

## WALDERSEY INTERNAL DRAINAGE BOARD

At a Meeting of the Waldersey Internal Drainage Board  
held at the Sportsman Public House, Elm on Wednesday the 14<sup>th</sup> June 2017

### PRESENT

G W Lankfer Esq (Chairman)	B R Darlow Esq
P Lankfer Esq (Vice Chairman)	S J Flint Esq
J E Arnold Esq	N J Harrison Esq
J T Clarke Esq	M J Mottram Esq
J P Smith Esq	

Miss Lorna McShane (representing the Clerk to the Board) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance. Mr W Sutton attended for part of the meeting.

### Apologies for absence

Apologies for absence were received from D Matthews Esq, P M Tegerdine Esq and B Wales Esq.

### B.1032 Declarations of Interest

Miss McShane 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.

Messrs Arnold, Lankfer and Smith declared interests in agenda item 19.

Mr Clarke declared a financial interest in agenda item 16.

### B.1033 Confirmation of Minutes

### RESOLVED

That the Minutes of the Meeting of the Board held on the 15<sup>th</sup> June 2016 are recorded correctly and that they be confirmed and signed.

### B.1034 Clerk to the Board

a) Further to minute B.994, Miss McShane reported that Mr David Thomas had been appointed as Clerk to the Board and she had been appointed Solicitor/Assistant Clerk.

Miss McShane reported that the Chairman had authorised a donation of £100 towards the gift to mark Iain Smith's retirement and that Mr Smith had asked that his thanks be passed on to the Board for their generous contribution towards his retirement gift and would like it recorded that it had been a pleasure for him to serve the Board and that he wished them all the best for the future.

b) Changes to bank mandate

Further to minute B.1015, Miss McShane reported that, as most of the invoices raised came through the engineering department, the Internal Auditor had advised that David Thomas should not be named on the bank account and that the Treasurer and Assistant Treasurer of the Middle Level Commissioners should be the officers authorised to make payments of authorised accounts and that in pursuance of minute B.1015, the Chairman had authorised the appropriate changes to the mandate.

RESOLVED

- i) That the action taken be approved.
- ii) That the donation to mark the retirement of the Clerk to the Board, authorised by the Chairman, be approved.

B.1035 Election of Board Members

Miss McShane reported that the term of Office of the elected Members of the Board would expire on the 31<sup>st</sup> October 2017 and submitted the proposed Register of Electors applicable to the 2017 election.

RESOLVED

That the Register be approved.

B.1036 Land Drainage Act 1991  
Board Membership – Fenland District Council

Miss McShane reported that Fenland District Council had re-appointed Councillor W Sutton to be a Member of the Board under the provisions of the Land Drainage Act 1991.

B.1037 Water Framework Directive

Further to minute B.996, Miss McShane reported that there had been no further developments, apart from Mr Paul Sharman being appointed as the IDB representative following the retirement of Mr Iain Smith, but advised that, due to the Environment Agency no longer being able to support it, the River Basin Liaison Panel had since been disbanded. She also reported that the Clerk was satisfied that there were other partnerships in place and would continue to update Members when required.

B.1038 Water Transfer Licences

Further to minute B.997, Miss McShane reported that ADA had met with Defra officials, including Sarah Hendry, on the 11<sup>th</sup> October to discuss the Water Transfer Licences and it appeared that the Minister was keen to avoid over regulation. ADA had proposed certain points to Defra, including that ADA would hold one licence for the industry or that the opportunity should first be given for the information which the Environment Agency allege that they do not have to be provided other by regulation but perhaps through a form similar to the present IDB1. Defra officials had, it was understood, agreed to consider these proposals.

Miss McShane gave a brief update on the current position in relation to proposed licensing changes and made it clear that unnecessary bureaucracy and unfair charging would be resisted.

B.1039 Flail mowing in the District

Further to minute B.998, the Chairman reported on the options for carrying out flail mowing in the District for the forthcoming year.

RESOLVED

That Mr Ben Wales be requested to undertake flail mowing operations in the Waldersey District.

(NB) – Mr Harrison declared an interest (as a possible contractor for the works and who carried out work for Hundred of Wisbech IDB under contract) when this item was discussed.

B.1040 Consulting Engineers' Report

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

## **Waldersey I.D.B.**

### **Consulting Engineers Report – June 2017**

#### **Health & Safety**

A neighbouring IDB has recently had an occurrence in which a dog ended up trapped between a weedscreen and a pump. This happened at an unmanned pumping station. The dog's owner entered the pump intake area to secure the rescue of the dog and it was fortuitous that an automated pump start did not occur. However, this is perhaps an opportune reminder that members of the general public and even the emergency services are not necessarily aware of the risks posed at such installations. It is recommended that all such sites have reasonable protection from entry and also have signage indicating the risks and who should be contacted in an emergency. It is therefore recommended that the Board reviews its sites and the Middle Level Commissioners' engineers will be happy to assist if required, for example by supplying a sample draft signage template or by giving specific advice on what can be done at a particular site.

#### **Asset Survey**

As an essential part of our work in seeking to reduce flood risk, the Middle Level Commissioners (MLC) have surveyed all MLC and third party owned penetrations through MLC river banks and embankments and recorded and uploaded these to our GIS (Geographical Information System). The condition and likely continuing use or otherwise of these penetrations (generally pipes or culverts) has been assessed. Should the Board wish for a similar exercise to be carried out on their own district assets this can also be arranged. Such a survey would assist the Board with future budgeting in ensuring that smaller but strategically/locally important assets such as culverts, slackers and adjustable and fixed weirs are not overlooked.

