

CONINGTON AND HOLME INTERNAL DRAINAGE BOARD

At a Meeting of the Conington and Holme Internal Drainage Board
held at the Admiral Wells Inn, Holme on Tuesday the 12th June 2018

PRESENT

J Racey Esq (Chairman)
P J Davies Esq
D Dudman Esq

D R Elmore Esq
R Elmore Esq
T R West Esq

Miss Samantha Ablett (representing the Clerk to the Board) was in attendance.

The Chairman welcomed Mr Dirk Dudman, Savills' representative, who was attending his first meeting of the Board.

Apologies for absence

Apologies for absence were received from T Alban, G P Bliss Esq and P A Davies Esq.

B.940 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.

B.941 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 13th June 2017 are recorded correctly and that they be confirmed and signed.

B.942 Glatton Brook

Further to minute B.916(iii), Mr Elmore reported that, although he had requested the local wood contractor to remove the branch of an ash tree from Glatton Brook, this had not yet been done and noted that it was likely that the contractor would require payment.

RESOLVED

That Mr Elmore be authorised to contact the local wood contractor again to arrange for the branch to be removed and for him to take any action he considers appropriate.

B.943 Land Drainage Act 1991 Huntingdonshire District Council

Miss Ablett reported that Huntingdonshire District Council had re-appointed Councillor T D Alban to be a Member of the Board under the provisions of the Land Drainage Act 1991.

B.944 Great Fen Project

Further to minute B.906, Miss Ablett reported that at the Sawtry IDB meeting last week, Mr C Evans, Woodwalton Fen National Nature Reserve Manager had reported that, over the last year, the amount of rainfall had been really beneficial for the Great Fen and in some of the fields they had been able to control the water levels, in order to get water into some of the scrapes and dykes that had been dug and also into the drains under their control. There was still water on site, which the Great Fen were happy with and they had sprayed off all the thistles on the drier fields.

Mr Evans had advised that they were working with the Middle Level Commissioners and AgReserves on various ideas regarding water storage and had stated that Woodwalton Fen could not continue in the long term to be a water storage area unless the water quality improved because, when it flooded there is a lot of silt and nutrients carried by the flood water which is very detrimental to the site. There was evidence to show that the quality of flora had suffered and a number of species had been lost.

Mr Evans had added that, over the years, a lot of finance for the Great Fen project in which Woodwalton Fen sits had come from the Heritage Lottery Funds and that reports for the Great Fen about the success of the project were available online.

B.945 Water Transfer Licences

Further to minute B.908, Miss Ablett referred to a letter received from ADA dated the 27th October 2017 and to the Clerk's response to Defra and also to the fact that licencing of water transfers came into force on the 1st January 2018. She advised that, as a licence is only required for transfers from EA main river and no inter-IDB transfers require licencing, this new arrangement will not directly impact the Board.

B.946 East Coast Main Line Level Crossing Closure Programme

Further to minute B.909, Miss Ablett advised that she had spoken with the Consulting Engineer regarding this matter and tabled photographs.

She reported that the area around the Network Rail culvert and drain at points 12-13 was completely overgrown and the small weedscreen at this culvert required cleaning. The Chairman reported that, although Network Rail had flailed this area and erected a fence, no work had been carried out by them since, and the Board were unable to access this area as it would be trespassing. Miss Ablett advised that as the drain between these points was virtually dry the levels either side of the culvert pipe could not be determined and the drain required some work before the levels could be inspected properly.

Miss Ablett reported that the drain between points 20-21, together with the Board's culvert, was also completely overgrown and semi-dry at present. This could not be inspected properly as it required flail-mowing to facilitate access.

RESOLVED

That the Clerk write to Network Rail requesting that the vegetation and drainage channel at their culvert at Point 12 be maintained, together with the cleaning of the weedscreen, on a regular basis, as the restricted access to this area is preventing the Board from fulfilling its obligations to keep the water flowing.

B.947 BT Poles to Conington Peterborough – Points 22-24

Further to minute B.911, Miss Ablett apologised to the Board as, following the meeting last year, it appears that a letter has not been sent by the Clerk, but she had been assured that a letter to BT would be sent, as a matter of urgency, requesting they remove the unused poles at points 22-24.

