

## **SUTTON AND MEPAL INTERNAL DRAINAGE BOARD**

At a Meeting of the Sutton and Mepal Internal Drainage Board  
hosted at the Middle Level Offices, March on Tuesday the 2<sup>nd</sup> June 2020

### **PRESENT**

M R R Latta Esq (Chairman)	R J Angood Esq
C P K Lee Esq (Vice Chairman)	M G George Esq
A Allan Esq	R J Lee Esq
P W Allpress Esq	R H Smith Esq
P E Sole Esq	

Miss Lorna McShane (representing the Clerk to the Board) was in attendance.

### **Apologies for absence**

Apologies for absence were received, S J Criswell Esq and J O Sole Esq.

### **B.2153 Standing Orders**

Miss McShane reported that to allow the Board to modify the manner in which they hold meetings (for a temporary period) whilst special arrangements are in place to deal with COVID-19, Defra have agreed to the adoption of modified standing orders. Members considered the adapted set of the new model orders, as supplied by ADA, which include two extra clauses at the end of them which include a change to the way in which meetings are held to allow remote attendance.

### **RESOLVED**

That the Board approve in principle.

### **B.2154 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.

The Chairman declared interests in minutes B.2158 and B.2171 and in the planning applications (MLC Ref Nos. 179, 188, 199, 226, 232, 258 & 327) received for R A Latta Farms Ltd.

The Chairman declared an interest (as a Member of the Middle Level Board) in any matters relating to the Middle Level Commissioners.

The Vice Chairman declared an interest in minute B.2171.

The Vice Chairman and Mr R J Lee declared interests in the planning applications (MLC Ref Nos. 177, 182, 298 & 301) received for P J Lee & Sons and (MLC Ref Nos. 227, 231, 240, 245, 246, 305, 309 & 326) received for Pretoria Energy Ltd & Little Green Consulting Ltd.

Mr George declared an interest in the planning applications (MLC Ref No. 156) received for Mick George (Haulage) Ltd and (MLC Ref Nos. 207, 211, 213, 286, 289, 296, 297, 300, 303 & 328) received for Mick George Ltd.

Mr P Sole declared an interest in the planning applications (MLC Ref Nos. 091) received for A Sole & Son and (MLC Ref No. 319) received for Mr P Sole.

#### B.2155 Confirmation of Minutes

#### RESOLVED

That the Minutes of the Meeting of the Board held on the 16<sup>th</sup> January 2020 are recorded correctly and that they be confirmed and signed.

#### B.2156 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 2020 and submitted the proposed Register of Electors applicable to the 2020 election.

#### RESOLVED

That the Register be approved.

#### B.2157 Board Membership

Further to minute B.2136, Miss McShane reported that Mr Michael George Jnr had accepted the invitation to become a Member of the Board.

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The Chairman welcomed Mr George to his first meeting of the Board and looked forward to his future input to the Board.

#### B.2158 Water Levels in the Counter Drain

Further to minute B.2137, the Chairman reported on the on-going problem with level management in the Counter Drain. The Environment Agency had been monitoring seepage over the winter months and since then there had been one or two complete bank failures. The Chairman provided the Board with an update from the Environment Agency about the proposed works and had some positive news to report. The Environment Agency had started work on the Counter Drain approximately two weeks ago and currently had two machines working in the drain between the Counter Drain and the Board's drain and were inserting 4m piles. It was the Chairman's view that this long standing problem could be resolved if this whole section was piled and the Chairman reported that he had supplied some help with machinery and would provide labour if necessary to assist with these works.

## RESOLVED

That the Board approve the actions of the Chairman and authorise him to take any further actions concerning the matter as he considers appropriate.

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

### B.2159 Ouse Washes Section 10 Reservoir Inspection Middle Level and South Level Barrier Bank works

Further to minute B.21385, Miss McShane referred to the Newsletters from the Environment Agency dated April and May 2020.

### B.2160 Low Level Restoration at Block Fen Account (Redland Aggregates) Limited

Further to minute B.2147, Miss McShane advised that at a previous meeting the Board had discussed the payment that had been made from Lafarge for Block Fen. At the time the payment was made it was intended that the land would be restored to high grade agriculture land and that funds were available in order to drain the land to achieve this. However, wetland habitat for birds was now under consideration.

## RESOLVED

That the Low Level Restoration at Block Fen Account continue to be ring fenced until a future decision is made about this land.

### B.2161 Future Meetings of the Board

Further to minute B.2151(i), the Chairman advised that it had been the custom in previous years to provide a meal following the consideration of any other business at the meeting and asked whether Members of the Board wished to continue with this arrangement.

## RESOLVED

That the Chairman continue to arrange a lunch to follow the January meeting of the Board.

### B.2162 Compensation for Deposit of Soil on Land – Mr W Veal

Further to minute B.2151(ii), Miss McShane stated that this matter had been discussed with Mr Veal and the claim related to a deposit of soil on his land which had occurred in 2014. This deposit had been confirmed with the District Officer and a payment of £100 would be made to Mr Veal in compensation. This was in accordance with the scale of ex-gratia payments made by the Middle Level Commissioners in situations where the deposit of soil resulted in a loss of ability to crop the following year.

