

CURF AND WIMBLINGTON COMBINED INTERNAL DRAINAGE BOARD

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30 April 2021

Mr Chairman, Ladies and Gentlemen

Meeting of the Board
11th May 2021

I enclose the Agenda for the Meeting of the Board to be hosted at the Middle Level Offices, March at 2.00 pm on Tuesday the 11th May 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 the Members of the Curf and Wimblington Combined Internal Drainage Board

AGENDA

1. Apologies for absence

2. Standing Orders

ADA have obtained agreement from Defra for the flexibility which allowed the Board to choose how they wished to hold Board meetings during the pandemic to become permanent. This change will allow remote attendance or fully virtual meetings to take place in future should that best meet the Board's particular requirements at that time.

(Copy pages 14-18)

The Board's approval to these revised Standing Orders is sought.

3. Declarations of Interest

Members to declare any interests relating to the agenda.

4. Confirmation of Minutes

To confirm the Minutes of the Meeting of the Board held on the 12th May 2020.

(Copy pages 19-35)

5. Matters arising from the Minutes

6. Appointment of Chairman

To appoint the Chairman of the Board.
(Present Chairman – M Heading Esq)

7. Appointment of Vice Chairman

To appoint the Vice Chairman of the Board.
(Present Vice Chairman – R Gowler Esq)

8. 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 (FOURTEEN), the following candidates were elected as Members of the Board for a period of three years from 1st November 2020, viz:-

ANGOOD Richard John
EDGLEY Stephen
GOWLER Christopher
GOWLER Robin
HEADING Marc
LANGLEY Mrs Alison Jane

MARTIN Clive Edward
MASON Raymond Edward
MORRIS Donald Sowby
MORRIS Duncan Sowby
NICHOLAS David George
NICHOLAS Leslie Alan

WAKEHAM Guy

The Clerk will also report that Mr D R Stokes did not seek re-election and that a letter of thanks on behalf of the Board had been sent to him.

9. Vacancy in Membership

To consider the filling of the vacancy in the membership of the Board caused by the resignation of Mr Stokes.

10. Land Drainage Act 1991
Board Membership – Fenland District Council

The Clerk will report that Fenland District Council have re-appointed Councillor Mrs M Davis to be a Member of the Board under the provisions of the Land Drainage Act 1991.

11. Inspection of District

To consider whether the Board should undertake an inspection of the District in 2022.

12. Contravention of Byelaws – Infilling of Ditch – Byall Fen Drove

Further to minute B.443, the Clerk to report.

13. Erection of dwellings – May Meadow, Turf Fen Lane, Doddington

Further to minute B.454, the Chairman to report.

14. New Project for Skylark, Manea Road, Wimblington

Further to minute B.455, the Clerk to report.

15. 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>Description of Works</u>	<u>Date Consent Granted</u>
Nicholas Farms	Construction of precast concrete inlet/outlet to allow abstraction / discharge from/into District watercourse to fill/empty adjacent reservoir – Points 6 and 7	21 st July 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 36-37) 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 £5.2 billion 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.

When looking at the cost of telemetry there will be a number of factors that will impact upon cost. We have asked Xylem to put together a table that should cover the upper and lower bounds of all IDB pumping stations (see below). Prior to placing an order a site survey will be undertaken, average cost for this is expected to be in the region of £200. Xylem will then assess what if any control panel modifications will be required to allow telemetry. The other defining factor will be whether there is to be an additional requirement for remote control of the station pumps and set points. The table covers this range.

The costing bands are:

Low	£2000 - £5,000	Minor panel modifications are required, signals are present but need work to the panel to present or make these available to telemetry.
Medium	£5,001 - £24,999	Signals are not present to enable telemetry and panel modifications are quite intensive to bring the panel to a point where a telemetry unit can be installed.
High	£25,000 +	Signals are not present and the panel requires major modifications to give the required signals. Should this option be required it is anticipated that consideration first should be given to replacement of the control panel which would bring more value and longevity. Signals for telemetry could be more easily accommodated in a new panel.

Note: All above figures are gross and if the Board resolves to go ahead as part of the Grant funded scheme currently on offer will be discounted 50%

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

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

vii) Anglia Farmers

Further to minute B.407(vi), 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.444, the Clerk will refer to the leaflet from Cambridgeshire Acre.

(Copy pages 38-42)

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.

16. Consulting Engineers' Report, including planning and consenting matters

To consider the Report of the Consulting Engineers.

(Copy pages 43-81)

17. Capital Improvement Programme

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

(Copy pages 82-83)

18. 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 pages 84-94)

19. Pumping Station duties

To give consideration to the payments in respect of pumping duties for 2021/2022.

20. 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.

21. Environment Agency – Precept

The Clerk will report that the precept for the financial year 2021/2022 has been fixed at £10,121.00 representing a rate (including special levies) of 2.46p.

The precept for 2020/2021 was £10,121.00.

22. 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 £1,812.53 (£6,149.42 less £4,336.89 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 £4,475.24 in respect of 80% of the Board's estimated expenditure for the financial year 2020/2021.

23. Letting of herbage

To consider letting of herbage 2022.

The present lettings are:-

- i) Narrow Drove, Green Drove (from Narrow Drove to the South Bank) and South Bank (from the Commissioners' Pumping Station to Block Fen Drove) ..
- ii) North Bank (from Boots Bridge to the Commissioners' Pumping Station).

24. Association of Drainage Authorities Subscriptions

The Clerk will report that subscriptions for 2021 will remain unchanged at £642.

25. Review Flail Mowing for 2020 season and consider 2021 season

The Chairman to report.

26. Contributions from Developers

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

(See Confidential Papers)

27. Health and Safety

Further to minute B.460(b), the Chairman will report and will refer to the reports received from Cope Safety Management following their visits to the District on the 28th July 2020 and 16th February 2021.

(Copy pages 95-107)

28. 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 108) 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.

29. 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 109-112)

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

(Copy pages 113-123)

30. Defra IDB1 Returns

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

(Copy pages 124-133)

31. 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 134)

32. Review of Internal Controls

To consider the system of Internal Controls and appointment of Internal Auditor.

33. 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 135)

34. 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.

35. Annual Governance Statement – 2020/2021

To review and complete the Annual Governance Statement.

(Copy page 136)

36. Payments 2020/2021

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

(Schedule pages 137-138)

37. 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 139-143)

38. 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 144-145)

39. Date of next Meeting

40. Any other business