#### **Weed Control and Drain Maintenance**

The maintenance works carried out last year generally accorded with the recommendations approved by the Board at its last Annual Meeting.

#### **Northern Area**

A recent joint inspection of the Northern Area has been undertaken with the Chairman, Vice Chairman and District Officer. The inspection indicated that the majority of district drains are in a satisfactory condition and being maintained to a good standard.

The district inspection highlighted the main pump drain, reach 4-5-6-7-8-9-10 and the eastern spur drain, reach 8-26-27 are in good order and contain minimal aquatic vegetation. However, Board Members will recall in 2009, significant issues for the adjacent land owner/occupier arose following machine cleansing and desilting works, as the combination of aquatic weed mass, combined with

significant deposits from silt arisings, prevented autumn cultivations and drilling taking place which required further intervention from the Board. As it is now 8 years since this reach was last dredged, and in order to prevent a similar situation occurring, it is recommended that the pump drain and spur drain are machine cleansed following the harvest of the adjacent crops this year.

The inspection has also highlighted stands of common reed, typha (bulrush), and emergent aquatic vegetation are also evident in the Graysmoor Drove drain, reach 10-11-12-13-72. It is recommended that the affected drains are treated with an application of Roundup to control the emergent aquatic growth during the summer months.



**Water Control Structure Point 75**

It was also noted during the inspection, the division dam boards at Point 75 have continued to deteriorate and now allow attenuated water to seep through; it is recommended the dam boards be replaced. In anticipation that the Board wishes to proceed with the works, a provisional sum has been included in the estimated costs to allow for dam boards to be replaced with interlocking oak timbers.

Following the Board's approval at its annual meeting in 2013, programmed bi-annual machine cleansing is due to be undertaken this year along the Nettle Bank spur drain, reach 15-16-17-18, and the Coldham, Overstone drain, reach 36-37-38-39-40-41-42. Please refer to the following site plan for locations.

A further provisional sum has been included in the estimate to allow for any emergency machine cleansing, culvert clearance or bank reinstatement works that may be required in the district later in the year.

### **Southern Area**

A recent joint inspection has been undertaken with the Southern Area District Officer. The inspection revealed the district drains in the southern area are generally in a satisfactory condition and being maintained to a good standard. However, the inspection highlighted dense stands of reed and emergent aquatic vegetation in the main pump drain, reach 50-51-52. It is recommended that this reach is treated with an application of Roundup herbicide and lightly machine cleansed following harvest this year.

As previously reported to the Board, Graysmoor Drove drain, reach 54-71, having not been included in previous drain maintenance programmes and having had only minimal flail mowing works carried out along its length for many years, has now reached a point where it visibly is no longer fit for purpose. Although the prime function and water conveying ability of the drain has been negated over the years with other drain improvement works within the Southern Area pumping system, its current poor condition indicates it is all but redundant in name.



**Graysmoor Drove Drain  
Reach 54-71**

The Board may wish to take this opportunity to discuss what course of action, if any, they wish to take, and whether they consider it pertinent to undertake machine cleansing works following harvest this season, which would restore its previous good condition, with a view to subsequently de-maining the reach.

It was also noted during the inspection that several reaches within the Southern Area contain sporadic stands of reed and emergent aquatic vegetation. It is recommended that the affected drains are treated with an application of Roundup herbicide to control the summer growths to maintain their good status. Please refer to the previous site plan for locations.

A provisional sum has been included within the estimate for any emergency machine cleaning, culvert clearance or debris clearance work which may be required later in the year.

As many Board Members may already be aware, the Board's main flail mowing, herbicide application and weed basket contractor, Hundred of Wisbech IDB, has recently undergone some changes to its staffing, plant/machinery and working strategy and will not be able to offer its contracted services to the Board as it had in past seasons. The Board may wish to take this opportunity to discuss its future requirements and to appoint a new contractor to undertake the role.

The Middle Level Commissioners have been contacted by Mr Nigel Harrison, who having purchased the Hundred of Wisbech IDB tractor and Herder flail mowing machine, has extended the offer of his contracted herbicide application, flail mowing and weed basket services to Waldersey IDB at the 2016 hourly rate.

Mr Peter Lankfer has also expressed an interest in undertaking the aforementioned work on a contract basis for the Board.

