Jackson Esq and C P K Lee Esq.

### B.2013 Inspection of the District

Prior to the meeting those Members present, with the exception of P W Allpress and J O Sole together with Mr D J Stimson (District Officer) undertook an inspection of the District which embraced (inter alia):-

i) Meadlands Drove culvert

Members viewed the existing culvert. The Chairman confirmed that it was intended to replace the culvert at a lower level, remove the dam structure currently upstream of the culvert and install a new one downstream of the culvert. This would allow for the water levels to be better managed in this area of the District. In response to Mr R Lee, the Chairman detailed the watercourses that would be able to be managed for water levels by the new dam.

ii) Mepal Pumping Station

a) Mr Lloyd informed Members of the repair works carried out to the outfall flap valves.

b) Flail mower

The District Officer confirmed that the mower, now 2 years old, was working well, with no current problems. He reported that the tractor had done approximately 6,200 hours and was generally running satisfactorily. The Chairman informed Members that the tractor was the smallest available for the operation of the flail mower and, when it was replaced, the Board would need to consider a larger machine. Members discussed possible replacement models when it would be time for its replacement.

c) Piling hammer

Members viewed the recently purchased piling hammer which the Chairman confirmed had been used and worked well. In response to Mr R Lee, the District Officer confirmed that the grab could take piles up to 10" diameter.

d) Weed boat

The District Officer informed Members that the boat was purchased in 1995 and had done approximately 1,500 hours. It had been refurbished 2 years ago and the policy was to repaint on an annual basis.

e) Spare pump

Mr Lloyd informed Members that, although the pumps had been refurbished, due to their age, there appeared to be water ingress after about 12-18 months, causing a drop in the windings resistance. The Chairman confirmed that because of this, the Board had previously approved that, when there is a pump breakdown next, it will be replaced rather than refurbished. Mr Lloyd confirmed that a replacement pump would currently cost approximately £33,000 and although it would be possible to source a different type of pump for approximately £24,000, this would require additional major works to make it operational. Members agreed that when a pump was due for replacement it should be on a like for like basis.

f) Pumping Station heater

The Chairman confirmed that the heater had had its annual service and was operating satisfactorily.

g) Diesel pump

The Chairman confirmed that the pump was operational and had been used and was working well. The District Officer confirmed that the diesel pump could pump 36,900 gallons per minute in comparison to 39,000 per minute for the three electric pumps.

h) Water levels

The Chairman referred to correspondence from the Environment Agency concerning water intake and detailed periods between May and September when the Board would not be able to take water from the Main River, due to tide levels and the salinity of the water. He informed Members that good working relationships had been established with the staff at the Environment Agency, which although there were restrictions on taking water from Main River at times of the year, allowed the Board to generally maintain good water levels.

i) Automatic weedscreen cleaning equipment and pumping units

The Chairman informed Members that the weedscreen cleaner had been overhauled 2 years ago and at that time its operation had been linked to the operation of the pumps making it fully automatic in its operation.

Mr Lloyd referred to the northern area pump and the replacement of the actuator, which, although there were initial problems at the time, these had now been resolved and it was working satisfactorily.

j) Excavator

Members viewed the new 2.8m bucket recently purchased. The Chairman confirmed that a new quick hitch was required for this fitting and advised of recent problems with the front axle diff assembly, which had to be replaced.

k) Building

In response to Mr Lee, the District Officer confirmed that although there had not been any new cracks in the building, there had been a few broken windows, which indicated there continued to be some movement.

B.2014 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.

B.2015 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 31<sup>st</sup> May 2017 are recorded correctly and that they be confirmed and signed.

B.2016 Appointment of Chairman

RESOLVED

That M R R Latta Esq be appointed Chairman of the Board.

B.2017 Appointment of Vice Chairman

RESOLVED

That C P K Lee Esq be appointed Vice Chairman of the Board.

B.2018 Board Membership

a) Further to minute B.1977(i), Mr Hill reported that Mr Marc Heading had accepted the invitation to join the Board.

b) Further to minute B.1977(ii), Mr Hill referred to a letter from Mr Simon Stearn dated the 9<sup>th</sup> June 2017 informing Members of his resignation and reported that Mr Wiliam Veal had accepted the invitation to join the Board.

---

The Chairman welcomed Mr Veal.