## RESOLVED

That a payment of £100 be made to Mr W Veal.

## B.2163 Meter Readings – Lafarge and Tarmac

Further to minute B.2151(iii), the Chairman reported that meter readings would be provided and that payment would be made in accordance with these readings.

### RESOLVED

That, once the District Officer had supplied meter readings, invoices would be raised.

## B.2164 Clerk's Report

Miss McShane advised:-

### i) COVID-19 Actions

That following the instructions given by government on 23<sup>rd</sup> March the following list of actions have been taken (this list is not exhaustive);

- Arrangements were made for all MLC staff to have the facility to work from home. This included access to email, and in most cases full remote access to work computers. This was implemented and fully operational by Wednesday 25<sup>th</sup> March.
- MLC operatives continue to attend work but in a more restricted manor following NHS guidelines.
- A skeleton rota to ensure that the office phones are manned has been put in place, post is received and processed and letters sent out where necessary.
- Other temporary arrangements have been implemented to help support the continued operation of the office whilst the COVID-19 government restrictions remain in place, this includes allowing more flexible hours of work, allowing access to the office as and when required to collect or deposit papers making arrangements for the post to be collected and delivered to a safe location outside the office.
- A licence to run video conferencing meeting was obtained and arrangements made to hold meetings by telephone and/or video. Chairmen were contacted at each stage as government advice emerged.
- A policy statement was issued via the MLC website stating the actions the MLC were taking.
- Consultation with ADA on more or less a daily basis were undertaken in the first few weeks encouraging them to take proactive action. Of value to us (and as called for) ADA have been able to secure IDBs 'Key Worker' status and have obtained approval from Defra to move to web/telephone conference meetings.

### ii) Middle Level Commissioners and Administered Boards Chairs Meeting

That a fifth Chair's Meeting was held on the 10<sup>th</sup> March 2020.

Topics discussed included health and safety, effective communications with the public, the move to electronic agendas, consideration of the level of planning information included in reports, planning fees and the work of WRE.

### Planning and Consenting

One of the agreed actions from the last Chair's meeting was that each Board be asked to consider the degree of delegation and reporting they require on planning and consenting

matters. This was in response to several queries over the extent of detail being reported on such matters and the delays in issuing responses due to the number of people being consulted. I have outlined several possible options below to assist the Board but of course there are many other permutations and it is for the Board to decide which suits its interests best.

- a) Remain with the current arrangements.
- b) Continue to delegate all commenting on consent applications and relevant planning matters to the chairman and in his absence (or where he has an interest) to the Vice Chair. The Chair to have the power to decide if a matter should be raised at the board meeting for its consideration where legal timeframes permit this. All matters however to be reported generally more briefly within the Board report, ie number of applications responded to and number of consents issued or refused.
- c) As above but leaving the Clerk with the power to determine the appropriate responses to consent applications and planning matters without reference to the Chair or Vice Chair.

## RESOLVED

That the Board continue to delegate all commenting on consent applications and relevant planning matters to the Chairman as this was the present current system operated by the Board and it appeared to work well.

### iii) Association of Drainage Authorities

#### Annual Conference of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association was held on Tuesday the 3<sup>rd</sup> March 2020.

The meeting format was as per the 2019 conference with a workshop in the morning and the Conference in the afternoon. Topics covered were control of invasive species, water resources, planning and effective communications with the wider public.

That the date of the next meeting is Tuesday the 2<sup>nd</sup> March 2021.

### iv) Vision for the Future of Boards administered by the MLC

Further to minute B.1842(vi), Miss McShane reported that the general feeling of the Boards so far was that they recognised there could be problems with Boards and the need to amalgamate possibly ten years down the road but most seemed to be happy to continue with their current arrangements. However, this should remain under review and where appropriate amalgamations between Boards supported.

#### B.2165 Consulting Engineers' Report, including planning and consenting matters

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

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

## **Consulting Engineers Report – May 2020**

### **Pumping Station**

With little need for pumping over the summer the station, having only two operational pumps, did not experience any issues and the spare pump (ordered in April 2019) arrived in good time for the wetter weather and was introduced into service accordingly. In October the station underwent its 5 year electrical condition report and no remedial action was deemed required.

### ***Main Pumps***

Pump 1 remains in a satisfactory condition for its age but is showing signs of deterioration and is likely to need replacing in 2020 or 2021. Pump 2 is nearing the end of its life and is showing clear signs of water ingress and is likely to need replacing this year. Pump 3 is the new pump purchased this year and should operate trouble free for 15 years. All indications are that pump 4 is in a satisfactory condition. At this time an overhauled pump remains in store as a spare.

### ***Weedscreen Cleaner***

The cleaner has operated over a 1000hrs since its overhaul in 2014 and suffered notable problems last year. In June one of the wire hoist ropes snapped leaving the grab hanging precariously in the drain from one rope, both ropes have now been replaced. In November the trolley started to judder and trip in the runway, the cause was worn wheel rims, one of which had come loose. It is recommended the wheel and ancillary items be overhauled this summer.