REPRODUCED FROM OR BASED UPON THE  
ORDNANCE SURVEY MAP WITH THE SANCTION  
OF THE CONTROLLER OF H.M. STATIONERY OFFICE  
CROWN COPRIGHT RESERVED



SOUTH BRINK  
PUMPING STATION

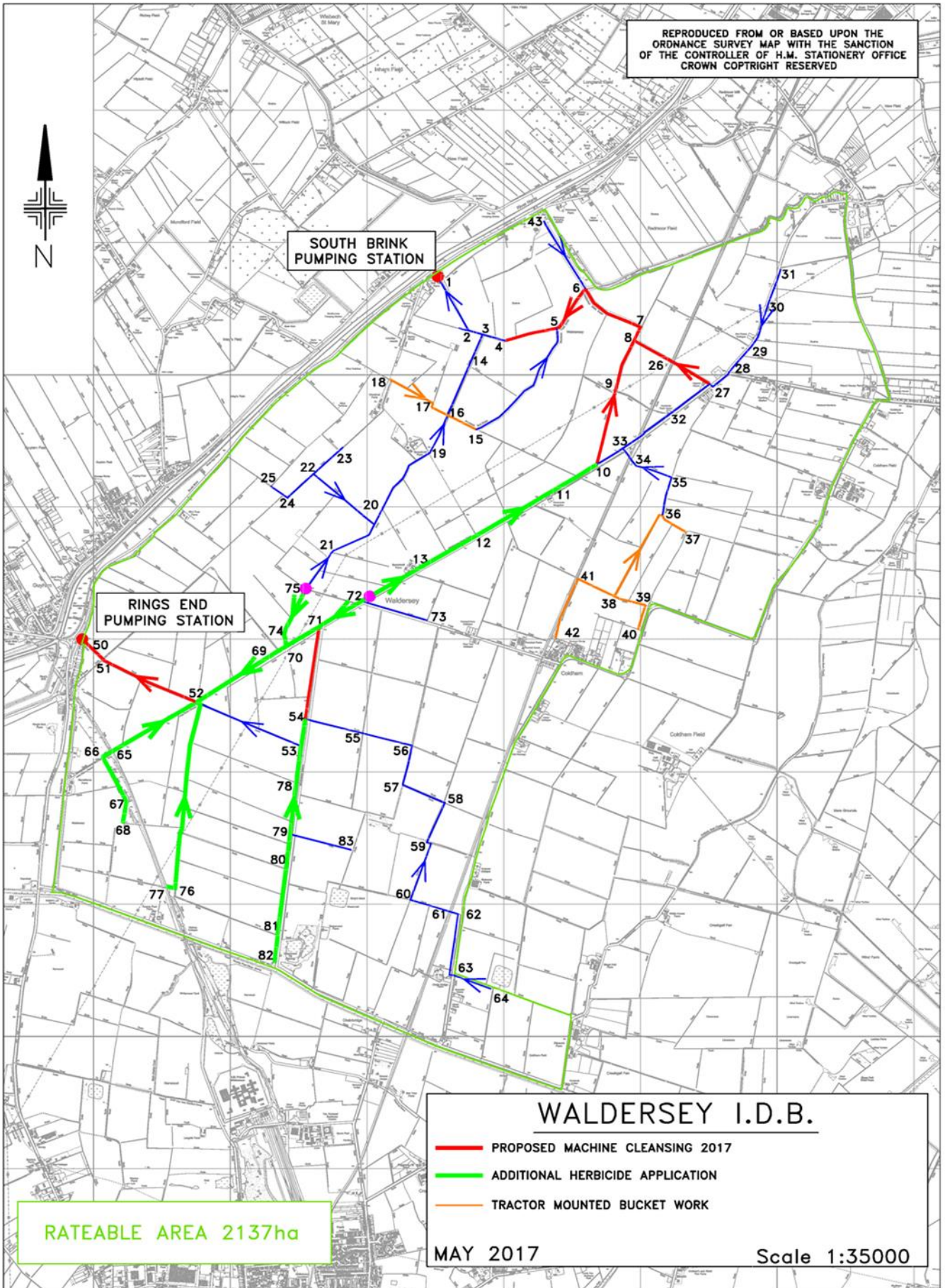
RINGS END  
PUMPING STATION

RATEABLE AREA 2137ha

**WALDERSEY I.D.B.**

- PROPOSED MACHINE CLEANSING 2017
- ADDITIONAL HERBICIDE APPLICATION
- TRACTOR MOUNTED BUCKET WORK

MAY 2017 Scale 1:35000



A sum to allow for flail mowing, basket work and herbicide application utilising the Board's preferred contractor has been included within the estimated costs.

The estimated costs of this year's recommended Weed Control and Drain Maintenance works follow. Please refer to the previous plan for locations.

**Northern Area**

1. Machine Cleanse				
(i) South Brink, Main Pump Drain Reach 4-5-6-7-8-9-10	2400 m	@	1.20	2880.00
(ii) Eastern Spur Drain Reach 8-26-27	680 m	@	1.20	816.00
2. Provisional Sum				
Replace timber dam boards, point 75	Item		Sum	950.00
3. Machine cleanse Nettle Bank Spur Drain reach 15-16-17-18	7550 m	@	0.50	3775.00
4. Machine cleanse Coldham, Overstone Drain				
(i) Reach 40-39-38-41-42	1230 m	@	0.50	615.00
(ii) Reach 38-36-37	950 m	@	0.50	475.00
5. <u>Provisional sum</u>				
Allow sum for emergency machine cleansing, culvert clearance and bank reinstatement works	Item		Sum	750.00
6. Flail mowing of drains in Northern Area	Item		Sum	1750.00
7. Allow sum for Roundup herbicide application	Item		Sum	350.00

**Southern Area**

8. Machine cleanse				
(i) Rings End, Main Pump Drain Reach 50-51-52	950 m	@	1.20	1140.00
(ii) Graysmoor Drove Drain Reach 54-71	700 m	@	1.00	700.00
9. <u>Provisional sum</u>				
Allow sum for emergency machine cleansing culvert clearance or debris removal works	Item		Sum	750.00
10. Allow sum for Roundup application to control emergent weed and reed	Item		Sum	350.00
11. Flail mowing of Southern Area District Drains	Item		Sum	2000.00
12. Fees for inspection, preparation and submission of report to the Board, arrangement and supervision of herbicide applications and maintenance	Item		Sum	1300.00

<b>TOTAL</b>			<b>£</b>	<b>18,601.00</b>
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Orders for the application of herbicides by the Middle Level Commissioners are accepted on condition that they will not be held responsible for the failure of any treatment to be effective.