### B.2019 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 (sixteen), the following candidates were elected as Members of the Board for a period of three years from the 1<sup>st</sup> November 2017, viz:-

ALLAN Alistair	LEE Christopher
ALLPRESS Patrick	LEE Richard
ANGOOD Richard	SCOTT Trevor
DEAMER John	SMITH Robert
HEADING Marc	SOLE James
JACKSON Martin	SOLE Philip
LATTA Matthew	VEAL Edward
VEAL William	

Mr Hill also reported that Mr Roger Pearson did not seek re-election and consequently there was now one vacancy on the Board.

### B.2020 Vacancy in Membership

Consideration was given to the filling of the vacancy in the membership of the Board caused by the resignation of Mr Pearson.

### RESOLVED

That the Clerk write to Nightlayer Leek Company Ltd to ascertain if they wished to nominate a representative for membership of the Board.

### B.2021 Land Drainage Act 1991 Huntingdonshire District Council

Mr Hill reported that Huntingdonshire District Council had re-appointed Councillor S J Criswell to be a Member of the Board under the provisions of the Land Drainage Act 1991.

### B.2022 Water levels in the Counter Drain system

a) Further to minute B.1978(a), the Chairman informed Members that the position remained unchanged and that continued seepage through the bank of the Cranbrook Drain was progressively getting worse. He confirmed that the Environment Agency had agreed to lower levels again this year and that, after the success last year, had agreed to a lower level this year. He referred to the pumping hours in the Consulting Engineer's report which indicated the success of this with substantially lower pumping hours.

The Chairman referred to the previous consideration to undertake a trial to sheet pile a section of bank, which had not been progressed, as the Environment Agency had confirmed that they were carrying out studies with a view to undertake major works to the channel. He further informed Members that initial studies had shown the presence of water voles and that a more detailed study would now be required concerning this.

The Chairman referred to previous discussions concerning the infilling of a section of approximately 200m of the District Drain running alongside the Cranbrook Drain at the upstream end of the District system. This would involve cutting a new section of private watercourse to take the water from his yard, assuming that water levels allowed for this.

#### RESOLVED

That the Board contact the Consulting Engineers to discuss the possibility of infilling a section of approximately 200m of District Drain running alongside the Cranbrook Drain.

(NB) – The Chairman declared an interest when this item was discussed.

#### b) Public Sector Co-operation Agreement

Further to minute B.1978(b), the Chairman reported that, following the issue of insurance cover being resolved, works to flail mow sections of the Cranbrook Drain for the Environment Agency had been completed successfully and he would be in discussions with the Agency to see if further works could be undertaken.

The Chairman advised that when these works were carried out the Board had used a mower from his firm, for which he would be submitting an invoice.

#### RESOLVED

That the Chairman's actions be approved

(NB) – The Chairman declared an interest when this item was discussed.

#### B.2023 Water Framework Directive

Further to minute B.1979, Mr Hill advised that there was nothing further to report at the present time.

#### B.2024 Water Transfer Licences

Further to minute B.1980, Mr Hill referred to a letter received from ADA dated the 27<sup>th</sup> October 2017 and to the Clerk's response to Defra.

Mr Hill reported that Defra had now issued the Government response to the Consultation on Water Transfer Licences, which ended in January 2017, and it appears that, from the 1<sup>st</sup> January 2018, Defra will require Boards that transfer water from Main River to District Drains to obtain a licence. He advised that the licence fee will be £1,500 which would cover a 12 year period, however no inter-district IDB transfers will be caught by the licencing regime. At the moment Defra have said the details to be contained in the licence will be flexible and that only if there is significant risk to water quality will a lot of detail be required in the licence. Only basic detail will be required where there is no risk to water quality and the environment.

ADA's position has been that they were reasonably happy with the licencing, but wanted an exemption for IDBs from paying the fee as the Boards get no income from Main River to IDB extractions.

On behalf of the Middle Level Commissioners and IDBs, the Clerk had written to Sarah Hendry, Policy Director for Floods and Water at DEFRA, requesting further information, expressing his disappointment with the lack of engagement with IDBs and with the implementation of the changes being made with virtually no notice.

In response to Mr Lee, Mr Hill reported on the testing by Defra for *Ralstonia Solanacearum* (potato brown rot) during 2017 in the Middle Level.

RESOLVED

That the Chairman and the Clerk be authorised to take any actions considered necessary in relation to this matter.

B.2025 Ouse Washes Section 10 Reservoir Middle Level and South Level Barrier Bank works

Further to minute B.1981, Mr Hill referred to Briefing notes from the Environment Agency dated August, September and October 2017.

B.2026 Ouse Washes Landscape Partnership Scheme

Mr Hill referred to a letter received from Cambridgeshire Acre dated 1<sup>st</sup> May 2017.

