

RAMSEY UPWOOD AND GREAT RAVELEY INTERNAL DRAINAGE BOARD

At a Meeting of the Ramsey Upwood and Great Raveley Internal Drainage Board
hosted at the Middle Level Offices, March on Thursday 6th January 2022

PRESENT

A C Roberts Esq (Chairman)
R Blackhurst (Vice Chairman)
A Butler Esq
Cllr J R Clarke Esq
Cllr S J Corney Esq
J I Edwards Esq
C W Pickard Esq
C P Wilkinson Esq

Miss Sam Ablett (representing the Clerk to the Board), Chris Convine (Consulting Engineer) and Mr Leo Butler (District Officer) were in attendance.

The Chairman enquired whether ALL Board members were happy for the meeting to be recorded. All members were in agreement.

Apologies for Absence

Apologies for absence were received from S W F Bedford, T F Bedford and A Lensen.

B.1302 Declarations of Interest

Miss Ablett 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.

Cllr Clarke declared an interest in MLC planning application reference 381 (TEC Groundworks Ltd -Waste Transfer Facility at Factory Bank, Ramsey).

B.1303 Confirmation of Minutes

RESOLVED

That the Minutes of the Meeting of the Board held on the 13th May 2021 are recorded correctly and that they be confirmed and signed.

B.1304 Damage to Bank Close to Point 54

Further to minute B.1274, Miss Ablett reported the District Officer had advised that during routine maintenance works the bank had been rectified and therefore this matter was no longer an issue.

She advised unfortunately the Clerk had been unable to establish ownership of the land.

The District Officer agreed to monitor the situation going forward and advise the Clerk if there were any further problems with horses at this location or further along the bank.

B.1305 Use of Droves Claimed by the Board

Further to minute B.1275, the Chairman reported the only outstanding matter was the erection of a horse-friendly gate, which he hoped would be installed soon. He also advised there hadn't been any incidences of fly-tipping for some time.

The District Officer reported that rubbish had been burnt at the bottom of Pickers Drove. The Chairman advised the Board may have to consider gating Pickers Drove at some point. He reported the condition of Pickers Drove had further deteriorated and additional maintenance works may be required, as access to the pumping station was becoming difficult.

B.1306 Drain Adjacent to Tesco's at Point 28

Further to minute B.1276, Miss Ablett reported that a letter had been sent to Tesco Stores Ltd requesting that a one-off sum of £22,730.05 be made as a contribution fee for increases in the discharge rate under their consent. She confirmed that payment had not yet been received and advised the Planning Engineer would continue to chase payment.

Miss Ablett enquired whether the Board wished to take any further action and Members advised a letter should be sent to Tesco Stores Ltd.

RESOLVED

That a letter be sent by the Clerk to Tesco Stores Ltd giving them 28 days to pay the outstanding discharge consent contribution of £22,730.05.

B.1307 Cadent Gas

Further to minute B.1277, Miss Ablett reported a planning application had been submitted by Cadent Gas in March 2021 regarding the provision of protection for a high-pressure gas main at Ugg Mere Court Road Corner and approval was received in November.

She further reported Cadent Gas had submitted an application for byelaw consent for this work which was approved by the Board in February 2021.

Miss Ablett advised it was hoped work on-site would commence in March 2022 and to enable certain works to be completed it would be necessary to temporarily dam off the watercourse. She further advised there were a number of options available to deal with the flow and these included over-pumping, providing pipes through the culvert and setting the dam heights at a level that would allow higher water flows to overtop the dams. She reported it was anticipated the installation of the dams would be in May 2022.

The Consulting Engineer was asked how long the dam would remain in situ and he confirmed the Contractors would endeavour to keep the time to a minimum. He advised the only problem he could foresee was the road closure and advised that, following planning permission being approved in November, approval was now required from Highways. He further advised there was

uncertainty around commencement of the works as this would have to be undertaken when water voles were less active, however the Contractor was aiming for March.