### **Pumping Stations**

Other than the matters described below, only routine maintenance has been carried out since the last meeting and the pumping plant at each of the stations is mechanically and electrically in a satisfactory condition.

#### **South Brink**

The insulation resistance of the electronic soft starts and the no 2 motor windings remains quite low and continues to be monitored.

In accordance with the Board's instructions the weedscreen cleaner trolley has recently been removed from its gantry and is currently undergoing refurbishment which is expected to be completed and the machine returned to service by the middle of June.

### **Pumping Hours**

#### ***South Brink Pumping Station***

	Total hours run May 14-May 15	Total hours run May 15-May 16	<b>Total hours run May 16-May 17</b>
No 1	370	340	110
No 2	193	67	21
No 3	447	35	200
	Total hours run May 11-May 12	Total hours run May 12-May 13	Total hours run May 13-May 14
No 1	6	315	181
No 2	2	195	100
No 3	65	701	340

#### ***Rings End Pumping Station***

	Total hours run May 14-May 15	Total hours run May 15-May 16	<b>Total hours run May 16-May 17</b>
No 1	738	284	100
No 2	70	44	120
	Total hours run April 11-May12	Total hours run May 12-May13	Total hours run May 13-May 14
No 1	157	928	421
No 2	18	82	68

### **Eel Regulations**

The latest guidance suggests that spending of FCRM money on schemes just to facilitate eel movements will not be required. However, plans for improvements, modifications or replacement of structures which have been identified as a barrier to movement should be seen as a trigger for

considering such works. There is a further test to be included and that is one of proportionately, ie the additional cost of eel passage should not be disproportionate to the overall scheme cost.

The IDBs and ADA have been pushing for further research to better understand eel movement and explore all options in relation to providing methods which would allow the mature (silver) eels to escape closed systems and hence travel to their breeding sites in the most cost effective manner. ADA has asked if IDBs would join with the EA in funding this project and so far the response has been positive. The Board is therefore asked if it would wish to offer some financial support over one or two years. Other Boards have committed between £50 and £1000 for either one or two years.

### **Development within the Floodplain**

The floodplain, its definition, derivation and extents have been an issue not only for the Commissioners and associated Boards but other IDBs since its introduction. This has become of more concern since the elevated importance of the Sequential Test in the National Planning Policy Framework (NPPF).

The matter of development within the floodplain has been discussed at several sites within our areas of interest, and the Clerk to the Commissioners/Boards has advised that the definition and extents of a “floodplain” are matters for the planning authority to resolve with the relevant authority who prepared the hazard map, be it the Environment Agency (EA) for its various flood maps, the Local Planning Authority (LPA), for its SFRA, and/or the Lead Local Flood Authority (LLFA) for its SWMP. It is acknowledged that whilst there may be specific issues relating to future proposed aspects of development within our catchment we will not oppose it simply because it is within the floodplain. The Commissioners/Boards have policy statements, available on the Middle Level website, which set out the Standard of Protection (SoP) that they will seek to provide, floodplain or not.

In short, the Commissioners and associated Boards do not agree with the generic content of the NPPF and argue that “The Fens” is a special case and should be considered as such.

The main purpose of an IDB is to aim to manage flood risk up to an appropriate SoP. Above this SoP there will be a residual flood risk which must be accounted for.

### **Internal Consultation with the Board**

To ensure that our limited resources are maximised and to enable more timely responses to pre-/post-application consultation and applications for byelaw consent, and occasionally discharge consent, we have introduced a defined 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.

Members are reminded that if a response, ideally in writing by post or email, has not been received within fourteen days from the request being issued then it is considered that the Board does not wish to comment and is content for the Commissioners' staff to process and make a recommendation on the respective consent application/discussion procedure based upon information to hand.

### **Changes to Planning Procedures Update**

The responses from these procedures have been positive and will continue for the foreseeable future, to be reviewed at a later date.

### **Pre- and Post-Application Consultation**

Despite an increase in the number of planning applications being processed and planning enquiries received it appears that the number of Pre- and Post- Application Consultation discussion requests has reduced over previous years. The reason for this is unknown but as detailed later in this report "developers" are failing to maximise the benefits of this procedure and Boards are failing to encourage its use and thus are incurring unnecessary additional costs which could be paid by the developer.

### **Notes/Informatives on planning decision notices**

Following a concern raised by one of the Boards administered by the Commissioners, a brief review of a random, yet representative, sample of planning application Decision Notices made by the Huntingdonshire District Council (HDC) that have primarily been granted in the last two years has been undertaken.

Many of the relevant decisions within HDC's area made during 2016, and to a lesser degree during 2015, relate to the Prior Approval of agricultural building to dwellings or Prior Notification applications which, on the whole, do not include conditions or refer to notes/informatives possibly because of the nature of the application. In a similar manner most of the other decision notices found did not, with a few exceptions, include notes/informatives either.