B.2027 Meadlands Drove Culvert

Further to minute B.2012, the Chairman referred to the proposal to replace the culvert and re-position the water control structure, viewed earlier at the inspection.

RESOLVED

That the works to Meadlands Drove culvert be carried out.

B.2028 Consulting Engineers' Report

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

## **Sutton & Mepal I.D.B.**

### **Consulting Engineers Report – December 2017**

#### **Pumping Station**

The station including pumps, cleaner etc has run without issues over the last 12 month period with only routine maintenance being required.

#### ***Main Pumps***

It was previously reported the drive motor winding insulation resistance to earth of all three main pumpsets is low, indicating moisture ingress into the motor housings, however with recent usage the resistance has improved and therefore no immediate action is required and instead the situation will just continue to be monitored.

#### ***Pumping hours***

##### **Total Hours Run No 1 - Dec 16 to Dec 17 = 572**

(Dec 15 to Nov 16 = 652)  
(Dec 14 to Nov 15 = 872)  
(Dec 13 to Nov 14 = 1346)

##### **Total Hours Run No 2 - Dec 16 to Dec 17 = 526**

(Dec 15 to Nov 16 = 764)  
(Dec 14 to Nov 15 = 671)  
(Dec 13 to Nov 14 = 1477)

##### **Total Hours Run No 3 - Dec 16 to Dec 17 = 602**

(Dec 15 to Nov 16 = 720)  
(Dec 16 to Nov 15 = 875)  
(Dec 13 to Nov 14 = 1384)

##### **Total Hours Run No 4 - Dec 16 to Nov 17 = 41**

(Dec 15 to Nov 16 = 830)  
(Dec 14 to Nov 15 = 0)  
(Dec 13 to Nov 14 = 171)

#### **Agitation Dredging Group**

The trial, which has been delayed for several years now has once again suffered a set-back. To progress with the pilot an MMO (Marine Management Organisation) licence is required. Obtaining this has been more challenging than anticipated.

#### **Cranbrook Drain**

The Environment Agency's consultants have undertaken further works to review options to improve the stability of the Cranbrook Drain embankment but no report has been submitted to date.

## **Internal Consultation with the Board**

The process of “internal consultation” between the Commissioners and the Board (usually, but not always, with the Chairman and/or District Officer) to seek the Board’s comments and thus aid the decision-making process is working well so will be continued and reviewed at a later date.

## **Planning Procedures Update**

### ***Informatives on Decision Notices***

Despite positive steps being taken, a review of the decisions that have recently been made has identified that very few informatives are being added to Decision Notices advising the applicants of their separate legal obligation to comply with the requirements of the Board’s Byelaws and the Land Drainage Act.

### ***Planning Agents Training Day***

Having identified engagement issues between “Developers” and the Commissioners and Associated Boards a Training Day was held in late October. Invites were issued to Agents, Developers, Consultants and Council Officers who we regularly deal with. Despite the absence of Council Officers, the event was well attended and feedback suggests the event was well received. The format of the event was to inform those attending of the unique nature of the area, where the IDBs fit into the development process, what the issues are, and how the Middle Level Commissioners deal with them.

## **Planning Applications**

In addition to matters concerning previous applications, the following 2 new development related matters have been received and, where appropriate, dealt with since the last meeting:

<b><i>MLC Ref.</i></b>	<b><i>Council Ref.</i></b>	<b><i>Applicant</i></b>	<b><i>Type of Development</i></b>	<b><i>Location</i></b>
286	F/20000/17/CW, E/17/02000/CCA & F/YR17/2000/CCC	Mick George Ltd	Landfill	Block Fen Drove, Mepal
287	F/YR17/0678/F	Mr T Bodnar	Residence (Conservatory)	Tithe Road, Chatteris

From the information provided it is understood that all the developments propose to discharge surface water disposal to soakaways, or similar infiltration systems. The applicants have been notified of the Board's requirements.

Mr C Pacca chose to use the soakaway self-certification process for surface water disposal from his single-storey dwelling at London Road, fronting Eastbourne Road, Chatteris (MLC Ref Nos 151, 185, 224 & 238) and, in doing so, agreed that if the soakaway was to fail in the future he would be liable for discharge consent.

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.