### ***Pumping hours***

*(note pumping hours are a close estimate derived from available data to show comparable pumping hours for like periods)*

Total Hours Run	May 2019 – May 2020	May 2018 – May 2019	April 17 – May 18	March 16 - April 17	May 15 – April 16	May 14 – April 15
No 1	981 (26814)	395 (25833)	569 (25438)	1094	773	1065
No 2	818 (26756)	608 (25938)	863 (25330)	808	762	1146
No 3	1194(26881)	81 (25687)	1191 (25606)	699	668	1110
No 4	143 (2993)	0 (2850)	38 (2850)	833	1	28

### **Agitation Dredging Group**

It remains the case that pressure is being placed on the EA to commence this agreed pilot scheme as soon as possible. It was expected that it would be possible to carry out the first dredging operation in the autumn despite the impact of COVID-19, but this will depend upon the lifting of government restrictions and the speed with which the EA can move to more normal operation. One piece of good news is that the EA is looking to include agitation dredging (on the tidal Great Ouse) in the FRM for the Fens strategy, linking it in with the ‘holding the line’ approach for the next 15 years and thus allowing space for the multi-organisational plan for future investment in flood risk to

be developed without leaving land and property at increased flood risk in the interim. This would effectively secure agitation dredging as an annual activity for at least the full 15 years if it shows that it is beneficial.

### **Planning Procedures Update**

Further to the last Board meeting the Clerk to the Board has received invitations and attended meetings held by both Fenland District and King’s Lynn & West Norfolk Borough (KL&WN) Councils’ Developers Forum and the latter’s Inter-Agency Flood Group.

### **The use of Infiltration Devices**

At the last Inter-Agency Working on Flood & Water Group meeting the issue of minor developments (less than 10 houses) not having adequate safeguards in place where infiltration (soakaway) drainage is proposed was raised, as no authorities are prepared to accept responsibility for checking the adequacy of designs or to police their effective implementation. This matter has now been added to the agenda for future meetings.

### **Local Land Charges Register (LLCR)**

A challenge to the legality of the requests by the Middle Level Commissioners to place notes on the Land Charges Registry was raised. This has resulted in KL&WN Council ceasing adding any such notes. Interestingly the stance being taken by Fenland District Council differs from this and it has advised that it holds notes on file which are passed on whenever a Land Charges Registry enquiry is made. In this way it can rightly assert that the notes are not on the Registry but are held separately.

The Board may consider that similar discussions with Huntingdonshire District Council may be of benefit.

### **Planning Applications**

In addition to matters concerning previous applications, the following 5 new development related matters have been received and, where appropriate, dealt with since the last meeting:

<b><i>MLC Ref.</i></b>	<b><i>Council Ref.</i></b>	<b><i>Applicant</i></b>	<b><i>Type of Development</i></b>	<b><i>Location</i></b>
324	F/YR19/0942/F	Mr A Bradley-Cooper	Residence	Chatteris Road, Somersham
325	F/YR20/0120/O	Mr & Mrs J Fuller	Residence	London Road, Chatteris
326	F/YR20/0149/F + E/20/00393/FUL	Pretoria Energy Company (Mepal) Ltd	Offices/AD Plant	Iretons Way, Chatteris
327	E/19/01535/ARN	R A Latta Farms	Residential (2 plots)	The Gault, Sutton
328	FMW/020/20	Mick George Ltd	Waste	Colne Fen Quarry, Somersham

***Planning applications ending ‘ARN’ relate to Agricultural to Residential Notification  
Planning applications beginning ‘FMW’ relate to Full application Minerals & Waste***

From the information provided it is believed 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.

No further correspondence has been received from the applicants or the applicants' agents and the current position is currently being ascertained in respect of the following:

- *Extraction of sand and gravel with restoration to agricultural use both at low level and existing level using waste silt and imported inert waste at land off Block Fen Drove, Mepal – Redland Aggregates Ltd (MLC Ref No 350/8), Aggregate Industries UK Ltd + Larfarge Aggregates Ltd trading as Larfarge Tarmac & Tarmac Trading Ltd (MLC Ref Nos 50, 87, 88, 192 & 196)*
- *Developments at Wenny House, Iretons Way, Chatteris – Mr Jackson (MLC Ref No 078); Mr & Mrs Jackson (MLC Ref No 143); Mrs Jackson (MLC Ref No 275); D M Jackson & Son (MLC Ref Nos 164 & 318)*
- *Developments at Hundreds Farm, Langwood Fen Drove, Chatteris – A Sole & Son (MLC Ref No 091) & Mr P Sole (MLC Ref No 319)*
- *Developments at Cromwell Community College, Wenny Road, Chatteris – Cromwell Community College (MLC Ref Nos 173, 186, 197 & 310)*
- *Formation of an irrigation reservoir involving extraction processing, the export of sand and gravel and other works at Short North Fen Drove/Blabys Drove, Sutton - P J Lee & Sons (MLC Ref Nos 177, 182, 298 & 301)*
- *Extraction and processing of sand and gravel and construction of access onto Chatteris Road (B1050), and associated works in connection with the construction of agricultural reservoirs on land at Bridge Farm, Holme Fen Drove, Colne - R Latta (Farms) Ltd (MLC Ref Nos 179, 188, 199, 226, 228, 232 & 258) + Mick George Ltd (MLC Ref Nos 296, 297 & 300)*