RESOLUTION

That, as a matter of urgency, the Clerk send a letter to BT requesting that the unused poles at points 22-24 be removed.

B.948 Consulting Engineers' Report

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

Conington & Holme I.D.B.

Consulting Engineers Report – June 2018

Pumping Station

Other than any matters described below or previously reported to the Board, only routine maintenance has been carried out since the last meeting and the pumping plant is mechanically and electrically in a satisfactory condition.

In accordance with the Chairman's instruction an order was placed with Metalcraft for the manufacture and installation of a replacement galvanised weedscreen in the sum of £8,932.00 + VAT

The fabrication was completed during December 2017 and installation carried out during January 2018 following damming off and dewatering of the pumping drain using MLC labour and a P Davies contracted excavator.

It was noted that the pump construction fixings are becoming corroded as the pumps have not been removed for inspection/overhaul for over 25 years and in view of the following note on problems obtaining insurance the Board may wish to consider that the pumps be removed for service.

Insurance

The Board's new insurer AXA/HSB does include Engineering Insurance cover for sudden and unforeseen breakdown of pumping plant, however two recent claims made by local IDBs were rejected as AXA/HSB considered that the pumps should have been removed for service on a 5 yearly frequency. This was contested by the MLC and the frequency extended to 10 years; however even this is considered unacceptable in most instances, hence an alternative insurer is being sought. In the interim there is no cover in place.

Pumping Hours

Conington Pumping Station

Pump	Total hours run Mar 12-Apr 13	Total hours run Apr 13-Apr 14	Total hours run Apr 14-Apr 15	Total hours run Apr 15-Apr 16	Total hours run Apr 16-Apr 17	Total hours run Apr 17-Apr 18
No 1	289	116	59	41	15	376
No 2	599	412	593	196	110	43

Eel Regulations

Following sustained pressure from the IDB sector, notification has been received that a paper was presented to the EA Executive Directors' Team proposing some changes to their current regulatory process. It is understood that Executive Directors supported the recommendations in the paper and that work is now underway to establish how the EA will transition the changes and what this means in the interim for operators such as IDBs.

In line with what IDBs have been calling for, there is to be a new approach identifying the best achievable eel protection (BAEP), in terms of what is technically feasible and generally affordable. The EA also proposes to change when and where it applies its eel cost benefit analysis tool; how it considers affordability of eel protection at individual sites; and how it balances costs with risk to eel at individual sites. The EA will also investigate where there are opportunities to revise its current programming approach to optimise outcomes for eel. Finally, it will work with sector leads in developing new guidance and processes.

However, it is important to note that the EA will not be in a position to introduce its new regulatory approach until it has developed all of the new, interdependent, components of the process which the EA advise will take up to 12 months.

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 generally working well and will be continued and reviewed at a later date.

Planning Procedures Update

Informatives on Decision Notices

None of the planning applications listed below have an informative advising the applicants of their separate legal obligation to comply with the requirements of the Board's Byelaws and the Land Drainage Act (LDA).

It is left to the Board's discretion whether it wishes the Commissioners to make a formal response to the Councils concerned directly on its behalf, or whether it requests that its Council representatives ensure that such informatives are requested.

Planning Agents Training Day

Having identified engagement issues between "Developers" and the Commissioners and Associated Boards, a Training Day was held in late October. Approximately 50 invitations were

sent out to a cross section of interested parties representing developers, agents and consultants and including all the LPA areas that we deal regularly with. Council Officers were also invited. The event was oversubscribed with twenty-five people attending but several others are on a 'short list' if another similar event is held. The 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.

Analysing the figures very crudely 46% of attendees were agents; 34% consultants; 18% developers and less than 1% Council Officers. The areas covered were 37%, predominantly consultants, all the LPAs; 45% Fenland and 18% West Norfolk. There was no specific representation from Huntingdonshire District, East Cambs District, South Cambs District or Peterborough City Councils.