- *Extension to Mepal Quarry at Block Fen Drove, Near Chatteris – Aggregate Industries UK Limited (MLC Ref Nos 171 & 272)*
- *Extraction and Processing of Sand and Gravel and Restoration to Agricultural use at Low Level and Block Fen, Langwood Drove, Chatteris - Hanson Quarry Products Europe Ltd (MLC Ref Nos 350/9A, 218 & 242)*
- *Restoration of land at Colne Fen using imported inert waste to create conservation habitats at Colne Fen Quarry, Chatteris Road, Colne Fen – Mr D Newman (MLC Ref Nos 220 & 242)*
- *Change of use to Insect/reptile breeding centre, including new access arrangements, erection of storage buildings, reptile/insect breeding buildings, staff hostel, office/mess rooms, biomass boiler, solar panels plus refurbishment of residential dwellings and buildings at Arthur Rickwoods Farm, Iretons Way, Mepal – Monkfield Nutrition (MLC Ref Nos 249 & 261)*

*Waste transfer station and skip storage area – Mick George (Haulage) Ltd (MLC Ref No 156) & Variation of condition 1 of planning permission E/3015/07/CM & F/02010/07/CM to allow the importation of stable non-reactive hazardous waste – Mick George Ltd (MLC Ref No 207) & Extension to soils and mineral processing at Witcham Meadlands Quarry, Block Fen, Mepal/Chatteris – Mick George Ltd (MLC Ref Nos 211, 213 & 286)*

Following the completion of environmental assessments requested by the County Council, in its role as the Waste Planning Authority, a planning application was submitted to extend the current activities beyond the time limit of 2018 to 2043.

Instead of applying to vary the individual permissions the applicant incorporated all the individual permissions and activities into one application.

The applicant emphasised that the application retains the restoration of the site to lowland wet grassland in accordance with the objectives of the Block Fen/Langwood Fen Masterplan.

*Mixed Use Development on land south east of London Road, Chatteris - Hallam Land Management Ltd (MLC Ref Nos 160,184 & 190)*

According to Fenland District Council's Public Access web page, a decision on this site still remains pending. However, additional supporting information including a plan

showing the development's phasing has been submitted and infers that it is currently planned that the initial development will occur to the south and east of Tithe Road, Chatteris (an extract of the plan is shown on the following page). It is noted that many of the statutory consultees consider that, in view of the amount of time that has elapsed since the application was originally submitted in 2010, much of the application information is now out of date.

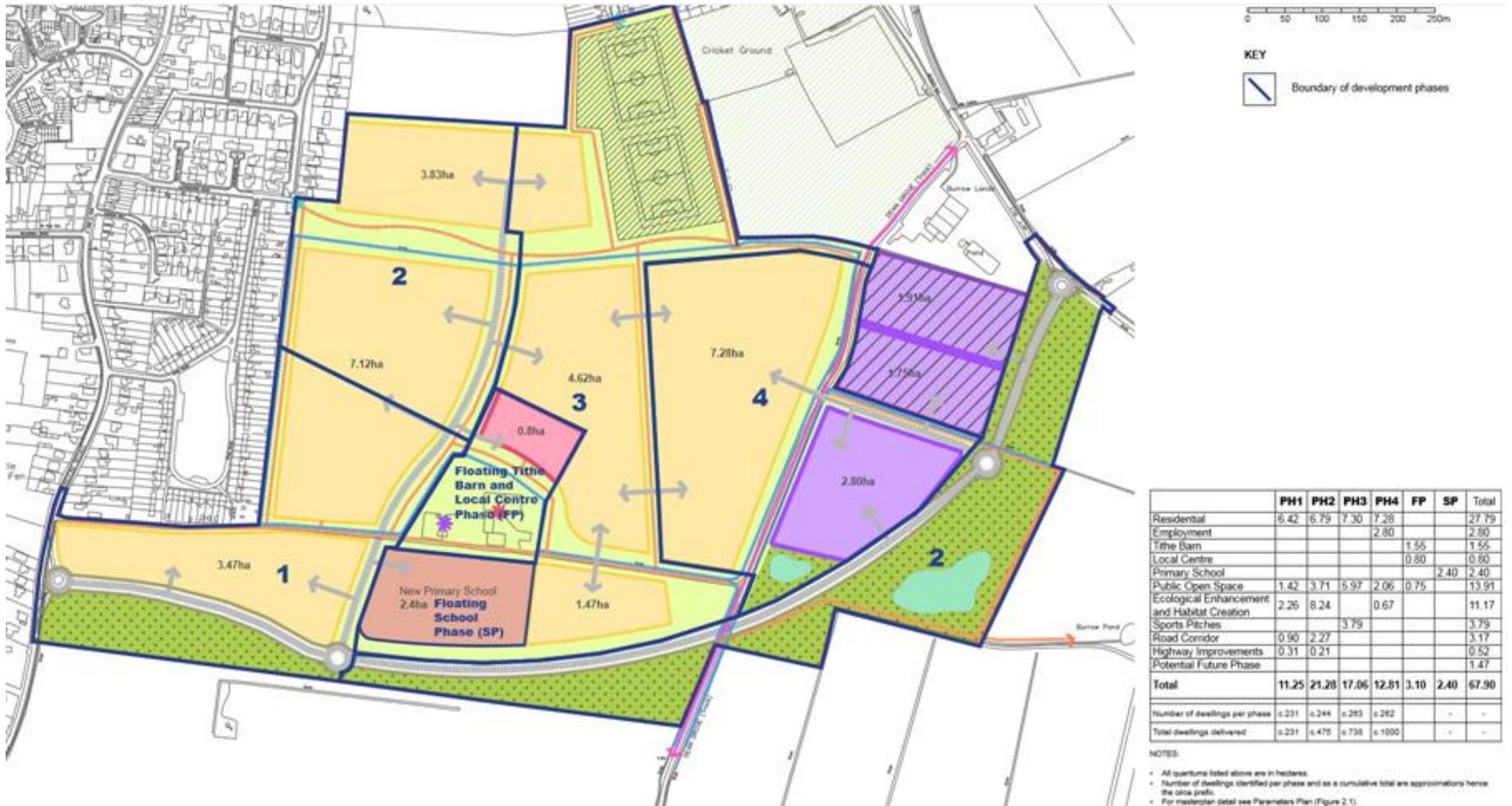
The Board has yet to be formally contacted.

