

OVER AND WILLINGHAM INTERNAL DRAINAGE BOARD

Telephone: DD (01354) 602003

E-mail: enquiries@middlelevel.gov.uk
www.middlelevel.gov.uk

Middle Level Offices
85 Whittlesey Road
MARCH
Cams
PE15 0AH

12 April 2020

Mr Chairman and Gentlemen

Meeting of the Board
27th April 2021

I enclose the Agenda for the Meeting of the Board to be hosted at the Middle Level Offices at 3.00 pm on Tuesday the 27th April 2021.

PLEASE NOTE THAT THIS AGENDA INCLUDES CONFIDENTIAL PAPERS. APART FROM THE COPY RETAINED WITH THE CONFIDENTIAL MINUTES THEY WILL BE DESTROYED FOLLOWING THE MEETING AND MEMBERS ARE REMINDED THAT THEY MUST NOT BE DISCUSSED WITH ANYONE OTHER THAN A BOARD MEMBER.

AFTER THE MEETING PLEASE DESTROY YOUR COPY OF THE PAPERS OR RETURN THEM TO THE OFFICE TO BE DESTROYED.

Please telephone or e-mail to confirm your attendance as soon as possible.

Yours truly

D C THOMAS

Clerk to the Board

To the Chairman and Members of the Over and Willingham Internal Drainage Board

AGENDA

1. Apologies for absence

2. Declarations of Interest

Members to declare any interest relating to the agenda.

3. Confirmation of Minutes

To confirm the Minutes of the Meeting of the Board held on the 28th April 2020.

(Copy pages 14-30)

4. Matters arising from the Minutes

5. Appointment of Chairman

To appoint the Chairman of the Board.
(Present Chairman – B R Burling Esq)

6. Appointment of Vice Chairman

To appoint the Vice Chairman of the Board.
(Present Vice Chairman – L M Cook Esq)

7. Election of Board Members

The Clerk will report that as the number of candidates for membership did not exceed the number of persons to be elected (TEN), the following candidates were elected as Members of the Board for a period of three years from 1st November 2020, viz:-

BURLING Brian Roy	GARNER Harry
BURLING Stuart Oliver	HENSHAW Tim
CHURCH Michael	HOLLAND Richard D
COOK Leslie Maurice	PAGE Mark
SMITH Jack	

(NB) –Councillor W Handley is also a Member of the Board as the nominee of South Cambridgeshire District Council under the provisions of the Land Drainage Act 1991.

8. Vacancy in Membership

Further to minute B.222, to consider the filling of the vacancy in the membership of the Board.

9. Willows and Saplings alongside District Watercourse

Further to minute B.223, the Chairman to report.

10. Tree in water close to Hansons Conveyor

Further to minute B.223, the Chairman/Mr Page to report.

11. Dockerell Brook/Willingham Lode

Further to minute B.224, the Clerk to report.

12. Access to Over Pumping Station

Further to minute B.225, the Clerk to report.

13. Proposed Residential Development – Station Road, Over - Discharge of Surface Water

Further to minute B.226, the Chairman to report.

14. Clerk's Report

The Clerk advises:-

i) Middle Level Commissioners and Administered Boards Chairs Meeting

That a sixth Chair's Meeting was held virtually on the 26th November 2020.

Topics discussed included the Middle Level Commissioners' Chief Executive giving an update on COVID-19 actions and responses, the change of MLC Chairman from Marc Heading to Jonathan Brown, updates on the Technical Services Department review (which aims to address the delays in responding to planning and consenting matters) and an update on the work of WRE. He also advised that Defra had commented positively on the Good Governance Guide published by ADA and that on the back of this feedback ADA were currently working on an Environmental Good Governance Guide. It was also noted at this meeting that Agricultural and Environmental Bills were passing through Parliament, the later including clauses benefiting IDBs, allowing them to expand their boundaries or for entirely new IDBs to