Planning Applications

In addition to matters concerning previous applications, the following 16 new applications have been received and dealt with since the last meeting:

<i>MLC Ref.</i>	<i>Council Ref.</i>	<i>Applicant</i>	<i>Type of Development</i>	<i>Location</i>
189	H/17/00889/HHFUL	Mr M Braid	Residence (Extension)	Church Lane, Conington
190	H/17/01035/HHFUL	Mr S Smith	Residence (Games room)	High Haden Road, Glatton
191	H/17/01389/HHFUL	Mr J McLelland	Residence (Extension)	Glatton Ways, Glatton
192	H/17/01432/HHFUL	Mr R Baiko	Residence (Extension)	Washingley Road, Washingley
193	H/17/01349/HHFUL	Mr A Fowler	Residence (Extension)	High Haden Road, Glatton
194	H/17/00101/OUT	NJC & Sons Farms	Residential (25 plots)	Pingle Bank, Holme
195	H/17/01657/FUL	The Lord & Lady Miller	Residence	High Haden Road, Glatton
196	H/16/02461/FUL	Mrs E Major	Residence	Sawtry Road, Glatton
197	H/17/01720/HHFUL	Mr T & Mrs J Gordon	Residence (Extension)	Infield Road, Glatton
198	H/17/01913/FUL	Mr & Mrs Beale	Equine	High Hadden Road, Glatton
199	H/17/02014/PMBPA	J H Simpson & Son	Residence	Glatton Lane, Glatton
200	H/17/02016/FUL	Mrs S Bhadhal	Residence	High Haden Road, Glatton
201	Enquiry	Client of RAB Consultants	Residential (25 plots)	Pingle Bank, Holme
202	H/18/00091/FUL	WJC Simpson Farming Ltd	Residence	Glatton Lane, Glatton
203	H/18/80037/COND	Mr Allgood	Residential (2 dwellings)	Conington Lane, Conington
204	H/18/00400/FUL	Berkley Care (Glatton) Ltd	Care Home (70-bed)	Glatton Ways, Glatton

***Planning applications ending 'HHFUL' relate to Householder applications for Full Planning Permission
 Planning applications ending 'PMBPA' relate to Prior Approval - Agricultural to Dwellings
 Planning applications ending 'COND' relate to the discharge of relevant planning conditions***

From the information provided it is understood that all the developments propose to discharge surface water to soakaways, infiltration devices and/or Sustainable Drainage Systems (SuDS). The applicants have been notified of the Board's requirements.

The following applicants have chosen to use the soakaway self-certifying process and, in doing so, agreed that if the soakaway was to fail in the future they would be liable for discharge consent.

- a. *Mr R Baiko – Residence (Extension) at Washingley Road, Washingley (MLC Ref No 192)*
- b. *Mrs E Major – Residence at Sawtry Road, Glatton (MLC Ref No 196)*

Various developments at Glatton Hall, Glatton Ways, Glatton – Glatton Hall Estates Ltd (MLC Ref Nos 066, 070 & 120), Mr J. McClelland (MLC Ref No 079), Newton Chinneck Ltd operating as St Georges Care Home (MLC Ref Nos 127 & 142) and Berkley Care (Glatton) Ltd (MLC Ref No 204)



Further to previous meeting reports a planning application was submitted to the District Council in February for the re-development of the existing site with a purpose built 70-bed care home “for residents requiring nursing, dementia and residential care, car parking and landscaped gardens”.

Extract from Hay Associates Limited's Drawing No. L300-040 P01 Rev. A

The application form advises that surface water disposal will be to “Main Sewer” but no engineering detail has been supplied and the County Council, in its role as the LLFA, have objected to the proposals on these grounds.

According to the District Council's Public Access website a decision has yet to be made.

Developments at D J C Produce, Pingle Bank, Holme - DJC Farms Ltd (MLC Ref No 084), NJC & Sons Farms (MLC Ref No 194) and Client of RAB Consultants (MLC Ref No 201)



**Extract from Partners In Planning And Architecture Ltds
Drawing No. 10/07/02 Rev. A**

Further to previous reports, a planning application was received by Huntingdonshire District Council seeking outline planning consent for a twenty-five plot residential development following the demolition of the existing buildings on site.