As a result a letter was sent during December to all the planning authorities that the Commissioners deal with, both directly and on behalf of its administered Boards, requesting that the use of informatives could be (re-) introduced on future notices "in order to make applicants aware of other consents which may be required in addition to Planning Consent and prevent them being in breach of the Boards' Byelaws"

It is understood that the principle of using notes/informatives on Planning Decision Notices is based on the Court of Appeal which remarked following the case of Slough Borough Council v Secretary of State for the Environment and Oury [1995] "The general rule is that, in construing a planning permission, regard may only be had to the permission itself, including the reasons stated for it."

The decision and its reason(s) is the primary document, with the informatives no more than non-binding additional information which lack a statutory basis. Planning Conditions, on the other hand, may impose mandatory requirements for the carrying out of development and have statutory authority.

The purpose of a note in respect of a condition is to provide the applicant with further information and an informative is to provide relevant guidance to the applicant without having to impose relevant conditions. The Planning Circular 11/95: use of conditions in planning permission advises how these can be used to bring the applicants' attention to certain matters, such as, reminding an applicant to obtain further planning approvals and other consents but should not establish mandatory requirements with which an authorised development must comply.

However, it is further understood that there are a limited number of exceptions to this rule which could lead to a challenge to the permission which may result in a decision being "quashed" but this is outside of our interest on this occasion.

#### Local Land Charges Register (LLCR)

As previously advised requests are made to the Local Planning Authority (LPA), when relevant, to make an entry on the LLCR to highlight that the requirements of the relevant authority have not been met. This process is providing results, particularly within the Fenland District Council (FDC) area, but enquiries from other LPAs are low, however, these areas of interest are smaller than that of FDC and feature smaller urban areas.

Previously enquiries were only received from local Solicitors but more recently enquiries are also being sought from independent search providers who offer specialist conveyancing services, such as Index Property Information, who undertake local authority searches, drainage and water reports, environmental reports etc.

Whilst researching and processing such enquiries have cost and time implications it protects the parties involved and is believed to have been a significant contributing factor in moving forward a long standing issue associated with the Cardea development at Stanground to the west of the Commissioners' catchment.

Treated effluent discharges from Anglian Water Services (AWS) Water Recycling Centres (WRC) or from the Public Sewerage System

Developers are becoming increasingly aware of the Supreme Court's decision that any connection to a public sewer under Section 106 of the Water Industry Act 1991 or agreement to construct a public sewer under Section 104 of that Act also requires our consent where our systems would be affected. Therefore, in addition to any permission from the LPA, the EA and AWS, the consent of the Board/Commissioners is also required for the acceptance of any increased flows or volumes to our system. Such consent will not be given unless we consider that the discharge can be properly dealt with within our system and the costs of accommodating that discharge are met.

### **Planning Applications**

In addition to matters concerning previous applications, the following 5 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>
102	F/YR16/0455/CERTLU	Elm Lodge Kennels	Kennels	Belt Drove, Elm
103	F/YR16/0510/F	Mr M Pilling	Equestrian	Bramley Court, Coldham
104	F/YR16/0690/AG1	Mr D Crockford	Polytunnels (3)	March Road, Rings End
105	F/YR16/0889/F	Mr & Mrs D Brand	Residence (Extension)	Overstone Road, Coldham
106	Discharge Consent	Rural Designer Homes Ltd	Residence	March Road, Rings End*

***Planning applications ending 'CERTLU' relate to certificate of existing lawful use***

A development that is known to propose direct discharge to the Board's system is indicated with an asterisk. The remainder are understood to propose surface water disposal to soakaways/infiltration systems or sustainable drainage systems, where applicable.

*Erection of a 2-storey 3-bed dwelling involving demolition of existing garage at land north of The Overstone, March Road, Coldham - Mr & Mrs P Bray (MLC Ref Nos 051, 062 & 092)*

Further to previous reports, the planning permission associated with this development, which required an inter-catchment transfer into the adjacent Needham & Laddus IDB, expired in early March. No subsequent planning applications to review this permission have, at the time of writing, been submitted to the District Council.

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

## **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.

## **Cambridgeshire Flood and Water Supplementary Planning Document (SPD)**

***Note.** A Supplementary Planning Document (SPD) is a document that provides further details and/or guidance with reference to policies and proposals contained in a Development Plan Document (DPD) or Local Plan.*

The SPD was endorsed by the County Council and the completed document was circulated to the relevant planning authorities and risk management authorities (RMAs) for adoption where appropriate. The SPD was adopted by FDC's Full Council on 15 December 2016.

## **Fenland Flooding Investigation Sub-group**

As a result of the flooding experienced in March following the extreme high rainfall event between 8-10 August 2014, a sub-group of the CFRMP, involving relevant stakeholders including the Commissioners, was formed to investigate and, where possible, resolve the problem.

The meetings associated with this investigation have proved beneficial to all the stakeholders involved and may lead to the resolution of many historical issues and, as a result, the LLFA proposed that future meetings take place to discuss any local flooding issues in the District Council's area.

## **Surface and Foul Water Flooding at Coldham**

With the exception of being mentioned at the inaugural meeting of the Fenland Flood Investigation Sub-Group no further action has been taken on behalf of the Board.