*Proposed extraction and processing of sand and gravel and construction of access onto Chatteris Road (B1050), in connection with the construction of agricultural reservoirs on land at Bridge Farm, Holme Fen Drove, Colne - R Latta (Farms) Ltd (MLC Ref Nos 179, 188, 199 & 258)*

An enquiry was received from the applicant's consultant, White Young Green (WYG) in respect of seeking discharge consent for the site.

It was recommended that WYG follow the post-application consultation procedure but no subsequent correspondence or instruction has been received.

Issues and concerns, relating to both byelaw and discharge consents, remain.



Extract from FPCR Environment and Design Ltds Drawing number 2913 Rev. N  
 (MLC Ref Nos 160,184 & 190)

*Extraction of sand and gravel with restoration to agricultural use both at low level and existing level using waste silt and imported inert waste at land off Block Fen Drove, Mepal – Redland Aggregates Ltd (MLC Ref No 350/8) & First periodic review of mineral permissions F/01467/89 and F/00781/91 (as amended) at Block Fen Quarry, Block Fen Drove, Chatteris – LaFarge Aggregates Ltd (MLC Ref Nos 192 & 196)*

Further to the last meeting report, a further submission has been received from Tarmac Trading's consultant and this is currently being considered.

*Erection of an Anaerobic Digester (AD) plant with maize clamps involving the construction of a new access, and the formation of a surface water reservoir land east of Greys Farm, Iretons Way, Chatteris – Pretoria Energy Ltd (MLC Ref Nos 227, 231 & 240) & Installation of a Biomethane Injection pipeline (to inject into the National Grid) at Gas pipeline for anaerobic digester plant at Iretons Way, Chatteris - Little Green Consulting Ltd (MLC Ref No 245) & Pretoria Energy Ltd (MLC Ref No 246)*

Further to the last meeting a response from the applicants' consultant, Plandescil Ltd, has been received. This advises that the former overhead power cables were placed underground outside the Board's maintenance access strip and, therefore, does not require the Board's consent.

The response advises that Plandescil Ltd was not the agent for the export pipeline.

To date no byelaw applications have been received for the export pipeline within the neighbouring Nightlayers IDB and, based on the route supplied, any application would not be recommended for consent particularly in view of the problems experienced with a similar development to the north of March.

### **Fenland District Council (FDC)**

No further correspondence has been received from FDC concerning the Neighbourhood Strategy and no progress has occurred with its District Wide Level 2 SFRA.

No further action has been taken in respect of the Board's interests.

### **Huntingdonshire District Council (HDC) Local Plan to 2036**

#### ***Housing and Economic Land Availability Assessment (HELAA): October 2017 Consultation***

The Council is required to produce a Housing and Economic Land Availability Assessment (HELAA) to identify a future supply of land which is suitable, available and achievable for housing and economic development uses.