The application form advises that surface water disposal will be to soakaways but the FRA prepared by Thomas Consulting confirms that infiltration “will not work”. Therefore, an attenuation system is proposed but beyond some calculations no engineering detail has been provided.

According to the District Council’s Public Access website a decision has yet to be made.

Extensions and alterations to bungalow at 17 Infield Road, Glatton - Mr & Mrs Gordon (MLC Ref No 197)

This planning application was for a small extension to an existing bungalow.

A discharge consent application was subsequently received and in the absence of an alternative surface water outfall an unregulated discharge into the adjacent watercourse was recommended for approval.

Development Contributions

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

Huntingdonshire District Council (HDC) Local Plan to 2036

The Huntingdonshire Local Plan to 2036: Proposed Submission and its supporting documents were submitted for independent examination to the Secretary of State for Communities and Local Government via the Planning Inspectorate on 29 March.

The Secretary of State has appointed Kevin Ward from the Planning Inspectorate to carry out an independent examination of the Local Plan. The Inspector's task is to establish whether the Huntingdonshire Local Plan is 'sound'. He will then report on his findings, including advising if modifications are needed to make the Local Plan sound.

Housing and Economic Land Availability Assessment (HELAA)

A consolidated version of the HELAA has been produced to support the Proposed Submission Huntingdonshire Local Plan to 2036. This incorporates all site assessments from the HELAA documents published for consultation in July and October 2017. It also reflects the outcomes of the Call for Sites which accompanied the Huntingdonshire Local Plan to 2036: Consultation Draft 2017.

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.*

The note referring to the SFRA 2010 mapping for the Middle Level Commissioners' area remains on the Council's website.

Cambridgeshire Flood Risk Management Partnership (CFRMP)

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

The Great Ouse Tidal River Baseline report

This EA document is complete and available in PDF format. The report sets out the status of flood risk management on the tidal River Ouse. One of the most critical/important maps highlights cost benefits in terms of GiA and other funding sources. The report also sets out issues going forward with regard to long term funding of managing the catchment.

The Future Fenland Project

Phase 1 of this EA project, which concerns all of the Fens, has commenced. This will take a couple of years to complete and will include Lincolnshire and Northamptonshire. Workshops for stakeholders were held in January and March 2018. One of the aims of this phase is to outline the total cost benefit analysis of maintaining the Fens.

Phase 2 will assess how the Fens may change in the future based on information from phase 1. This may include considering changes in land use and funding streams.

There are varying views on the future of the Fens and the development of the project. One of the concerns raised was the source of future funding for the management of the Fens and the conflicting views on how it should be managed.

Programme Development Unit (PDU)

This EA team will focus on helping partners deliver projects more efficiently. There are a number of large EA projects that the PDU will be involved with, therefore a hierarchy of projects will need to be established to ensure clarity of their involvement.

Flood risk activities: environmental permits (formerly flood defence consents)

There is currently a proposal by the EA to raise the costs of permitting in stages from the current £170 minimum potentially up to £1441.

Cambridgeshire County Council (CCC) has advised that the Lead Local Flood Authority (LLFA) has also been involved in a similar process with ADA. A response has been prepared by ADA and for more detail see item 25 on the Agenda.

Members will be aware that the statutory fee for obtaining consent stated within the Land Drainage Act has, for many years, been only £50.00 which does not cover the real costs of processing such a consent.

Cambridgeshire County Council – Flood and Water Team – Ordinary watercourse consents have been considered and issued when required.

The Bedford Group of IDBs has advised that Ordinary watercourse consents in its area were not originally considered with protected provisions in the Development Control Order (DCO), a planning document. A legal agreement was subsequently agreed that reflects IDBs' byelaws and protected provisions.

It is understood that the EA had a similar situation at Peterborough on a Main River, even though it was a stakeholder in the project.

IDBs are reminded that they are not Statutory Consultees in such consultations but do need to be aware of forthcoming schemes in order to protect their interests.