## **Re-Opening of The March – Wisbech Railway**

Board members may be aware of the District Council's aspiration for Wisbech to become a "Garden Town". A key part of the proposal relates to the establishment of a regular direct rail link between Wisbech and Cambridge via March.

In this respect, the County Council has been reminded of its duties as the LLFA and the interests of both the Commissioners and other drainage bodies for whom the MLC provide a planning service. Concerns have also been expressed about possible adverse impacts on the local flood risk and water level management systems that might arise and it has been recommended that any subsequent development of the proposals is dealt with as part of the pre-application consultation process.

The County Council advised that if funding was available any more detailed work would be carried out with close engagement with various stakeholders including the MLC, relevant Drainage Boards and the Environment Agency at which point the pre-application consultation process could be started.

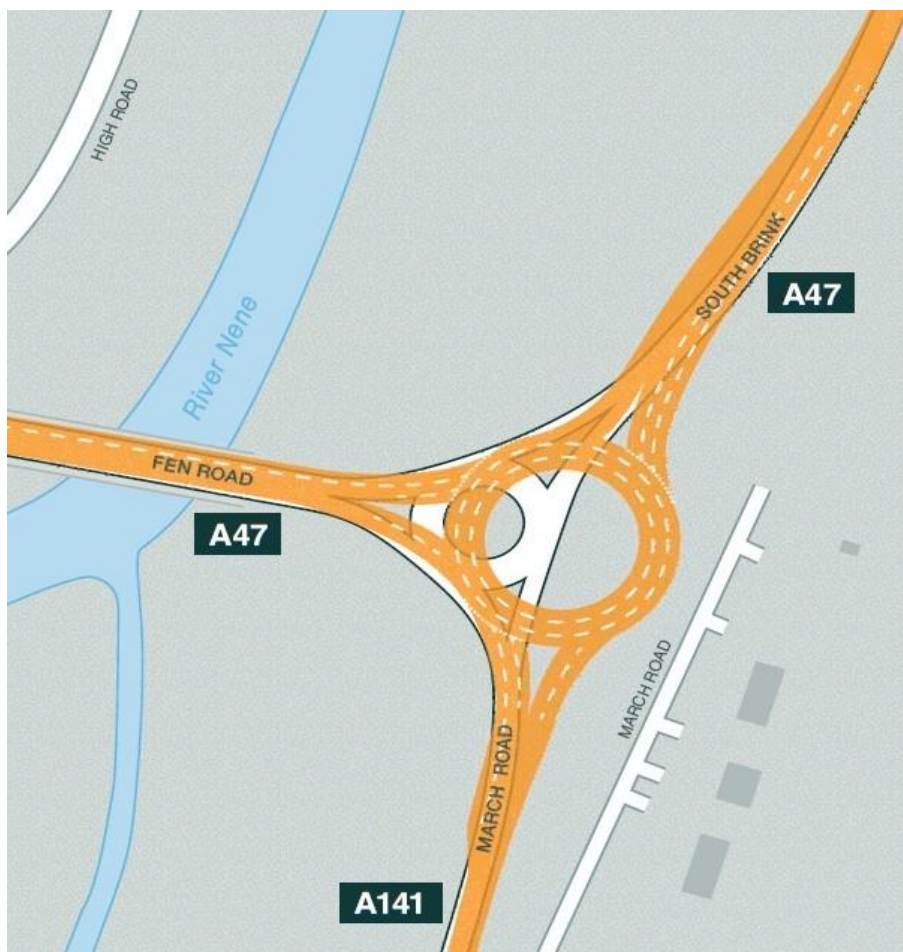
In response the County Council was advised that other Boards/Commissioners administered by the MLC had not been consulted on several County related projects, which was disappointing and has led to the Boards/Commissioners concerned taking appropriate action.

It is currently assumed that the railway will be retained within its current boundaries and otherwise “unchanged”.

Further information on the Wisbech–Cambridge Rail Link can be viewed online at: [http://www.cambridgeshire.gov.uk/info/20006/travel\\_roads\\_and\\_parking/68/transport\\_funding\\_bids\\_and\\_studies/3](http://www.cambridgeshire.gov.uk/info/20006/travel_roads_and_parking/68/transport_funding_bids_and_studies/3).

### **A47 Guyhirn Junction Improvement**

The Commissioners, on the Board’s behalf responded to the Highways England Public Consultation on the proposed option held in March/April.



In the absence of definitive engineering drawings, it is difficult to comment positively but the illustrative layout, shown left, infers that the South Brink arm on to the roundabout will be closer to the surge chamber at the Board’s Rings End Pumping Station. It is also likely that the land between the proposed works and the former March Road will require raising, thus potentially imposing additional loading onto the discharge pipeline.

Illustrative extract from Highways England’s Public Consultation Brochure

Highways England was advised of the presence of the Board's infrastructure and that continual access to the Pumping Station was required. Advice was also given on surface water related issues.



\*Construction on the A47 corridor improvement is likely to start in spring 2020. We may need to sequence the improvements along the route to manage the disruption to customers and local communities.

This scheme is classed as a Nationally Significant Infrastructure Project under the Planning Act 2008. As such, Highways England are required to make an application for a Development Consent Order in order to obtain permission to construct the scheme. The application will be made to the Planning Inspectorate, and not the Local Planning Authority, who will examine the application in public hearings and then make a recommendation to the Secretary of State for the Transport who will decide on whether or not the Project will go ahead.

