

SUTTON AND MEPAL INTERNAL DRAINAGE BOARD

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PLEASE NOTE CHANGE OF TIME

20th December 2021

Mr Chairman and Gentlemen,

Meeting of the Board – Thursday 13th January 2022 10:30am

I enclose the Agenda for the Meeting of the Board to be held at Chatteris Cricket Club at **10.30** on Thursday 13th January 2022.

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 whether or not you will be attending the meeting as soon as possible.

Yours truly

D C THOMAS

Clerk to the Board

To the Chairman and the Members of the Sutton and Mepal Internal Drainage Board

A G E N D A

1. Apologies for Absence

2. Declarations of Interest

Members to declare any interests relating to the Agenda.

3. Confirmation of Minutes

To confirm the Minutes of the Meeting of the Board held on the 1st June 2021.

(Copy pages 9-22)

4. Matters arising from the Minutes

5. Goodjohn's Farm

Further to minute B.2213(iv), the Chairman to report

6. Potential Amalgamation Discussions – Sutton & Mepal IDB, Manea & Welney DDC and Upwell IDB

Further to minute B.2216, the Clerk to report.

7. Water Levels in the Counter Drain and Cranbrook Drain

Further to minute B.2217, the Chairman to report.

8. Ouse Washes Section 10 Reservoir Middle Level and Level South Barrier Bank works

Further to minute B.2218, the Clerk will refer to the Newsletter from the Environment Agency dated December 2021.

(Copy pages 23-24)

9. Low Level Restoration at Block Fen Account (Redland Aggregates) Limited

Further to minute B.2219, the Clerk to report.

10. Meter Readings – Lafarge and Tamac

Further to minute B.2220, the Clerk to report.

11. Retirement of District Officer

Further to minute B.2244, the Chairman to report.

12. Clerk's Report

The Clerk advises:-

i) COVID-19 Actions

That due to the risk of COVID-19 mutations appropriate measures are being put in place, revised and reviewed as per government advice and using activity-based risk assessments.

ii) Middle Level Commissioners and Administered Boards Chairs Meeting

That a seventh Chair's Meeting was held on the 2nd November 2021.

The meeting covered a wide variety of matters likely to affect IDBs. A summary of the key points and resolutions follows;

- a) The MLC Chair introduced the meeting and took the opportunity to warn those present that government were pushing for land in this area to be set aside to mitigate the impacts of climate change. In this respect there was concern that the data underpinning this move was out-of-date and inadequate and that there was a risk that no proper account would be taken of the storage effects of the land as it is currently managed compared to how it might react if managed as wetland.
- b) To better fit in with the farming calendar the annual safety audits carried out by Cope are to be moved to January and February. In response to a question from the floor, Chairs were advised that it is ultimately the Board and not the MLC's responsibility to manage safety at Board owned assets, although the MLC will assist where they can.
- c) Chairs considered that it was considered important that IDBs and the MLC have a policy on climate change. It was felt likely that this will become increasingly important as pressure mounts for action to be taken. In this respect the Clerk advised that the MLC intended to carry out a baseline assessment of its carbon footprint which would then be used to underpin plans for reductions in CO2 release and for mitigation. This model would be made available to those IDBs which wished to follow a similar path. Once what could be reasonably achieved has been

defined a policy to steer implementation would be produced. Obviously, the aim will be to achieve net zero or as close to it as can be realistically and practically be achieved.

- d) The Chief Executive outlined the work of WRE, including the regional reconciliation of water supply just carried out, the proposals for two new reservoirs (one in Lincolnshire and one in Cambridgeshire) and the future plans for water security providing a 1 in 500 year level of drought tolerance for potable water supply. On this latter point he advised that he had been pushing hard for the needs of agriculture to be taken into account, noting that wet farming and environmental targets for farming would require extra water in this region. Also, he considered that separating agricultural need from environmental need was an error and failed to recognise the close tie between the two.
- e) It was reported that it seemed increasingly likely that despite lobbying MPs and Defra it will be the case from the 1st April 2022 that IDB's will lose access to red diesel for anything other than powering generators and for heating. This will increase costs and will present problems with the use of contractors who also work for agriculture which will have an exemption, hence can continue to use red diesel in plant.
- f) On member training it was agreed that the MLC would set up a Zoom type seminar running several of the ADA video training sessions back-to-back. All members of all MLC administered IDBs would be invited and attendance will be recorded. This was seen as the most efficient way of delivering the training that Defra expects members to have undertaken.
- g) For the next round of IDB meetings, the MLC website secure pages will be used for Board meeting documents. Members will be sent links to the appropriate webpage with a password. The documents can then be downloaded whenever it is convenient to do so. **MEMBERS WILL BE ENCOURAGED TO FOLLOW THIS ROUTE RATHER THAN REQUIRE PAPER COPIES OF DOCUMENTS.** In exceptional circumstances – for example for those members without email addresses - a paper copy of the relevant documents can still be printed off, bound and sent out. The use of the Microsoft Teams software is also to be explored for future years.
- h) GDPR was discussed and it was resolved that for internal matters, or where working with partner organisations all email addresses will be visible to allow members to see who has knowledge of the matter under discussion. All external communications will normally be blind copied unless there is a need to show the address or the address is already known (for example when a member is passing on a query he or she has received themselves). It was also agreed that the website could continue to show names and primary contact numbers as long as addresses were not identified.

iii) Applications for byelaw consent

That the following applications for consent to undertake works in and around watercourses have 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>
R H Smith & Sons	Installation of 11 underdrain outfalls at Horsely Fen	23/08/21

iv) Association of Drainage Authoritiesa) Annual Conference

That the 84th Annual Conference of the Association was held on Wednesday the 10th November 2021.