Rain Gauges Project

Note. *The Official Journal of the European Union (OJEU - previously called OJEC, the Official Journal of the European Community) is the publication in which all tenders from the public sector which are valued above a certain financial threshold according to EU legislation, must be published. The legislation covers organisations and projects that receive public money, such as Local Authorities, NHS Trusts, MOD, Central Government Departments and Educational Establishments.*

The Eastern Regional Flood & Coastal Committee (RFCC) area (largely Norfolk, Suffolk and Essex) will be joining this Central RFCC project which is likely to be Project Managed by the EA.

The gauges will be located on secure and accessible EA or Anglian Water Services Ltd (AWSL) structures, such as water recycling centres (WRCs), and the Botanical Gardens in Cambridge.

It is intended that information from the rain gauges will be for the use of all partners for flood investigations etc with all sites available via telemetry using a web interface, possibly with three levels of membership – Administrator, Partners and the Public - and associated viewing rights within the web interface with the latter only seeing “local” information. This interface will be based on the software that AWSL already uses for its existing rain gauges and combined sewer overflows (CSOs). The data will not be directly compatible with EA data however a widget will be developed for this purpose. Discussions/negotiations are ongoing with the Met Office regarding a data swap.

The size of the project is causing delays but draft OJEU tender documents, a business case and inter LLFA and AWSL legal agreements are currently being drafted.

As members of the CFRMP, the Middle Level Commissioners have been asked to comment on the proposed location of rain gauges. The LLFA advises that the proposed new gauges have been chosen because they are adjacent to major areas of population and known “wet spots”. In addition to the existing gauge at Steeple Gidding (EA gauge) and the Middle Level Commissioners' gauges

at Holme, Pondersbridge and Abbots Ripton, the LLFA suggested an additional gauge at Ramsey, presumably on the WRCs.

However, an assessment of the proposed locations identified that highly responsive areas which have a history of flooding such as Bury Brook, southern Wisbech and the Swavesey area together with key transport routes, such as the A1, A14, A47, and the East Coast Mainline etc, have all seemingly been ignored. Given the recent and predicted increases in usage of these transport links, the pressures of growth will increase due to the relevant planning authority's failure to meet its 5 year supply and the growth aspirations of the Combined Authority, for example, the M11 extension, duelling of the A47, the Wisbech Garden Town etc.

Therefore, a response made by the Commissioners on both their and the Board's behalf emphasised that transport corridors (and not just urban development) must be included in this project and suggested alternative AWSL structures that should be considered.

In respect of both the Board's and Commissioners' interests it was suggested that a rain gauge should be installed at either Sawtry or Wood Walton WRC.

Strategic Flood Risk Planning Advisor

Funded by the Local Levy the EA has employed a Strategic Flood Risk Planning Advisor on a two year contract. The role will include providing input to LPA's Local Plans (most of which, within Cambridgeshire, are approaching completion) and highlighting flood mitigation opportunities within strategic development proposals.

Integrated FRM PhD research project

A PhD researcher at the Flood Hazard Research Centre (FHRC) Middlesex University is working on integrated flood risk management within Cambridgeshire with the aim of understanding the connectivity between different networks (such as the RFCC, CFRMP, catchment partnerships, local resilience forums, enterprise partnerships) and to see how these influence the integration of different FRM objectives (preventing new risk, reducing existing risk and managing residual risk) and other wider sustainable development objectives. An interview attended by the Chief Executive and Planning Engineer was held with the researcher on 5 January to discuss their roles and the role of IDBs and partnership working, amongst other things.

Consulting Engineer

25 May 2018

C&H(307)\Reports\June 2018

Miss Ablett referred to the Consulting Engineer's recommendation that the wet well be pumped down in autumn this year and a detailed inspection carried out, with a view to replacing the pump bolts in March 2019, which it is estimated could cost in the region of £3,000.

She also referred to the Planning Engineers' enquiry as to whether the Board wished for the Middle Level Commissioners to make a formal response to the local councils regarding the lack of informatives attached to decision notices advising applicants of their separate legal obligation to comply with the requirements of the Board's Byelaws and the Land Drainage Act.