Members will note from the timeline that a provisional construction commencement date of spring 2020 has been provided. Further consultation will occur later this year and it would be beneficial to know the Board's position and any concerns that it has.

The Public Consultation can be viewed at <http://www.a47alliance.co.uk/assets/Guyhirn-Consultation-Brochure.pdf>.

Consulting Engineer

1 June 2017

Waldersey(332)\Reports\June 2017



Miss McShane referred to the Consulting Engineer's report and to their recommendation that the Board should have appropriate signage in place for Health and Safety purposes. Members discussed the type and form of signage required and Miss McShane reported that some Boards were using external lockable cabinets to display Health & Safety notices and others were choosing to use laminated notice boards indicating the risks; providing contact details in an emergency, together with the grid reference to identify each location.

#### RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Weed Control and Drain Maintenance

That the recommendations contained in the Report be adopted.

- iii) That the Middle Level Commissioners be requested to supply health and safety signage to include indication of risks; contact details in an emergency, together with the grid reference, and installed to the inside fence at the pumping stations.

#### B.1041 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.1042 National Flood Resilience Review

Miss McShane referred to the publication of the above review by the Government in September 2016 and to the response from ADA.

#### B.1043 District Officer's Report

The Board considered the Report of Mr Clarke on works undertaken and contemplated at the southern end of the District.

Mr Clarke reported on the clearing of drains on flail mowing.

He reported that the Rings End pumping station weedscreen had been removed and was being refurbished and that the rollers were in the workshop ready to be fitted.

The Board considered the Report of Mr Wales on works undertaken and contemplated at the northern end of the District.

#### RESOLVED

That the Reports and the actions referred to therein be approved and that the Officers be thanked for their services over the preceding year.

#### B.1044 National Grid Gas - Pipeline at Long Drove, Waldersey

Further to minute B.1002, Miss McShane reported that in December last year, the Clerk had received an e-mail from National Grid Gas detailing their proposals to upgrade the surface of the track/bridleway with strata web matting and to erect an Elephant gate at or near to Point 71, a copy of which he had forwarded to the Chairman, Vice Chairman, District Officers and the Middle Level Commissioners' Operations Engineer, for their comments.

#### RESOLVED

- i) That the Board approved the proposal of matting on the shallow pipeline.
- ii) That the Solicitor/Assistant Clerk pursue the wayleave agreement with National Grid Gas.

#### B.1045 Environmental Officer's Newsletter and BAP Report

Miss McShane referred to the Environmental Officer's Newsletter dated December 2016, previously circulated to Members.

Members considered and approved the most recent BAP report.

#### B.1046 District Officers' Fees

The Board gave consideration to the District Officers' fees for 2017/2018.

#### RESOLVED

That the Board agreed that the sum of £3,254 be allowed for the services of the District Officers for 2017/2018.

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

#### B.1047 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.

#### B.1048 Environment Agency – Precepts

Miss McShane reported that the precept for 2017/2018 had been set at £2,633.

### B.1049 Agricultural Rentals

The Board considered whether any change was appropriate in the level of rental being obtained for the Board's land, viz:-

4 acres of arable land at Green Drove (OS 796) – Let to Mr J P Smith  
Present rent - £40 per acre plus drainage rate.

5.794 acres of land at Crooked Bank – Let to Mr G W Lankfer  
Present rent - £40 per acre plus drainage rate.

### RESOLVED

That no change in the level of rental be made.

(NB) – The Chairman and Mr Smith declared a financial interest when this item was discussed.

### B.1050 Association of Drainage Authorities

#### a) Annual Conference

Miss McShane reported that the Annual Conference of the Association of Drainage Authorities would be held in London on Thursday the 16<sup>th</sup> November 2017.

### 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) Meetings of the Welland and Nene Branch

Miss McShane reported on the Meetings of the Welland and Nene branch of the Association held in Holbeach on the 17<sup>th</sup> February 2017.

#### c) Subscriptions

Miss McShane referred to an email received from ADA dated 16<sup>th</sup> December 2016 and reported that the Clerk had been advised that subscriptions for 2017 will remain unchanged at £536.

### RESOLVED

That the requested ADA subscription for 2017 be paid.

#### d) Further Research on Eels

Miss McShane referred to an e-mail received from ADA dated the 15<sup>th</sup> November 2016 and the research specification from the Environment Agency regarding the eel research proposed over the next 2 years.

Members discussed the ongoing eel research and the request from ADA seeking contributions.

## RESOLVED

That the Board contribute £100 towards further research on eels.

### B.1051 A47 Guyhirn Junction Improvements

Miss McShane reported on the consultation received from Highways England regarding the A47 Guyhirn Junction improvement, and advised that the Planning Engineer had sent a detailed response to Highways England about the proposals, particularly concerning access being available to the Rings End Pumping Station which is very close to the site of the Junction improvements.

## RESOLVED

That the Board be kept updated on the outcome of further consultations on the A47 Guyhirn Junction Improvement.

### B.1052 Governance of Water Level Management in England

Miss McShane referred to the publication of the National Audit Office's (NAO) Report on Internal Drainage Boards, available on their website, [www.nao.org.uk/report/internal-drainage-boards](http://www.nao.org.uk/report/internal-drainage-boards); to the Report Summary and to the response from ADA.