be created, which was welcomed by the Chairmen as a positive step forward. Paul Burrows spoke on the work of the Environment Agency covering topics such as carbon baselining, national strategies, the tactical plans (which are securing much needed grant allocation for the area) and the need to continue to grow partnership working. He also spoke for Brian Stewart, the RFCC Chairman, who unfortunately was suffering from a poor broadband connection. On behalf of Brian, he advised that following the re-shaping of the local RFCC, there were two extra EA nominated positions available and that in this respect he wanted to propose that an Ex-officio seat be created for the incumbent Chair of the Great Ouse branch of ADA. This is likely to be Marc Heading who is expected to take over from Harry Raby in the spring. The new post will inject a direct link to farming which is of course the major business sector covered by this RFCC. The meeting finally turned to the future amalgamation of IDBs which it was generally agreed are likely to increase over time as succession planning has to be addressed.

ii) Application for byelaw consent

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

<u>Name of Applicant</u>	<u>Details of Work Consented</u>	<u>Date Consented</u>
RSPB, Beds, Cambs & Herts	Construction of headwall housing outfall pipe	9 th September 2020

iii) Association of Drainage Authorities

a) Annual Conference

That the 83rd Annual Conference of the Association was held virtually on Wednesday the 11th November 2020.

The conference this year was held in two distinct and separate parts, with the morning session comprising of key speakers and questions and the afternoon the AGM.

Key speakers in the morning were;

David Cooper, Deputy Director for Flood & Coastal Erosion Risk Management Policy (Defra) – who first thanked the IDBs for the work they do and then endorsed the efforts being made to improve governance through the publication of the ‘Good Governance Guide’ and the work in hand on ‘Good Environmental Governance’. He then went on to speak about the ambitious aims of government, the record investment agreed by treasury for the next six year funding cycle and the Agriculture Bill that if passed will facilitate the creation of new IDBs and allow existing IDBs to expand districts. He finished by stating that the key was to educate people and to work together to share good practice.

Chris Stoate, Head of Research (Game & Wildlife Conservation Trust) – who spoke about the Allerton Project which was a carefully implemented scheme to directly measure the impacts of controlling headwaters using measures such as leaky dams. This work consisted of schemes on similar upland sub-catchments where a direct comparison could be made between interventions and non-interventions. The results were very promising with downstream peak flows being reduced by around a quarter where the most effective measures were installed. Chris accepted that there were challenges surrounding maintenance and that the choice of natural materials and design was key. He also noted that in the locations chosen any failed leaky

dam materials would get caught on stream bends well before any risk of being washed downstream into urban areas.

Toby Willson, Executive Director of Operations (Environment Agency) – who is soon to leave the EA reflected on the target to be carbon neutral in less than a decade and in doing this noted that the equivalent carbon release linked to pumping alone from the February event this year was equivalent to that of 1200 houses. He went on to point out that the onus is on us to act now and that if we fail to do so it will be our children and grandchildren who will face the consequences.. He acknowledged the hugely influential role of ADA’s voice in the development of national strategies and the work being done in partnership with IDBs to be more resilient. He finished by setting out three challenges.

- 1) To develop true partnerships where all organisations are working unified towards the same goals.
- 2) To achieve net zero carbon emissions, asking specifically what the IDBs were doing towards this?
- 3) To develop and implement strategies to attract young people into the industry.

Questions were taken from the floor and were wide ranging from asking why there was so little information being shared on the development of ELMs to why it was necessary in one location for the EA to undertake an environmental check before removing a dead tree from across a watercourse.

A more formal question and answer session ended the morning, the panel being made up from, Julia Beeden from Cambridgeshire County Council, Emily Clarke from Anglian Water, John Curtin from Environment Agency, David Jenkins from Wessex RFCC, Innes Thompson from ADA and David Thomas from the Middle Level Commissioners. When asked a question David Thomas, your Clerk, took the opportunity to advise of the importance and value of the work being undertaken by WRE and also to point out to Toby Wilson that he absolutely agreed with the sentiments of partnership working and also the key aims of the EA but noted that true partnership working was a two way street and that there were still areas of policy development that ADA were not being involved with sufficiently. Toby accepted that the EA were not perfect and that more work needed to be done on this.