*Soils and Mineral processing; plant washing and stock pile area etc at Witcham Meadlands Quarry, Block Fen Drove, Mepal – Mick George (Haulage) Ltd (MLC Ref No 156); Mick George Ltd (MLC Ref Nos 207, 211, 213, 286, 289 & 303); Langwood Fen (Cambridgeshire Aggregates Ltd) (MLC Ref No 316)*

#### ***Extension of Witcham Meadlands Quarry (MLC Ref No 303)***

According to the County Council's Simple Search webpage it is understood that a decision remains pending on this planning application.

#### ***Extraction of sand and gravel and importation of inert waste to create wet grasslands (MLC Ref No 316)***

**Note.** A Scoping Opinion is a planning process where the applicant asks the relevant Local Planning Authority for its formal opinion as to what information should be included within an Environmental Statement to accompany an application for planning permission for the related proposal.

The County Council issued its decision on the Scoping Opinion in July. A copy can be viewed at:

[https://www.fenland.gov.uk/publicaccess/files/2D26A02C21AC21898F20A938CC967900/pdf/F\\_YR19\\_0448\\_CCSC\\_OP-FINAL\\_SCOPING\\_OPINION-448428.pdf](https://www.fenland.gov.uk/publicaccess/files/2D26A02C21AC21898F20A938CC967900/pdf/F_YR19_0448_CCSC_OP-FINAL_SCOPING_OPINION-448428.pdf)

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

According to Fenland District Council's Public Access web page, discussions between the District Council and the applicant's agent, Bidwells LLP, continue in respect of concluding the Section 106 agreement but a decision on this site still remains pending.

The Board has yet to be formally contacted.

*Erection of an Anaerobic Digester (AD) plant with maize clamps involving the construction of a new access, and the formation of a surface water reservoir land east of Greys Farm, Iretons Way, Chatteris – Pretoria Energy Ltd* (MLC Ref Nos 227, 231 & 240) & *Installation of a Biomethane Injection pipeline (to inject into the National Grid) at Gas pipeline for anaerobic digester plant at Iretons Way, Chatteris - Little Green Consulting Ltd* (MLC Ref No 245); *Pretoria Energy Ltd* (MLC Ref No 246); *Pretoria Energy Company (Mepal) Ltd* (MLC Ref Nos 305, 309 & 326)

Further to the last Board Meeting Report, planning applications (MLC Ref No 326) have been submitted to both Fenland and East Cambridgeshire District Councils for the creation of a site office, ancillary plant, concrete road and vehicle parking at this site.

The submission documents, including Plandescil Ltd's Surface Water Drainage Design Report Ref. 18033, dated March 2015, infers that surface water disposal will be to a "swale". The report also advises that:

"Due to the shallow groundwater it is not possible to maintain a minimum of 1.0m between the base of the infiltration device and the peak seasonal groundwater levels therefore we propose to discharge to the ditch system at a rate not exceeding the existing greenfield runoff rates."

According to the respective District Councils' Public Access webpage a decision is pending concerning these planning applications.

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

### ***FDC Liaison Meeting***

Another meeting is currently being organised but will have to be delayed until the current Coronavirus (COVID-19) working restrictions are lifted.

### ***Emerging Local Plan***

No further correspondence has been received concerning this plan.

### ***Level 1 SFRA & WCS documents***

A draft report is currently awaited from Royal Haskoning DHV.

## **Huntingdonshire District Council (HDC)**

### **Local Plan to 2036**

#### ***Developer Contributions Supplementary Planning Document (SPD) and Community Infrastructure Levy (CIL)***

No further correspondence has been received concerning this document. It is presumed that the information received as part of the Public Consultation is being used to update the current SPD.

### **Validation Checklist Consultation**

A consultation was held between 5<sup>th</sup> March and 17<sup>th</sup> April on the District Council's Validation Checklists. Unfortunately, it was not possible to provide a response to this consultation.

### **Cambridge & Peterborough Flood & Water (C&P FloW) Partnership [previously reported as Cambridgeshire Flood Risk Management Partnership (CFRMP)]**

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

### ***Fenland Flooding Issues Sub-group***

Meetings were held in April and October 2019. The meeting due to be held during April was postponed until the current Coronavirus (COVID-19) working restrictions are lifted.

No "wet spots" have been identified within the Board's district.

## **Cambridgeshire and Peterborough (C&P) Minerals and Waste Local Plan (M&WMLP)**

### ***Proposed Submission Plan Consultation***

Members may be aware that, in conjunction with Peterborough City Council, Cambridgeshire County Council is in the process of reviewing its Joint Minerals & Waste Development Plan. The

current Core Strategy Development Plan Document (DPD) and Site-Specific Proposals DPD were adopted in 2011 and 2012 respectively.