The Conference was once again held virtually and was split into two parts; the Conference in the morning and AGM in the afternoon. It is expected that, whilst in future years it is hoped to return to a face-to-face format, the clear separation between conference and AGM is likely to be retained.

Speakers this year included Rebecca Row MP (Parliamentary Under Secretary of State – Defra), Dieter Helm (economist) and Lord De Ramsey (then President of ADA).

Topics covered included the challenges of climate change and the need to step up to the plate in delivering on the aim to achieve a net zero target as soon as possible, the importance of partnership working and the importance of agriculture in feeding the nation. The latter included the need to better educate the population, who clearly desire to move forward on delivering climate change and ecological objectives, but do not fully appreciate the role of agriculture, its real impacts or even properly understood where and how food is sourced. One example given that challenged a common assumption that agriculture was bad for the environment was that recent monitoring of CO₂ release had shown that a well irrigated peat field of onions released less CO₂ than adjacent dry grassland.

In his speech Lord De Ramsey announced that he was stepping down as President and that his place would be taken by Henry Cator. He was warmly thanked by ADA for his many years of service and was presented with a painting by an artist which it is known he admires. Henry spoke about how pleased he had been to be invited to take over the role and that he looked forward to working with ADA to meet the future challenges of the industry.

The AGM that followed gave an update on the work of ADA, noting the likelihood that, despite vigorous lobbying, the expectation was that from 1st April 2022 IDBs would no longer be able to use red diesel for anything other than heating or to run generators. This will impact on costs and will provide challenges to the continued use of agricultural contractors. The passing of the Environment Bill was touched upon which will release barriers to the formation of new IDBs and will also provide opportunities for IDBs to explore extending their boundaries if it was clearly beneficial to do so. Innes Thomason spoke on the work of ADA and the consultations ADA had responded to, including proposals to extend beaver introduction and a water abstraction licencing charging review amongst other things. Finally, it was reported that the ADA Board had agreed to a 1% rise in subscriptions for the 2022/23 year and noted that with inflationary pressures a higher increase should be expected next year.

b) Annual Conference

That the Annual Conference of the Association of Drainage Authorities will be held on Wednesday 9th November 2022, venue to be decided.

c) Meeting of the River Great Ouse Branch

That the Annual Conference of the River Great Ouse branch of the Association will be held on Tuesday the 1st March 2022.

d) Updating IDB Byelaws

Further to minute B.2109, ADA has advised that there was an error in the Model Byelaws relating to a Penalty Notice which referred to s37 of the Criminal Justice Act 1982, which was actually repealed on the 1.12.2020 by the Sentencing Act 2020. Consequently, Defra has amended the Penalty Notice attached to the byelaws to include the correct reference. This Penalty Notice is not part of the Byelaws and, as such, is a simple correction. There is no requirement either to readvertise or seek Defra approval and the version now uploaded to the website is the corrected one.

v) Environment Act

In November 2021 Defra announced that the Environment Act became law. The stated aim of this Act is to improve air and water quality, tackle waste, increase recycling, halt the decline of species, and improve the natural environment. However, the Act also includes powers (specific to IDBs) which amend the Land Drainage Act 1991, addressing the technical issue of missing or incomplete data, which is preventing existing internal drainage boards from expanding and new ones from being established. Defra have stated that they will be working on the associated secondary legislation over the coming year and will be engaging with IDBs through ADA on this.

vi) National Drainage Show & Floodex 2022

That the National Drainage Show & Floodex 2022 will be held at ExCel, London on the 23rd and 24th November 2022.

vii) Water Resources East (WRE)

Further to minute B.2221(iv), the Clerk will report that the requested contribution from this Board for 2021/2022 financial year is, once again, £125. Contributions from drainage boards within the East of England secure a direct stake in WRE and help to ensure their needs and opinions are taken into account.

13. Consulting Engineers' Report, including Planning and Consenting Matters

To consider the Report of the Consulting Engineers.

(Encl 1)

14. Conservation Officer's Newsletter

The Clerk to refer to the Conservation Officer's Newsletter, previously circulated to members.

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

The Clerk to report.

16. Association of Drainage Authorities Subscriptions

The Clerk will report that ADA has increased subscriptions by 1% for 2022.

17. Determination of Annual Values for Rating Purposes

The Clerk will submit the recommendations for the determination of annual values for rating purposes.

(See Confidential Papers)

18. Health and Safety

Further to minute B.2234, the Vice Chairman will refer to the report received from Cope Safety Management following their visit to the District on 16th November 2021 and will report thereon.

(Copy pages 25-29)

19. 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 2021.

(Copy pages 30-34)

b) To consider the Audit Report of the Internal Auditor for the year ended on the 31st March 2021.

(Copy pages 35-43)

20. Defra IDB1 Returns

The Clerk to refer to the completed IDB1 form for 2020/2021.

(Copy pages 44-53)

21. Expenditure/Estimate Update

The Clerk will advise the Board of how estimated expenditure for 2021/2022 compares with actual expenditure to date.

(Copy page 54)

22. Date of next Meeting

The Clerk will remind Members that the next meeting of the Board will be held on Tuesday 31st May 2022 at 10.30am prior to which the District Inspection will be held at 8.30am.

23. Any Other Business