The assessment of land availability is an important step in the preparation of the Local Plan to 2036 and forms part of the evidence base for the emerging plan. The HELAA includes the Strategic Housing Land Availability Assessment requirement as set out in the NPPF.

A public consultation to review the new sites which were submitted through the 'Call for Sites' that accompanied the consultation alongside the draft Huntingdonshire Local Plan to 2036 was held between 4<sup>th</sup> October and 3<sup>rd</sup> November.

Our reply to this document, made on behalf of both the MLC and Board, provided responses on the Assessment of Broad Locations including statements on the NPPF Floodplain extents in respect of Hazard Mapping and development within the floodplain; Watercourse maintenance access strips; Surface water disposal features; Capacity calculations and illustrations.

Specific responses were made on the sites at East of Robert Avenue, Somersham (001), West of Parkhall Road, Somersham (054) and Rosefield, Parkhall Road, Somersham (210). Whilst these sites are outside of the Board's natural catchment the treated foul water effluent will be processed through Somersham WRC which discharges into a tributary of the Cranbrook Drain.

It is considered that when preparing Strategic Documents Development Management (Planning) Officers need to be held more accountable for their involvement in the surface water disposal and flood risk element of a development. The inappropriate raising of a developer's expectations and chasing LPA housing numbers is considered to be the first step towards potential poor surface water disposal solutions which, if not considered properly at this stage, can inevitably lead to increased flood risk.

As a result, the Risk Management Authorities (RMA) receiving the flows, such as the Commissioners and/or the IDBs, may not be prepared to resolve, at their expense, the problems created by others.

It is considered that other constraints, such as the space required for soakaway fields, SuDS devices, water recycling units, etc must be considered as part of the capacity assessment of individual sites.

### ***Huntingdonshire Strategic Flood Risk Assessment (SFRA)***

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

It is understood that despite not having been reviewed by the Commissioners the SFRA which fulfils both Level One and Level Two SFRA requirements has been adopted by the Council and can be found at the following link: <http://www.huntsdc.gov.uk/environmental-issues/flooding/strategic-flood-risk-assessment/>.

However, it is noted that this web page includes the note below:

## **SFRA 2010 mapping for Middle Level Commissioner Areas**

---

For those villages which are entirely within Flood Zone 3 as defined in the 2017 SFRA only, the 2010 SFRA, which took account of flood defences, will be used as the basis for decision-making, and general market housing will only be permitted in areas shown as being in Flood Zone 1 as defined in that document.

**Note**  tabled at the September 2017 Development Management Committee which sets out this information and the SFRA 2010 mapping for Middle Level Commissioner Areas.

## **East Cambridgeshire District Council (ECDC) Local Plan**

No further correspondence has been received from ECDC concerning the Local Plan and no further action has been taken in respect of the Board's interests.

### ***ECDC Level 1 SFRA***

It is understood that despite not having been reviewed by the Commissioners the SFRA which fulfils both Level One and Level Two SFRA requirements has been adopted by the Council and can be found at the following link: <https://www.eastcambs.gov.uk/local-development-framework/strategic-flood-risk-assessment-pslp-document-library>.

## **Cambridgeshire Flood Risk Management Partnership (CFRMP)**

### ***Rain Gauges Project***

As members of the CFRMP, the Commissioners have been asked to comment on the proposed location of rain gauges that currently form a larger Anglian Region RFCC project.

The gauges will be located on Environment Agency or Anglian Water Services Ltd structures and it is intended that all sites will be available via a web interface, possibly with three levels – Administrator, Partners and the Public. The latter will only see “local” information.

The LLFA advises that the proposed new gauges, which include a proposed gauge at Somersham WRC, have been chosen because they are adjacent to major areas of population and known “wet spots”.

### ***Fenland Flooding Issues Sub-Group***

Following the extreme rainfall event experienced within March during August 2014, a March Flood Investigation Sub-Group was formed. The meetings associated with this investigation have proven

beneficial to all the stakeholders involved and may lead to the resolution of many historical issues and, as a result, the responsibilities of the Sub-Group were extended to cover any local flooding issues within the District Council's area. There are currently no issues within the Board's catchment.

Consulting Engineer

15 December 2017

S&M(350)\Reports\December 2017

Mr Lloyd referred to the discussions earlier during the inspection and confirmed that the pumping station was currently working satisfactorily and that there were no matters of concern.

The Chairman reminded Members of their current policy concerning the management of the pumping units.

In response to Mr Smith, Mr Lloyd confirmed that he considered the current pumping station would not need any major works for the next 15 years.