The proposed Submission Plan was the subject of Public Consultation between the 15<sup>th</sup> November 2019 and 9<sup>th</sup> January 2020.

A response was submitted by the Commissioners on both their behalf and those of the associated Boards involved. The response included comments on Sustainable development & climate, Restoration & Aftercare, Biodiversity & Geodiversity, Water Resources, the Sustainable use of soils and the Block Fen/Langwood Fen Masterplan. The latter included responses on the Environment Agency's Cranbrook/Counter Drain FRM Strategy, the trial restoration of lowland wet grassland, water storage, Recreation & Leisure and the formation of a Stakeholder Group.

Following these consultations the Councils submitted, on the 24<sup>th</sup> March, the new Cambridgeshire and Peterborough Minerals and Waste Local Plan to the government for examination by an independent planning inspector.

The plan which has been submitted includes a suite of proposed policies to guide the determination of planning applications, which cover detailed matters such as biodiversity, restoration, traffic and highways, and safeguarding.

The plan also includes allocations for mineral development, largely carried forward from currently adopted mineral sites. No allocations are being proposed for waste management development over the plan period as the plan area has, on the whole, sufficient capacity to manage the forecast waste arising.

The Secretary of State has appointed a Planning Inspector to conduct the examination and the first hearing will be on the 15<sup>th</sup> September.

### ***Block Fen/Langwood Fen Master Plan***

#### **The Steering Group & External Stakeholder**

The Minerals & Waste Plan includes the Block Fen/Langwood Fen Masterplan, also adopted in 2011, through which it is proposed to enable the delivery of the Environment Agency's Cranbrook/Counter Drain FRM Strategy, which has been re-assessed by the EA and confirmed to still be relevant.

Whilst it is accepted that the requirement for minerals within this area has, due to the on-going recession, been lower than expected and acknowledged that some of the allocations may not come forward before existing resources at other quarries are "worked out", particularly at

Needingworth Quarry, concerns have been raised that little progress is being made on either the FRM Strategy or the Masterplan and suitable representation has been made to both the EA and the County Council when possible. However, as reported at the last Board meeting the EA has recently formed an internal group that includes representation from the County Council's Planning Team to implement any work that may be required to enable the Strategy to progress.

Whilst the Commissioners/Board are not currently members of this group the Commissioners' Planning Engineer has been involved in initial discussions with the EA and the County Council's Planning Team. It is considered that the Board, and possibly the Commissioners, are key stakeholders without whom neither the Strategy nor Masterplan is achievable. It is considered that the Board must be involved in its evolution to discuss, manage and protect its interests in order to ensure that the final aim is delivered in a useable, and not dysfunctional, manner and that the strategic direction set out in the Masterplan is being delivered to suit our respective needs and as intended. Some parts of any final option may involve the modification of the Board's existing drainage system or creation of new drainage assets that the Board may be required to adopt. Ideally the creation of these will be carried out by the "developer" although this can only be achieved through the planning process or as part of consents issued by the Board.

Several conversations have taken place with an engineer who sits on the EA internal group who advises that it could be possible to formally request that the EA include the Commissioners/Board on the group.

In addition to this, it is suggested that an external stakeholder group is also formed. This will primarily consist of site operators but should also include representation from both the Board and the EA given that they will be involved in the "day to day" operation of the final solution and, presumably, at their expense.

Members may recall that at its June 2013 meeting it was resolved in Minute B.1730 Consulting Engineers' Report iv) Cambridgeshire and Peterborough Minerals and Waste Management Development Plan:

"That the Consulting Engineer's involve the Board in any stakeholder group and that the Chairman, Vice Chairman and Mr R J Lee be authorised to attend meetings on behalf of the Board."

**In view of the above and the possibility of needing to contact the Board between its meeting dates could the Board confirm that it wishes to be involved in the relevant group and, if so, re-visit and reaffirm its previous resolution.**

### Resource Input/Supporting Work

During discussions concerning the resource input that will be required to guide the Strategy it has been suggested that the Commissioners/Board could undertake/organise some matters on the EA's behalf. This includes, but is not limited to, the following:

- Undertake aerial survey/mapping using a drone to inform GIS and visualisation work.
- Creation of a GIS/DTM model to calculate potential storage volumes.
- Undertake groundwater monitoring and creation of a flow model to assess the impacts of the proposed mineral extraction and flood storage proposals.
- Planning and consenting involvement, to a greater extent than normal, to facilitate implementation of the masterplan and FRM strategy

Once these have been undertaken the information obtained can be used to investigate options and assist with the implementation of both the Strategy and the Masterplan.

It is intended that by using the Commissioners/Board the resource provided can be at a reduced cost and delivered in a more-timely manner than can be achieved by the EA or one of its consultants/contractors.