B.1308 Development at Ramsey Business Park, St Mary's Road, Ramsey (MLC Ref Nos. MLC 225, 278, 354, 357 & 359)

Further to minute B.1278, Miss Ablett referred to the Planning Engineer's report regarding this development and advised that the Chairman had been in correspondence with him regarding this matter.

She reported the Chairman considered it inappropriate for the Board to adopt the currently unadopted section of watercourse adjacent to and upstream of the Tesco Store, but the Board may consider maintaining it. She further reported the Chairman had advised this was subject to a suitable position concerning improvement, together with future maintenance, being reached and all reasonable maintenance costs incurred by the Board being paid by the land owners and/or the management company.

Miss Ablett advised there had been subsequent discussion with Hill Partnership Ltd and Accent Homes Ltd who had confirmed they were in favour of the Board maintaining the watercourse, the cost of which would be reimbursed to the Board.

Miss Ablett enquired how the Board wished to proceed.

The Chairman expressed his concern that the Board were discussing this planning application and the disposal of surface water far too late as construction had already started and yet drainage issues had not yet been resolved. He considered the Councils were at fault for allowing developers to proceed before the requirements of the Board concerning drainage had been met.

The Chairman advised that although conditions are put in place relating to drainage issues these are, in some cases, ignored by developers and this is not being checked by the Council as the site progresses, therefore causing more problems for the Board.

Councillor Clarke advised that comments are not always received from the Middle Level Commissioners on behalf of the Board. Miss Ablett advised that Middle Level Commissioners are not statutory consultees, however they do comment on applications that may be of concern to the Board.

Councillor Corney expressed his concern regarding payment for the maintenance of the stretch of watercourse in the future. He enquired whether, once the Developers were offsite, there would be a management company to pay the costs. The Chairman confirmed that a management company would be responsible.

The Vice-Chairman considered that, as the developers could not charge the Board for obstructing the watercourse downstream, the Board should neither adopt or maintain the watercourse so that the Board was not held responsible and he enquired why the Board were offering to maintain it. The Chairman stated that it had been a gesture of goodwill on the Boards part.

The Vice-Chairman agreed with other members of the Board and expressed his concern regarding the recovery of costs in the long term. He advised that, as long as land within the Boards district would not flood as a result of the Board's decision, the Board should not adopt or agree to maintain the stretch of watercourse on behalf of the developer, and if flooding arose on the

developed area, this would be the responsibility of the management company, not that of the Board.

He proposed the Board did not adopt or agree to maintain the stretch of watercourse as it was not considered to be the Board's responsibility and there was concern that maintenance costs may not be recovered in the long term.

This was agreed by all Members.

RESOLVED

That the Planning Engineer write to the Developer advising the Board do not agree to adopt or maintain the stretch of watercourse as it is not considered the Board's responsibility and there is concern with the recovery of maintenance costs in the long term.

B.1309 Abbey Farm

Further to minute B.1280, Miss Ablett advised that due to the confidential nature of the issues concerning this item, it was necessary to pass a formal resolution to exclude the public.

RESOLVED

That in pursuance of Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting when the above matters are being considered by reason of the confidential nature of the business to be transacted.

B.1310 Clerk's Report

Miss Ablett advised;

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.

Miss Ablett reported the Clerk had received communication, since the drafting of the Clerk's Report, from the senior policy adviser at HM Treasury, via ADA, who had clarified circumstances where it would remain possible to use red diesel for water level management activities.

Miss Ablett updated the Board and reported the Clerk had responded to ADA regarding the use of red diesel for pumping stations and machinery used to maintain urban ditches, and advised the Clerk would update the Board when further information became available.

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) 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;

Name of Applicant	Description of Works	Date Consent Granted
Sarah Norman	Pipe to fill 12m length of private road-side watercourse	01/12/21

RESOLVED

That the action taken in granting consents be approved.

iv) Association of Drainage Authorities

a) 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 in London on Wednesday the 9th November 2022.