RESOLVED

- i) That the Report and the actions referred to therein be approved
- ii) That the Consulting Engineers arrange for the wet well to be pumped down in Autumn this year and a detailed inspection be carried out with a view to replacing the pump bolts in March 2019.
- iii) That the Planning Engineer make formal responses to the Local Councils concerning informatives being added to decision notices advising of their separate legal obligation to comply with the requirements of the Board's byelaws and the Land Drainage Act.

B.949 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.950 Environmental Officer's Newsletter and BAP Report

Miss Ablett referred to the Environmental Officer's Newsletter, previously circulated to Members.

Members considered and approved the most recent BAP report, together with the information sheets about floating pennywort.

Miss Ablett reported that Cliff Carson had recently filmed a piece on otters which had been shown on the BBC Spring Watch programme the day before. She reported that Cliff was due to retire at the end of June and that his replacement had been appointed.

RESOLVED

That the Board make a £50 contribution towards a gift for Cliff Carson's retirement.

B.951 Report on maintenance work in the District

a) Gravity Area

Mr D Elmore reported on the drain between points 80-81 and the need for this to be flailed and machine cleansed.

b) Pumped Area

The Chairman referred to the earlier agenda item and the need for Network Rail to maintain the drainage channel and clean the weedscreen, on a regular basis, at their culvert at Point 12.

c) Flail Mowing

The Board discussed flail mowing undertaken since the last meeting and considered the arrangements satisfactory.

RESOLVED

- i) That P J Davies Contracting flail and machine cleanse the ditch between points 80-81.
- ii) That Messrs Davies and Elmore be authorised to undertake flail mowing operations for the Board and that the rate of £39 per hour be allowed for 2018/2019.

(NB) –Messrs D and R Elmore declared interests when this item was discussed.

B.952 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 Defra.

RESOLVED

That no proposals be formulated at the present time.

B.953 Environment Agency – Precepts

Miss Ablett reported that the Environment Agency had issued the precept for 2018/2019 in the sum of £1,951 (the precept for 2017/2018 being £1,923).

B.954 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

(a) Miss Ablett reported that the sum of £1,117.36 (inclusive of supervision) had been received from the Environment Agency (£2,141.04 representing 80% of the Board's estimated expenditure for the financial year 2017/2018 less £963.68 overpaid in respect of the financial year 2016/2017).

(b) Further to minute B.919(b), Miss Ablett referred to the discussions with the Environment Agency over the monies available to fund highland water claims.

RESOLVED

That the position be kept under review.

B.955 Contribution from Developers

With reference to minute B.180, Miss Ablett 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.956 Association of Drainage Authorities

Miss Ablett reported:-

a) Annual Conference

That the Annual Conference of the Association of Drainage Authorities would be held in London on Wednesday the 14th November 2018.

RESOLVED

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

b) Annual Conference of the River Great Ouse Branch

On the Annual Conference of the River Great Ouse branch of the Association held in Prickwillow, Ely on Tuesday the 6th March 2018 and the fact that the administration of this branch has now been passed to the Middle Level Commissioners.

Miss Ablett advised that the new members elected to the Branch's Executive Committee included the Middle Level Commissioners' Operations Engineer, Jonathan Fenn and the Chairman, Marc Heading who was appointed Vice Chairman (with Harry Raby of the Bedford Group being appointed Chairman). She added that the agreed aim of this reworked branch will be to be more pro-active and accordingly it was expected that the Executive Committee will meet periodically to discuss catchment wide issues and will then report back to the Branch at its Annual Conference on what it has achieved over the year.

c) Subscriptions

That it was proposed by ADA to increase subscriptions by approximately 1% in 2018, viz:- from £536 to £542.

RESOLVED

That the increased ADA subscription be paid for 2018.

d) Liability of Board Members

Miss Ablett referred to, and the Board noted, a Guidance Note received from ADA dated the 28th 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.

Miss Ablett 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

Miss Ablett referred to a letter received from ADA dated the 20th October 2017.

Miss Ablett 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 powers in relation to environment matters. 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.

f) New Model Policy Statement

Miss Ablett referred to the publication of the new model Policy Statement issued in late April by ADA.