The means and method by which this work is funded is a matter for discussion but could be either the subject of a PSCA or by way of the Commissioners/Board 'contribution' to the larger strategy. Alternatively, members will be aware that there are monies available within the Local Levy which could be utilised.

**In order to progress the matter further and to avoid any abortive work, could the Board advise on its position concerning the proposal to undertake any supporting work, whether it would be prepared to input resources and/or fund some this work, how the works should be funded, if different, and advise on the way forward.**

Consulting Engineer

14 May 2020

The Chairman reported that there had been little need for pumping over the summer and the pumping station did not experience any issues. The spare pump which had been ordered in April 2019 arrived in good time for the wetter weather and was introduced into service accordingly. In October 2019 the station underwent its 5 year electrical condition report and no remedial action was deemed required.

Pump 1 remained in a satisfactory condition for its age but was showing signs of deterioration and was likely to need replacing in 2020 or 2021. Pump 2 was nearing the end of its life and was showing clear signs of water ingress and was likely to need replacing in 2020. Pump 3 was a new pump purchased this year and should operate trouble free for the next 15 years. All indications were that pump 4 was in a satisfactory condition and at the current time an overhauled pump remained in store as a spare in case it was needed.

#### Weedscreen cleaner

The Chairman reported that the cleaner had operated over 1,000 hours since it was last overhauled in 2014 and some problems had been experienced with it during the current year. Some of the issues had been resolved and it was recommended that the wheel and ancillary items be overhauled over the summer period.

#### Planning applications

The Planning Engineer reported that since the last meeting, in addition to matters concerning previous applications, he had received 5 new development related matters and, where appropriate, dealt with, viz:-

- Residence, Chatteris Road, Somersham – Mr A Bradley Cooper (MLC Ref No. 324)
- Residence, London Road, Chatteris – Mr & Mrs J Fuller (MLC Ref No. 325)
- Offices/AD Plant, Iretons Way, Chatteris – Pretoria Energy Company (Mepal) Ltd (MLC Ref No. 326)
- Residential development, The Gault Sutton – R A Latta Farms (MLC Ref No. 327)
- Waste, Colne Fen Quarry, Somersham – Mick George Ltd (MLC Ref No. 328)

The Planning Engineer reported that from the information provided it was believed that all the developments proposed to discharge surface water to soakaways, infiltration devices and/or Sustainable Drainage Systems (SuDS) and that the applicants had been notified of the Board's requirements.

The Planning Engineer reported that no further correspondence had been received from the applicants or the applicants' agents and the current position was currently being ascertained in respect of the following applications, viz:-

- Extraction of sand and gravel with restoration to agricultural use both at low level and existing level using waste silt and imported inert waste at land off Block Fen Drive, Mepal – Redland Aggregates Ltd (MLC Ref No 350/8), Aggregate Industries UK Ltd + Larfarge Aggregates Ltd trading as Larfarge Tarmac & Tarmac Trading Ltd (MLC Ref Nos 50, 87, 88, 192 & 196)
- Developments at Wenny House, Iretons Way, Chatteris – Mr Jackson (MLC Ref No 078); Mr & Mrs Jackson (MLC Ref No 143); Mrs Jackson (MLC Ref No 275); D M Jackson & Son (MLC Ref Nos 164 & 318)

- Developments at Hundreds Farm, Langwood Fen Drove, Chatteris – A Sole & Son (MLC Ref No 091) & Mr P Sole (MLC Ref No 319)
- Developments at Cromwell Community College, Wenny Road, Chatteris – Cromwell Community College (MLC Ref Nos 173, 186, 197 & 310)
- Formation of an irrigation reservoir involving extraction processing, the export of sand and gravel and other works at Short North Fen Drove/Blabys Drove, Sutton - P J Lee & Sons (MLC Ref Nos 177, 182, 298 & 301)
- Extraction and processing of sand and gravel and construction of access onto Chatteris Road (B1050), and associated works in connection with the construction of agricultural reservoirs on land at Bridge Farm, Holme Fen Drove, Colne - R Latta (Farms) Ltd (MLC Ref Nos 179, 188, 199, 226, 228, 232 & 258) + Mick George Ltd (MLC Ref Nos 296, 297 & 300)
- Soils and Mineral processing; plant washing and stock pile area etc at Witcham Meadlands Quarry, Block Fen Drove, Mepal – Mick George (Haulage) Ltd (MLC Ref No 156); Mick George Ltd (MLC Ref Nos 207, 211, 213, 286, 289 & 303); Langwood Fen (Cambridgeshire Aggregates Ltd) (MLC Ref No 316)

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

The Planning Engineer reported that a decision on this matter was still pending as the District Council and the applicant were in discussions about the Section 106 agreement for the development.

Erection of an Anaerobic Digester (AD) plant on land east of Greys Farm, Iretons Way, Chatteris – Pretoria Energy Ltd and Little Green Consulting Ltd

The Planning Engineer reported that further to the last Board meeting planning applications have been submitted to both Fenland and East Cambridgeshire District Councils for the creation of a site office, ancillary plant, concrete road and vehicle parking at this site and a decision was still pending on these applications.