RESOLVED

That the Clerk be authorised to obtain a ticket for the Annual Conference of the Association for any Member who wishes to attend.

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.1144, ADA have advised that there was an error in the Model Byelaws relating to penalty note 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 hence 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.

B.1311 Consulting Engineers' Report, including Planning and Consenting Matters

The Board considered the Report of the Consulting Engineers.

The Consulting Engineer confirmed the pump at New Fen pumping station appeared to be running satisfactorily following an overhaul in October, which was confirmed by the District Officer.

He advised he had been monitoring the position regarding the subsidence at New Fen pumping station for the past few years and confirmed there didn't appear to be any significant movement, which would be of concern at the moment and he would continue to monitor the discharge chamber.

The Consulting Engineer also referred to the planning applications that had been received and where appropriate dealt with since the last meeting.

Mr A Butler enquired whether the Board had any input into the planning applications at Middle Drove, Ramsey Heights. The Consulting Engineer advised this would depend on how close any proposed sites would be to the Board's drain.

The District Officer reported the problem related to the amount of rubbish, asbestos and lumps of metal in the Drain, together with sewage discharging into the Drain.

The Consulting Engineer advised that pollution was a matter for the Environment Agency and not the Board and advised that as part of the planning application the Board would have to be satisfied with the proposals put forward for the discharge of any sewage or surface water.

Councillor Corney suggested a meeting should be arranged with the head of the District Council, the Middle Level Commissioners and the Environment Agency to ascertain how the problem could be resolved.

The Consulting Engineer suggested the Board may wish to contact ADA for advice on how to deal with the problems being encountered. The Chairman agreed that the Board needed advice on the way forward.

Mr A Butler reported that one of the issues, relating to rubbish in the Drain, was that it was not visible, making it difficult to carry out maintenance works, such as flail mowing as contractors were not prepared to undertake the work due to the amount of time it would take to complete. The Chairman agreed this was a problem for the Board and needed to be addressed.

Members discussed the frequency of flail mowing, together with weed spraying and considered whether this would help resolve the problem.

Miss Ablett referred to the residential re-development at the former Ramsey North Railway Station and advised that as the site was at an advance stage the Planning Engineer had enquired whether the Council Members could confirm whether the application had been approved.

Councillor Clarke advised there had been a lot of discussion surrounding the use of an attenuation pond and the Town Council had agreed to take responsibility for the maintenance of the pond and had received a sum of £16,000 towards the maintenance costs.

Miss Ablett referred to the application by TEC Groundworks Ltd. site (MLC Ref No. 381) and to the Planning Engineer's comments relating to the SuDS solution suggested, which appeared to have been poorly considered. She reported the Planning Engineer had advised that discussions

with the relevant parties continued and he had requested the Boards opinion and further instruction on the application.

Comments made by the Planning Engineer were discussed further and the Board considered the drainage solutions were not adequate to meet the Board's requirements and it could not allow for the Board's 9 metre maintenance strip to be compromised as this would impede future maintenance works. The Board considered that even if the proposed discharge was discharged into the adjacent unadopted watercourse it would still impact on the Board's system eventually.

Members agreed that the proposals put forward by the developer should be rejected.

Miss Ablett referred to the Planning Engineer's Report on the "Right to Connect" and enquired whether the Board wished to support removal of the Right to Connect to public sewers or not.