Mr Lee considered that, due to land shrinkage, there were likely to be areas of low lying land within the District that could present future problems that may need addressing by the Board.

In response to Mr Lee, concerning the potential development south and east of Tithe Road, Chatteris, the Chairman outlined the process for transferring development to Special Levy and for dealing with the increase in surface water run-off. Mr Scott confirmed that this area currently experiences drainage issues, at times of high rainfall, so it was unlikely that the local system would be able to cope with an increase in run-off if any major development were to take place.

### RESOLVED

- i) That the Report and the actions therein be approved.
- ii) Potential development south and east of Tithe Road, Chatteris

That the Planning Engineer be made aware of the Board's concerns in relation to the likely discharges from this proposed development and that they consider that any discharges would need to be attenuated.

(NB) – The Chairman declared an interest in the planning application (MLC Ref Nos 179, 188, 199 & 258) for R A Latta (Farms) Ltd.

(NB) – Mr Lee declared an interest in the planning applications (MLC Ref Nos 236 & 237) for P J Lee & Sons and (MLC Ref Nos 227, 231, 240 & 246) for Pretoria Energy Ltd.

### B.2029 Environmental Officer's Newsletter

Mr Hill referred to the Environmental Officer's Newsletter which had previously been circulated to members.

### B.2030 Environment Agency – Precept

Mr Hill reported that the Environment Agency's Regional Flood and Coastal Committee had indicated an increase of 2.5% on last year's precept of £103,538, and that this would be discussed at the next Environment Agency Flood Defence Committee Meeting.

### B.2031 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Mr Hill reported that the sum of £2,873.49 (inclusive of supervision) had been received from the Environment Agency (£4,198.44 representing 80% of the Board's estimated expenditure for the financial year 2017/2018 less £1,324.95 overpaid in respect of the financial year 2016/2017).

## B.2032 Association of Drainage Authorities

Mr Hill reported:-

a) Annual Conference

That the 80<sup>th</sup> anniversary Annual Conference of the Association had been held at the ICE building in Westminster on Thursday the 16<sup>th</sup> November 2017 and had been well attended with speakers including Dr Therese Coffey MP, who spoke on future challenges, local accountability and the excellent work and the strength of IDBs amongst other things. Councillor Derek Antrobus spoke about his experiences in Salford where the Council had turned spatial planning on its head by considering environmental assets before looking at provision for housing need, which allowed for more sustainable growth. Sir James Bevan followed and stated that he was a fan of IDBs and supported the transfer of watercourse maintenance through de-maining where there was a local desire for this. He also confirmed that dredging was important and would remain within the EA's programme and that £22M had been spent on this in the last financial year. The Conference also marked the stepping down of Henry Cator as ADA's chairman. He has been replaced by Robert Caudwell who has a background in farming in Lincolnshire and who is keen to see partnership working across catchments develop to provide a holistic answer to flood risk and drought management.

b) Annual Conference of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association would be held in Prickwillow, Ely on Tuesday the 6<sup>th</sup> March 2018.

c) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 1% in 2018, viz:- from £679 to £686.

### RESOLVED

That the increased ADA subscription be paid for 2018.

d) Liability of Board Members

Mr Hill referred to, and Members noted, a Guidance Note received from ADA dated the 28<sup>th</sup> September 2017 which summarised the issue of when Members of an Internal Drainage Board may be held personally liable for actions which they take in that capacity.

Mr Hill advised that the Board had management liability insurance in place, which was in respect of claims made as a result of a wrongful act against members of the Board arising from the management and operations of the Board and that the cover attached was £5,000,000.

e) Updating IDB Byelaws

Mr Hill referred to a letter received from ADA dated the 20<sup>th</sup> October 2017.

Mr Hill reported that most of the IDBs in the area have a set of Byelaws which were made under Section 34 of the Land Drainage Act 1976 for the secure and efficient working of the drainage system in their area.

Defra have now suggested that the Byelaws which have been adopted by IDBs should be updated to include within their purpose the regulating of the effects of the environment. To do this it will be necessary to update the current Byelaws in line with the standard model byelaw published in October 2012.

#### RESOLVED

That the Clerk be requested to draft new Byelaws to include compliance with the environment regulations for consideration by the Board at their next meeting.

#### B.2033 Tidal River Action Plan Scoping Workshop

Further to minute B.1998, Mr Hill advised that there were no further developments to report.

#### B.2034 Capital Programme Strengthening and Delivery

Mr Hill referred to, and the Board noted, the slides presented by the Environment Agency at the Great Ouse IDB and EA Strategic Group meeting on the 19<sup>th</sup> April 2017.