The AGM in the afternoon followed the usual format of recording appointments and electing office holders. It was noted that Robert Caudwell would be coming to the end of the normal Chair’s term of office and that this would be reviewed next year. The formalities over a lively question and answer session followed which seemed to work very well and may influence how future conferences are arranged.

b) Annual Conference

That the Annual Conference of the Association of Drainage Authorities will be held in London on Wednesday the 10th November 2021.

c) Meeting of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association was held virtually on Tuesday the 2nd March 2021.

Matters covered were that there was a change in Chairman with Harry Raby stepping down and Marc Heading taking his place. Councillor Doug McMurdo takes on the role of Vice Chairman. This maintains the balance of having upland and lowland members in key

roles and also balances council and agricultural ratepayers' interests. John Heading was appointed for another three years on the ADA Board as branch representative. Robert Caudwell gave an update on ADA matters focusing in on progress of the agriculture bill through parliament and the lowland peat initiative which he considers must not negatively impact on livelihoods and the need to produce food for the nation. Next to speak was Brian Stewart who was seeking support for his initiative to create an Ex-Officio post on the FRCC for the sitting Chairman of the Great Ouse branch of ADA (EA nominated post). This was supported unanimously and Marc Heading will take up this new role with immediate effect.

Claire Jouvray and Paul Burrows gave updates on the revenue funding position, which was quite healthy with sources of money found to deliver what had been targeted and on the long-term strategy for the area including the tactical plans which are set to make access to grant in aid smoother than it might otherwise be. A warning was raised that funding may get squeezed as time passes and the financial impact of COVID-19 gets addressed.

Approximately 30 people attended this virtual meeting, which should return to its normal format at Prickwillow Hall next year.

That the date of the next meeting is Tuesday the 1st March 2022.

d) ADA response to publication of EFRA Flooding Inquiry Report

That ADA have responded to the Government EFRA report into the winters flooding, which has the headline conclusion that the lack of clear flood-resilience targets is leaving England at risk of 'playing catch-up' with climate change.

Encouragingly, in addition to recognising these challenges, EFRA have also clearly stated that in light of ever more frequent and severe storms, there is an urgent need to provide long-term funding for the maintenance of existing and new flood defences, to match capital commitment together with a need to examine the mental health impacts of severe flooding, calling for an action plan to address this alongside the economic and physical effects.

ADA's response is attached (Copy pages 31-32) and the full EFRA report can be found via the following link; <https://publications.parliament.uk/pa/cm5801/cmselect/cmenvfru/170/170.pdf>

iv) Capital Funding Projects

That at the spring 2020 budget it was announced by Government that they would provide the Environment Agency with a settlement of £5.2billion for capital funding projects over the next 6 years, from April 2021 to March 2027, to better protect 336,000 properties. This includes both homes and non-residential properties and presents a significant increase over the current 6-year programme. It is noted that the definition of non-residential properties includes shops, businesses, industrial sites, schools, hospitals, etc. and the new arrangements also facilitate funded improvements to habitat and the environment.

In response to this the Environment Agency have issued new partnership funding rules which go alongside this increased funding programme. The new rules are considered critical to delivering the called for better protection to the target of 336,000 properties, but will also allow:

- updated payments which will now account for inflation and be based on new evidence on the overall impacts of flooding, such as mental health

- increased payments for flood protection schemes which also create a range of environmental benefits
- more funding for flood protection schemes which also protect properties that will later become at risk of flooding due to climate change
- a new risk category which will enable schemes that prevent surface water flooding to qualify for more funding