### B.1053 Health and Safety Audits

Miss McShane drew attention to the continuing need to ensure that the Board complied with Health and Safety Requirements and reminded Members of the arrangements with Croner and that if the Board had any issues they could seek advice from Croner via the Middle Level Commissioners.

Miss McShane reported that the Middle Level Commissioners had put together a pack consisting of a practical guide, templates and examples relating to health and safety requirements, which they hoped would assist Boards with their health and safety responsibilities.

## RESOLVED

That a further set of template Health and Safety Risk Assessments be sent to the District Officers.

### B.1054 Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.1013, Miss McShane reported that the main issues considered by the Partnership were:-

1. The proposal to extend the provision of rain gauges in catchment.
2. Discussions over the maintenance of Sustainable Drainage Systems (SUDS).
3. The provision of Community flood kits. The LLFA are sourcing funds to provide kits to certain groups, i.e. March town council, but certain criteria are having to be met.
4. Work on the A14 project has now commenced.
5. The Supplementary Planning Document on flood risk has now been endorsed by Cambridgeshire County Council.

6. An update on the surface water management plan. Requesting quotes for surveys to be undertaken for property level protection (PLP).
7. Partner projects were discussed including Embankment raising in the Middle Level (MLC) and in the Ouse Washes (EA).

#### B.1055 Authorisation to appear in court to obtain distress warrants

#### RESOLVED

That under the provisions of section 54 of the Land Drainage Act 1991, in addition to Mr R Hill and Miss S Ablett, Miss Lorna McShane be authorised generally to institute or defend on behalf of the Board proceedings in relation to a drainage rate or to appear on their behalf in any proceedings before a Magistrates' Court for the issue of a warrant of distress for failure to pay a drainage rate.

#### B.1056 Potential Changes in Rating Valuation

Miss McShane reported the consideration presently being given by ADA and Defra to possible changes in the way in which drainage rates and special levies may be calculated in future. She advised that the present system, under the Land Drainage Act 1991 and the Internal Drainage Board (Finance) Regulations, provides for agricultural property to be valued at a notional rental value for that property as at 1<sup>st</sup> April 1988 with non-agricultural hereditaments being valued at the "average acre" rate, calculated by reference to pre-1988 development within the District of the individual Board. The current legislation does however require that properties that existed before 1<sup>st</sup> April 1988 are valued according to their old rateable values, records for which may no longer exist and this causes problems for IDBs which are looking to extend their boundaries and particularly where there are proposals to create new IDBs. Miss McShane understood however, that, at present, Defra are unlikely to progress the issue urgently and that some further consideration will have to take place before any change is proposed. In addition, as a change to primary legislation would be required, Parliamentary time would have to be found for this. At this stage Miss McShane wished therefore to simply alert the Board to these discussions and further reports will no doubt be made to the Board in the future should legislative amendment be proposed.

#### B.1057 Completion of the Annual Accounts and Annual Return of the Board – 2015/2016

- 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 2016.
- b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31<sup>st</sup> March 2016.

#### B.1058 Governance and Accountability for Smaller Authorities in England

Miss McShane 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 1<sup>st</sup> April 2017.

#### B.1059 Budgeting

Miss McShane referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31<sup>st</sup> March 2017.

#### B.1060 Review of Internal Controls

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

#### B.1061 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.1062 Exercise of Public Rights

Miss McShane 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.1063 Annual Governance Statement – 2016/2017

The Board considered and approved the Annual Governance Statement for the year ended on the 31<sup>st</sup> March 2017.

#### RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Board, for the financial year ending 31<sup>st</sup> March 2017.

#### B.1064 Payments

The Board considered and approved payments amounting to £77,283.29 which had been made during the financial year 2016/2017.

(NB) - Mr Clarke declared an interest in the payments made to J T Clarke (March) Ltd.

(NB) – Mr Harrison declared an interest (as a Member of the Hundred of Wisbech IDB) in the payment made to Hundred of Wisbech IDB.

#### B.1065 Annual Accounts of the Board 2016/2017

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31<sup>st</sup> March 2017 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 31<sup>st</sup> March 2017.

### B.1066 Expenditure estimates and special levy and drainage rate requirements 2017/2018

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2017/2018 and were informed by Miss McShane 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 85.25% and 14.75%.

## RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £65,773 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 £56,072 and £9,701 respectively.
- iv) That a rate of 20.00p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £9,701 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.1067 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.1068 Date of next Meeting

## RESOLVED

That the next Meeting of the Board be held on Wednesday the 13<sup>th</sup> June 2018.

*[Post meeting note – The date for Cereals 2018 was confirmed as the 13<sup>th</sup> and 14<sup>th</sup> June 2018. The Chairman therefore agreed that the next meeting of the Board be held on Wednesday the 20<sup>th</sup> June 2018].*

B.1069 Missing Manhole Cover - Graysmoor Drove, Friday Bridge

Miss McShane reported that she had been made aware of the missing manhole cover at Graysmoor Drove and advised of the possible serious health and safety implications for the Board if a member of the public fell down the hole.

RESOLVED

That the relevant statutory undertake be pursued to replace the missing manhole cover on Graysmoor Drove, Friday Bridge.