RESOLVED

That the Clerk be requested to draft a new Policy Statement for consideration by the Board at their next meeting.

g) Floodex 2019

That Floodex 2019 will be held at The Peterborough Arena on the 27th and 28th February 2019.

B.957 Capital Programme Strengthening and Delivery

Miss Ablett 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 19th April 2017.

B.958 Middle Level Commissioners and Administered Boards Chairs Meeting

Miss Ablett reported that a meeting of the Chairmen of all of the Middle Level Commissioners' administered Boards met on the 8th March 2018 to discuss the challenges facing Boards. Innes Thomson, Chief Executive of ADA, spoke on the arrangements adopted by other Boards around the country.

Matters raised included:-

- 1) Advantages, disadvantages and barriers to amalgamation.
- 2) Future meetings and the opportunity for Boards to request items be added to the agenda.
- 3) Reviewing Board membership numbers.
- 4) Frequency of Board meetings.

The Chairman added that the Board was only small and if it were looking to amalgamate with another, of a similar size, this would realistically be Sawtry IDB. He advised that one of the concerns raised was the number of Board members attending meetings and the need for these to be quorate. The Chairman was aware of two younger individuals who were interested in becoming members and enquired as to how many members the Board were allowed. Miss Ablett advised that the Board currently had their full quota, eight members, and that this would have been determined when the Board was constituted. In order to increase its membership the Board may be required to amend its constitution.

RESOLVED

- i) That the Clerk advise the Chairman of the number of members allowed on the Board and whether it would be possible to appoint two new members, at this time. If it was not possible, the Clerk to advise the Chairman of the necessary procedure to enable the Board to increase its' membership numbers.
- ii) That, if it was possible to appoint new members, the Chairman be authorised to approach Messrs Toby Simpson and James Davies, as they had both expressed an interest in joining the Board.

B.959 Member training and the appointment of a Health and Safety Officer

Miss Ablett 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 was 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.

Although the Board acknowledged the importance of Health and Safety, the Chairman considered the position of a Health & Safety Officer was a specialised field and would be too onerous and time consuming for any Board member.

RESOLVED

- i) That the Chairman, and Mr D Elmore meet with the Clerk to discuss the matter in more detail.
- ii) That the Board participate in any training organised through the Middle Level Commissioners.

B.960 Defra IDB1 Returns

Miss Ablett referred to a letter received from Defra dated the 24th April 2018 and reported on the proposed changes to the Annual Defra IDB1 Returns.

She 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.

Miss Ablett reported that for the year ended 31st 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.961 Requirements for a Biosecurity Policy

Miss Ablett reported that, from 2018, Board's will be required to advise (through the IDB1 returns) whether they have in place a Biosecurity Policy. This is considered necessary following increased concern over the spread of alien invasive weeds from one waterbody to another, possibly through the use of contracted or shared plant which can carry elements of such plants if not properly cleaned after being moved from contaminated locations. ADA have stated that they support the principle of having a policy in place and, conscious that for most boards the policy requirements will be identical, they are producing a model document. The Board were asked to confirm that they were content to adopt a policy as long as it is suitable and will not include overly onerous steps which might restrict their activities.

RESOLVED

That the draft policy be reviewed by the Board at their next meeting.

B.962 The General Data Protection Regulation (GDPR)

Miss Ablett referred to the Guidance Note on the implementation of the GDPR and that all organisations must become fully compliant by the 25th May 2018.

RESOLVED

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

B.963 Charging for Environmental Permits

Miss Ablett reported on the consultation on charging for Environmental Permits which closed on the 26th January 2018. It is suggested within the consultation that charging should be designed to recover costs and as such there may be significant increases in the charges for obtaining Environment Agency permits for some IDB activities which require such consents. ADA have responded on behalf of the industry and their response is available on their website, www.ada.org.uk/2018/01/ada-responds-environment-agency-charge-proposals-2018.

B.964 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 31st March 2017.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2017.

B.965 Governance and Accountability for Smaller Authorities in England

Miss Ablett referred to the recently issued Practitioners' guide to proper practices to be applied in the preparation of statutory Annual Accounts and Governance Statements which will apply to Annual Returns commencing on or after 1st April 2018.