v) What is Good Governance

That Defra have provided a summary of “What is Good Governance?”:-

- Good governance is about the processes for making and implementing decisions. It’s not about making ‘correct’ decisions, but about the best possible process for making those decisions - and therefore good governance, share several characteristics. All have a positive effect on various aspects of Boards including consultation policies and practices, meeting procedures, service quality protocols, officers’ conduct, role clarification and good working relationships.
- Boards should implement decisions and follow processes that make the best use of the available people, resources and time to ensure the best possible results for their community – and try to serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner. A community’s wellbeing results from all of its members feeling their interests have been considered by Boards in the decision-making process. This means that all groups, particularly the most vulnerable, should have opportunities to participate in the process.
- People should be able to follow and understand the decision-making process. This means that they will be able to clearly see how and why a decision was made – what information, advice and consultation Boards considered, and which legislative requirements (when relevant) Boards followed. This means that decisions are consistent with relevant legislation or common law and are within the powers of the Acts.
- Anyone affected by or interested in a decision should have the opportunity to participate in the process for making that decision. This can happen in several ways – community members may be provided with information, asked for their opinion, given the opportunity to make recommendations or, in some cases, be part of the actual decision-making process.
- Accountability is a fundamental requirement of good governance. Boards have an obligation to report, explain and be answerable for the consequences of decisions it has made on behalf of the community it represents.

vi) Smart Level System/District Wide Telemetry Bid

That a Local Levy Bid has been submitted that appears to have been successful and will offer a contribution of half the cost of installing telemetry at pumping station sites. This will allow early warnings of pump or weedscreen failure and remote operation. Also, as the bid covers all MLC administered IDBs there is scale which will facilitate very competitive rates.

The Board are asked if they would wish to be included in the arrangements for telemetry provision.

Note: The telemetry access will be cloud based, increasing the flexibility in access at the appropriate level for staff and District Officers.

vii) Anglia Farmers

Further to minute B.189(vii), the Clerk will advise that although the running of the remainder of the Anglia Farmers electricity contract has continued to be monitored it has been difficult to address some of the issues due to the restrictions caused by COVID-19.

In view of this, the Middle Level Commissioners' resolved to remain with Anglia Farmers for a further contract period post 30th September 2021 and to continue to monitor the performance of Anglia Farmers over the new contract period.

The Clerk will report that in addition it was proposed that quotes for 'green energy' be included, with a view to moving over to this form of power supply if the cost differential is marginal. The Clerk will further report that the need to show that IDBs carbon footprint is being actively managed over future years is expected to increase with the Environment Agency setting themselves the target of being carbon neutral by 2030.

The Clerk will report that the Chairman had subsequently agreed for the Board to remain with Anglia Farmers.

viii) Fens Biosphere

Further to minute B.229, the Clerk will refer to the leaflet from Cambridgeshire Acre.

(Copy pages 33-37)

ix) Land Registry

That whilst it is a legal requirement for land occupiers to notify the Board of any change of occupation, including releasing contact details for the new occupiers, on many occasions this does not occur and time is spent trying to determine who the new occupier is. When the normal avenues fail to deliver any meaningful information we now use our Land Registry account to gain details of the current land owner. The costs of making an application via this method are small (currently £6) but obviously this will show up on the Board accounts, hence the need to draw this new way of working to the Boards attention.

x) National Drainage Show & Floodex 2021

That the National Drainage Show & Floodex 2021 will be held at ExCel, London on the 9th and 10th November 2021.

xi) Water Resources East (WRE)

Further to minute B.229(vii), the Clerk will report that WRE have had a productive and fruitful year despite COVID and have managed to lever many millions of funding for studies and initiatives which in the long term should benefit this area by recognising the importance of agriculture to the water resource supply chain and by seeking ways to integrate water resources, flood risk management and environmental objective delivery together. For the 2020/2021 year (should the Board continue to wish to support the work of WRE and contribute accordingly) the calculated figure will be £125.00. Please note that ADA have developed a new band based charging structure, hence the change from the previous year's figure.

The Board are asked to approve this payment.

15. Cambridgeshire Flood Risk Management Partnership Update

Further to minute B.230, the Clerk will refer to the most recent matters raised by the Partnership.

(Copy pages 38-40)

16. Asset Survey of the Board's Pumping Stations

Further to minute B.235, the Clerk will refer to the Asset Survey of the Board's Pumping Stations.

(Copy pages 41-46)

17. Capital Improvement Programme

To review and approve the Board's future capital improvement programme.

(Copy page 47)

18. District Work Report

Mr M Church to report on works undertaken and proposed works.

19. Conservation Officer's Newsletter and BAP Report

The Clerk to refer to the Conservation Officer's newsletter, previously circulated to members, and to consider the most recent BAP Report.