Members agreed this should be opposed.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) That the Clerk arranges a meeting with Chairman, Vice-Chairman, Huntingdonshire District Council, the Environment Agency and Middle Level Commissioners to discuss issues with rubbish & sewage discharge along Middle Drove, Ramsey Heights
- iii) That the Clerk writes to ADA requesting how to deal with access for maintenance works due to the disposal of rubbish and sewage.
- iv) That the Consulting Engineer investigates options for spraying relating to the products available, frequency and effectiveness.
- v) TEC Groundworks Ltd (MLC Ref NO 381) – That the proposals put forward by the Developer be rejected
- vi) That the Board opposes the Right to Connect to public sewers

B.1312 District Officer's Report

The District Officer reported most points had already been covered elsewhere in the Agenda. He confirmed all programmed drain maintenance works had been completed and reported a culvert had collapsed between points 72 and 56 and was in need of repair.

Members agreed the culvert should be repaired and instructed the District Officer to make the necessary arrangements.

RESOLVED

That the Report and the actions referred to therein be approved and that the Officer be thanked for his services over the preceding year.

B.1313 Conservation Officer's Newsletter

Miss Ablett referred to the Conservation Officer's Newsletter which had previously been circulated to Members.

B.1314 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss Ablett reported that claims for contributions totalling £998.43 (inclusive of supervision) had been submitted (£5,931.88 less £4,933.45 paid on account for the financial year 2020/2021 and the sum of £5,507.92 in respect of 80% of the Boards estimated expenditure for the financial year 2021/2022).

B.1315 Association of Drainage Authorities Subscriptions

Miss Ablett reported that ADA had increased subscriptions by 1% for 2022. The subscription for 2021 was £565.

RESOLVED

That the increased subscription for 2022 be paid.

B.1316 Determination of annual value for rating purposes

The Board considered the recommendation for the determination of annual value for rating purposes.

RESOLVED

- i) That the determination recommended be adopted by the Board.
- ii) That the Clerk be empowered to serve notices and to take such other action as may be necessary to comply with statutory requirements.
- iii) That the Chairman and the Clerk be empowered to authorise appropriate action on behalf of the Board in connection with any appeals against the determination.

B.1317 Rate Arrears

Consideration was given to writing off rate arrears amounting to £26.04.

RESOLVED

That the arrears be written off.

B.1318 Health and Safety

Further to minute B.1292, the Chairman referred to the report received from Cope Safety Management following their visit to the District on 3rd December 2021 and reported that almost all

works requested had been completed. He advised that a handrail was required at Upwood Common pumping station on the riverbank side and a ladder left at Green Dyke pumping station had now been removed. He reported that apart from the two points mentioned the meeting had gone well.

Although not a Health & Safety issue, the District Officer enquired whether the flange bolts on the outlet side of the pump in the chamber at Upwood Common pumping station had been replaced as previously requested by the Board. Miss Ablett advised she would discuss this with the Consulting Engineer and arrange for the bolts to be replaced.

RESOLVED

i) That the Middle Level Commissioners be requested to level uneven inlet access steps facing the water's edge and install a handrail/barrier at Upwood Common Pumping Station

ii) That the Consulting Engineer ensures that a previous request to replace flange bolts on the outlet side of the pump, in the chamber, at Upwood Common Pumping Station is actioned

B.1319 Completion of the Annual Accounts and Annual Return of the Board – 2020/2021

a) The Board considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2021.

b) The Board considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2021.

B.1320 Defra IDB1 Returns

Miss Ablett referred to the completed IDB1 form for 2020/2021 which the Board noted and approved.

B.1321 Financial Position

a) The Board considered the Estimate Update for 2021/2022.

RESOLVED

That the update be approved.

b) Miss Ablett reported that the Board's cash balance on the 30th November 2021 was;

Clients Premium Account - £253,595.16

B.1322 Date of Next Meeting

The next meeting of the Board will be held on Thursday 12th May 2022 at The Old Nene Golf Club, Ramsey, prior to which the District Inspection will be held.

B.1323 Any Other Business

The Chairman requested details of the rates outstanding as at 31st December 2021 and enquired whether land occupied at Middle Drove, Ramsey Heights was rated as agricultural land or as special levy.

Miss Ablett confirmed she would ask the Rating Officer to provide this information.