#### B.2035 Member training and the appointment of a Health and Safety Officer

Mr Hill reported that ADA has been encouraging member training for a number of years and Defra will, from 2018, require Boards to report upon any training that has been provided to members. This is to be reported by way of an entry on the IDB1 forms and the listed topics on this form are; Governance, Finance, Environment, Health, safety and welfare, Communications and engagement, amongst others. The Board may wish to pick an area where they consider specific tailored training is pertinent for it in a given year or alternatively might ask that the Middle Level Commissioners arrange some joint training with other Boards which they are happy to do.

On Health and Safety, after reviewing arrangements for a number of Boards, it has become clear that it would be helpful if Boards could appoint a member to be in charge of Health and Safety matters. This person would take overall responsibility for Health and Safety supported by Croner through the Middle Level Commissioners. This will help provide clarity going forward as ultimately it is the Boards role to ensure that sites, equipment and working practices are as safe as can be reasonably expected. Whilst IDBs have an enviable record on safety and much that is needed is likely to already be in place, the HSE would probe the organisational structure should a reportable accident occur and would take a dim view if clarity on the lines of responsibility were unclear.

#### RESOLVED

- i) That the Vice Chairman be appointed Health and Safety Officer, reporting to the Chairman.
- ii) That the Clerk liaise with the Vice Chairman and Chairman over risk assessments and method statements.
- iii) That the Board participate in any joint training organised by the Middle Level Commissioners.

### B.2036 Defra IDB1 Returns

Mr Hill reported on the proposed changes to the Annual Defra IDB1 Returns.

He advised that the IDB1 form is completed each year in accordance with the Land Drainage Act 1991 and is submitted to Defra, the Environment Agency and to each Council which pays an IDB Special Levy. The form provides information on such items as income, expenditure, a policy delivery statement, the bio-diversity action plan, asset management and governance matters.

Mr Hill reported that for the year ended 31<sup>st</sup> March 2017 the IDB1 return was amended and additional information requested, such as details of board membership, attendance at meetings, whether elections are held and confirmation that the complaints procedure is accessible from the home page on an IDB's website. This information will enable Defra to gather more data in relation to IDBs.

For 2018 the IDB1 form will be further expanded. The additions were developed in co-operation with the Environment Agency, ADA and invited IDB representatives including David Thomas on behalf of the Middle Level Commissioners. The inclusion of items within the form which would either be difficult to report on or provide information which collectively would be of little value have been resisted and the new IDB1 form should, as a result, allow Defra to gain a much clearer insight into what IDBs deliver annually. It is hoped that this in turn will assist with raising further the profile of IDBs.

### B.2037 The General Data Protection Regulation (GDPR)

Mr Hill referred to the Guidance Note on the implementation of the GDPR and that all organisations must become fully compliant by the 25<sup>th</sup> May 2018.

### RESOLVED

That Miss Lorna McShane, Solicitor and Assistant Clerk be appointed the Board's Data Protection Officer.

### B.2038 Completion of the Annual Accounts and Annual Return of the Board – 2016/2017

- a) The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31<sup>st</sup> March 2017.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2017.

### B.2039 Anglia Farmers

The Board considered their contractual arrangements with Anglia Farmers for the supply of electricity.

Mr Hill reported that the contract with Anglia Farmers ceases on the 30<sup>th</sup> September 2018. Should the Board choose not to renew its contract, they would be required to give notice in December/January.

He advised that, in view of the problems encountered over the past 14 months with the operation of the contract, a report had been sent to all Chairmen.

Mr Hill further advised that, although the Clerk was able to recommend to the Board that they remain with Anglia Farmers for a further contract period, usually 18 months to 2 years, during which time the service provided by them will be monitored, it was a Board decision and should they wish to be removed from the buying group then it would be the Board's responsibility to negotiate its own separate electricity contract with a supplier.

RESOLVED

That the current arrangements be continued for a further contract period, during which time the service provided by them, in relation to the running of the contract, be monitored.

B.2040 Expenditure/ Estimate Update

The Board considered the Estimate Update for 2017/2018.

In response to Mr Smith, the Chairman outlined the Board's policy concerning the replacement of plant and vehicles.

RESOLVED

That the update be approved.

B.2041 Date of next Meeting

Mr Hill reminded Members that the next Meeting of the Board will be held on Wednesday the 30<sup>th</sup> May 2018.

RESOLVED

That the meeting time be changed to 8.30am.