B.966 Budgeting

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

B.967 Review of Internal Controls

- a) The Board considered and expressed satisfaction with the current system of Internal Controls.
- b) The Board considered and approved the appointment of Whiting & Partners as Internal Auditor for the three period 2018/2019 to 2020/2021.
- c) The Board approved the Audit Strategy and Audit Plan.

B.968 Bank mandate

RESOLVED

That, in addition to Mr J Racey, Mr T R West be authorised to sign cheques and authorise payments on behalf of the Board.

B.969 Risk Management Assessment

- a) The Board considered and expressed satisfaction with their current Risk Management system.
- b) The Board reviewed and approved the insured value of their buildings.

B.970 Appointment of External Auditor

Further to minute B.891, Miss Ablett referred to the decision by the Commissioners to join the Sector Led Auditor Appointment Body for the appointment of the External Auditor and that the Smaller Authorities' Auditor Appointments (SAAA Ltd) had formed for this purpose. She reported that they had now confirmed the appointment of PKF Littlejohn to carry out the external audit of the Commissioners for a five year period commencing with the financial year 2017/2018.

B.971 Transparency Code for Smaller Authorities

Miss Ablett reported that from 2017/2018 smaller public bodies (Boards with income or expenditure less than £25,000) would not be required to undertake a formal audit but would need to have greater publication requirements in place. She advised that it would also be necessary to question the effect of "one off" payments such as development contributions taking the Board above the £25,000 limit, in a particular year.

RESOLVED

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

B.972 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.973 Annual Governance Statement – 2017/2018

The Board considered and approved the Annual Governance Statement for the year ended on the 31st March 2018.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31st March 2018.

B.974 Payments

The Board considered and approved payments amounting to £16,824.74 which had been made during the financial year 2017/2018.

(NB) – The District Officer declared an interest in the payments made to Davies Contracting.

B.975 Anglia Farmers

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

Miss Ablett reported that the contract with Anglia Farmers ceases on the 30th September 2018 and advised that, in view of the problems encountered over the past 15 months with the operation of the contract, a report had been sent to all Chairmen.

Miss Ablett 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 the Board's 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.

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

RESOLVED

That the actions of the Chairman be approved and 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.976 Annual Accounts of the Board – 2017/2018

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2018 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 2018.

B.977 Expenditure estimates and special levy and drainage rate requirements 2018/2019

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2018/2019 and were informed by Miss Ablett that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be:-

	<u>Area 1 (Gravity Area)</u>	<u>Area 2 (Pumped Area)</u>
Drainage rates	54.10%	97.56%
Special levy	45.90%	2.44%

Miss Ablett advised the Board of the estimates for 2018/2019 and of the rates required to meet the anticipated budget and also that, as the current general fund balances were insufficient to cover a typical year's expenditure in hand, they may wish to consider increasing the rate.

Miss Ablett reminded the Board that, as they had earlier approved to replace the wet well bolts at an estimated cost of £3,000, it would be prudent to budget for this as this expenditure would further deplete the general fund of the Pumped Area and would result in a much higher rate having to be raised in the future to enable the Board to operate.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £18,384 be raised by drainage rates and special levy (Area 1 - £9,091; Area 2 - £ 9,293).
- 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:-

	<u>Area 1</u>	<u>Area 2</u>
Drainage rates	£4,918	£9,066
Special levy	£4,173	£227

- iv) That drainage rates be laid and assessed on Agricultural hereditaments in the District as follows:-

<u>Area 1</u>	<u>Area 2</u>
7.40p in the £	18.75p in the £

- v) That a Special levy of £4,400 be made and issued to Huntingdonshire 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.978 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.979 Date of next Meeting

RESOLVED

That the next Meeting of the Board be held on Tuesday the 14th June 2019.

B.980 Catchwater Drain

The Chairman reported that there had been some bank subsidence on the eastern side of the Catchwater Drain, upstream of Cooks Lane, which had reduced Mr J Racey's compliance strip and enquired whether the Middle Level Commissioners could check this.

RESOLVED

That the Consulting Engineers be requested to check the Catchwater Drain on the eastern side, upstream of Cooks Lane.