Cambridgeshire and Peterborough (C&P) Minerals and Waste Local Plan (M&WMLP)

The Planning Engineer reported that the proposed submission plan was the subject of public consultation between the 15<sup>th</sup> November 2019 and the 9<sup>th</sup> January 2020 and that a response had been submitted by the Middle Level Commissioners on behalf of the Commissioners and the associated Boards involved. Following these consultations the Councils submitted, on the 24<sup>th</sup> March, the new Cambridgeshire and Peterborough Minerals and Waste Local Plan to the government for examination by an independent Planning Inspector.

The Secretary of State had appointed a Planning Inspector to conduct the examination and the first hearing would be on the 15<sup>th</sup> September 2020.

Block Fen/Langwood Fen Master Plan

The Planning Engineer reported that the Minerals and Waste Plan included the Block Fen/Langwood Fen Masterplan through which it was proposed to enable the delivery of the Environment Agency's Cranbrook/Counter Drain Flood Risk Management Strategy which had been re-assessed by the Environment Agency and confirmed to still be relevant.

The Planning Engineer reported that the Environment Agency had formed an internal group which included representation from the County Council's planning team to implement any work that may be required to enable the Strategy to progress.

The Middle Level Commissioners/Board were not currently members of this group formed by the Environment Agency although the Planning Engineer had been involved in initial discussions with the Environment Agency and the County Council's planning team. The Engineer considered it important that the Board should be involved in this group and part of the final option may involve the modification of the Board's existing drainage system or creation of new drainage assets that the Board may be required to adopt.

The Board discussed how this work could be funded and it was suggested that some of the Restoration Fund for Block Fen could be used to facilitate some of this work.

#### RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Block Fen/Langwood Fen Master Plan
  - a) That the Consulting Engineers involve the Board in any Stakeholder group and that the Chairman, Vice Chairman and Messrs R Lee and J Sole be authorised to attend meetings on behalf of the Board.
  - b) That the Consulting Engineers investigate if the funding for the support work as set out in the Engineer's report could be transferred from the commuted sum held in balances for the restoration of Block Fen.

(NB) – The Chairman declared an interest in the planning applications (MLC Ref No. 179, 188, 199, 226, 2332, 258 & 327) received for R A Latta Farms Ltd.

(NB) - The Vice Chairman and Mr R Lee declared interests in the planning applications (MLC Ref Nos. 177, 182, 298 & 301) received for P J Lee & Sons and (MLC Ref Nos. 227, 231, 240, 245, 246, 305, 309 & 326) received for Pretoria Energy Ltd & Little Green Consulting Ltd.

(NB) - Mr George declared an interest in the planning applications (MLC Ref No. 156) received for Mick George (Haulage) Ltd and (MLC Ref Nos. 207, 211, 213, 286, 289, 296, 297, 300, 303 & 328) received for Mick George Ltd.

(NB) - Mr P Sole declared an interest in the planning applications (MLC Ref Nos. 091) received for A Sole & Son and (MLC Ref No. 319) received for Mr P Sole.

#### B.2166 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.2167 District Officer's Report

The Board considered the Report of the District Officer.

The Chairman reported that the digger had recently sunk into some boggy ground and the cab had been damaged and was not safe to use. The repairs needed were covered by the Board's insurance.

### RESOLVED

That the Report and the actions referred to therein be approved.

### B.2168 Conservation Officer's BAP Report

Members considered and approved the most recent BAP report.

### B.2169 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.2170 District Labour District Officer's Salary

- a) Miss McShane reported that during the financial year 2019/2020 overtime and bonus payments had been made as indicated on the Supplementary Schedule.
- b) Employees' Contract of Employment and Benefits in kind

At the request of the Chairman, the Board considered first the employees' Contract of Employment and Benefits in kind

Miss McShane reported that in their latest audit the internal auditors had taken a closer look at the P11d benefits in kind provided by all Boards in relation to the supply of residential property and vehicles, together with telephones, utility charges etc.

She advised that in previous years instruction had been taken from the Boards, but following points raised by the HMRC and the internal auditor it was felt necessary to carry out a review of potential benefits and how these were to be dealt with as part of the end of year declarations. She added that whilst it was up to each individual Board to decide how they remunerate their employees, they must ensure that relevant legislation was complied with. She advised that consideration to potential benefit declarations should be given to the accommodation provided, telephone and utility charges.

- c) The Board gave consideration to the District Officer's salary for 2020/2021.

The Chairman reported that last year the Board had awarded an increase of 1.5% and in view of the changes in the taxation with regards to Benefits in kind the Chairman suggested that a salary increase of 3% be applied which would take account of the additional tax burden the District Officer would have for Benefits in kind and this should be reviewed at the next summer meeting of the Board.

#### RESOLVED

- i) That, to take account of additional tax that would be payable for Benefits in kind by the employee, the salary of the District Officer be increased by 3.0% from 1<sup>st</sup> October 2020, as indicated on the Supplementary Schedule.
- ii) That the telephone landline be apportioned 50:50 and that any necessary amendments to the employee's Contract of Employment be made to reflect the changes as result of the receipt of the Benefits in kind.