(Copy page 48-56)

20. District Officer's Fee

To give consideration to the District Officer's fee for 2021/2022.

21. State-aided Schemes

To consider whether to undertake further State-aided Schemes and whether any future proposals should be included in the forward capital forecasts provided to the Environment Agency.

22. Agreements between the Drainage Board, Hanson Aggregates and RSPB

Further to minute B.236, the Chairman/Mr Page to report.

23. Gravel Extraction, programme for 2021/2022

Further to minute B.237, Mr Page to report.

24. Flail mowing

Further to minute B.238 the District Officer to report. Consideration to be given to the undertaking of the Board's flail mowing operations for 2021/2022.

25. Environment Agency – Precept

The Clerk will report that the precept for the financial year 2021/2022 has been fixed at £16,169 representing a rate (including special levies) of 12.45p

The precept for 2020/2021 was £16,169.00.

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

The Clerk will report that following his submission of claims for contributions the gross sum of £ 1,029.88 (£2,748.46 less £1,718.58 paid on account) (inclusive of supervision) has been received from the Environment Agency for the financial year 2019/2020 based on the Board's actual expenditure on maintenance work for that financial year and the sum of £2,080.33 in respect of 80% of the Board's estimated expenditure for the financial year 2020/2021.

27. Association of Drainage Authorities
Subscriptions

The Clerk will report that subscriptions for 2021 will remain unchanged at £565.

28. Determination of annual value for rating purposes

The Clerk will submit the recommendation for the determination of annual value for rating purposes.

(See Confidential Papers – See Page 1)

29. Contribution from Developers

The Clerk will report that a contribution towards the cost of dealing with the increased flow or volume of surface water run-off and treated effluent volume has been received.

(See Confidential Papers – See Page 2)

30. Health and Safety

a) Further to minute B.243(b), the District Officer will report and will refer to the report received from Cope Safety Management following their visit to the District on the 29th September 2020.

(Copy pages 57-60)

31. Special Circumstance Policy on Tendering

The Clerk will advise members that there have been issues for some IDBs during the COVID-19 pandemic in respect to meeting their normal policy on numbers of valid tenders or quotations. To deal with this the policy (copy page 61) has been produced. It is intended that this policy will only apply in special conditions such as these and that to invoke the policy the Chairman will need to record what the special circumstance is before it can be used.

The Board are asked to consider this policy and if it feels appropriate to formally adopt it.

32. Completion of the Annual Accounts and Annual Return of the Board – 2019/2020

a) To consider the comments of the Auditors on the Annual Return for the year ended on the 31st March 2020.

(Copy pages 62-65)

b) To consider the Audit Report of the Internal Auditor for the year ended on the 31st March 2020.

(Copy pages 66-76)

33. Defra IDB1 Returns

The Clerk will refer to the completed IDB1 form for 2019/2020.

(Copy pages 77-86)

34. Budgeting

The Clerk to refer to the budget update reviewed by the Chairman, with comparison to year end out-turn added, and any actions taken.

(Copy page 87)

35. Review of Internal Controls

To consider the system of Internal Controls.

36. Risk Management Assessment

- a) To give consideration to the Board's Risk Management Policy.
- b) To review the insured value of the Board's buildings.

(Copy page 88)

37. Exercise of Public Rights

The Clerk to refer 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.

38. Annual Governance Statement – 2020/2021

To review and complete the Annual Governance Statement.

(Copy page 89)

39. Payments 2020/2021

The Clerk to report on payments made during the financial year 2020/2021.

(Schedule page 90)

40. Annual Accounts of the Board - 2020/2021

To consider the Annual Accounts and bank reconciliation for the year ended on the 31st March 2021 and the completion of Section 2 of the Annual Return as required in the Audit Regulations.

(Copy pages 91-95)

41. Expenditure estimates and special levy and drainage rate requirements 2021/2022

To consider estimates of revenue expenditure and levy and rate requirements in respect of the financial year 2021/2022.

(Copy pages 96-97)

42. Date of next Meeting

43. Any other business