#### B.2171 Expenses Allowances

The Board gave consideration to the reimbursement of proper out of pocket expenses incurred by the Chairman and Vice Chairman on the Board's behalf.

#### RESOLVED

That the sums of £500 and £250 be paid to the Chairman and Vice Chairman respectively for out of pocket expenses incurred on behalf of the Board for 2020/2021 and if any additional expenses were incurred by the Chairman and Vice Chairman the Board would approve any reasonable expenses incurred.

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

#### B.2172 Charges for hire of plant when engaged on private work

The Board considered whether any revisions were necessary in their charges for hiring of plant for private work.

i) Atlas 140W Excavator

Present charge - £35 per hour in the District ) (inclusive of operator's wages).  
- £40 per hour outside the District )

ii) Flail mower

Present charge - £35 per hour (inclusive of operator's wages)

iii) Weed boat

Present charge - £30 per hour (inclusive of operator's wages)

iv) Piling Hammer

Present charge - £35 per hour (inclusive of operator's wages)

(NB) – Travelling time being charged in addition to working time.

RESOLVED

That the hire charges remain as at present.

B.2173 Environment Agency – Precepts

Miss McShane reported that the Environment Agency had issued the precept for 2020/2021 in the sum of £113,104.00 (the precept for 2019/2020 being £110,345.21).

B.2174 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss McShane reported that the sum of £3,889.01 (inclusive of supervision) had been received from the Environment Agency (£4,030.38 representing 80% of the Board's estimated expenditure for the financial year 2019/2020 less £141.37 overpaid in respect of the financial year 2018/2019).

B.2175 Health and Safety

a) Further to minute B.2145, the Vice Chairman referred to the report received from Cope Safety Management following their visit to the District on the 25<sup>th</sup> February 2020. He also referred to his report showing the changes that had been undertaken and confirmed that, with the exception of two minor items which he would attend to, all actions had now been undertaken.

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

b) Miss McShane referred to the ADA Internal Drainage Boards' Health, Safety & Welfare Survey 2018.

B.2176 Review of Internal Controls

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

B.2177 Risk Management Assessment

a) Miss McShane reported that it was necessary every 4-5 years to consider the formal Risk Register and in between times to judge the risks when considering the Consulting Engineer's and other reports and when setting budgets and rates/special levies. She advised that these risks had been analysed by the use of the Risk Matrix and added that, although the

risk registers for IDBs very rarely changed, they would/could change over time and it was important for Boards to consider formally and that consideration was due this year.

Members considered the Board's Risk Register.

#### RESOLVED

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

- b) The Board considered and approved the insured value of their buildings and considered having a professional valuation of the Board's real estate assets, as required for insurance purposes.

#### RESOLVED

- i) That no changes be made to the valuation at this time.
- ii) That a professional revaluation of the Board's real estates be carried out for insurance purposes.

#### B.2178 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.2179 Annual Governance Statement – 2019/2020

The Board considered and approved the Annual Governance Statement for the year ended on the 31<sup>st</sup> March 2020.

#### 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 2020.

#### B.2180 Payments

The Board considered and approved payments amounting to £353,925.26 which had been made during the financial year 2019/2020.

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

#### B.2181 Annual Accounts of the Board – 2019/2020

The Board considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31<sup>st</sup> March 2020 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 2020.

### B.2182 Expenditure estimates and special levy and drainage rate requirements 2020/2021

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2020/2021 and were informed by 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 80.83% and 19.17%.

## RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £229,466 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 £185,468 and £43,968 respectively.
- iv) That a rate of 36.30p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v)
  - a) That a Special levy of £20,023 be made and issued to Fenland District Council for the purpose of meeting such expenditure.
  - b) That a Special levy of £15,640 be made and issued to Huntingdonshire District Council for the purpose of meeting such expenditure.
  - c) That a Special levy of £8,305 be made and issued to East Cambridgeshire 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 levies referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levies by such statutory powers as may be available.

### B.2183 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.2184 Dates of next Meetings

The Chairman raised the matter of the Board's Annual Inspection which, in previous year's, had been undertaken before the winter meeting and requested whether the Board would like to carry out a summer inspection next year.

#### RESOLVED

That the next Meetings of the Board be held as follows in 2021, viz:-

- i) Thursday the 14<sup>th</sup> January 2021 at 9.30am followed by lunch.
- ii) Tuesday the 1<sup>st</sup> June 2021 at 10.30am (prior to which the District Inspection will be held at 8.30am) and this be reviewed each year.

### B.2185 Bookmarked agendas

A query was raised whether the bookmarked page numbers could match the agenda as this had caused confusion with some of the Members at the meeting.

### B.2186 Water levels in Cranbrook Drain

The Chairman stated that it was possible for the water levels to be raised in Cranbrook Drain if the level of water is too low. The Chairman will liaise with the Environment Agency on this.

#### RESOLVED

That the Chairman discuss with the Environment Agency whether the levels in Cranbrook Drain could be topped up.