

BLUNTISHAM INTERNAL DRAINAGE BOARD

At a Meeting of the Bluntisham Internal Drainage Board
held at Hanson's, Bluntisham at 10:30 on Friday 7th January 2022

PRESENT

J R Anderson Esq (Vice Chairman)
P Burgess Esq
A G R Holloway Esq
H Law Esq
Cllr J Neish Esq

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

Apologies for Absence

Apologies for absence were received from P Burton OBE.

B.819 Declarations of Interest

Miss McShane reminded Members of the importance of declaring an interest in any matter included in today's agenda that involved or was likely to affect any individual on the Board.

B.820 Confirmation of Minutes

RESOLVED

That the Minutes of the Meetings of the Board held on 4th June 2021 are recorded correctly and that they be confirmed and signed.

B.821 Maintenance works in the District

Further to minute B.802, and in the absence of the Chairman, the Vice Chairman reported on the maintenance works for the forthcoming year. It was proposed to continue with the works south of Overcote Lane, towards the river.

H Law asked if the hedge could be pruned and cut back to allow the spoil to be put into the field and avoid the footpath.

RESOLVED

- i) That the maintenance works be approved.

- ii) That the Chairman and Vice Chairman conduct an inspection of the District system prior to finalising the maintenance programme for the year.

B.822 Hanson – Progress Report

H Law gave the Board an update on the workings at the Quarry. In three years' time Hansons will be working on site again and in the fourth year will be doing ecology and archaeology surveys. The life of the quarry is anticipated to be 11 years, possibly up to 15 years with 2-3 years of aftercare to be carried out.

H Law stated that Hansons would be on site for 20 years until hand over to RSPB.

B.823 Ouse Washes Section 10 Reservoir Middle Level and South Level Barrier Bank works

Further to minute B.803, Miss McShane referred to the Newsletter from the Environment Agency dated December 2021.

B.824 Clerk's Report

The Clerk 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.

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) Association of Drainage Authorities

a) Annual Conference

That the 84th Annual Conference of the Association was held on Wednesday 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 the 9th November 2022, venue to be decided.

RESOLVED

That Miss McShane 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 1st March 2022.

d) Updating IDB Byelaws

Further to minute B.716, 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 1st December 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.

iv) 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) Smart Level System/District Wide Telemetry Bid

Further to minute B.804(ii), the Clerk reported on the quotation received for telemetry.

RESOLVED

Not to proceed with the installation of telemetry.

vii) 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.

viii) Water Resources East (WRE)

Further to minute B.804(vi), 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.

RESOLVED

The Board agreed the payment of £125 to WRE.

B.825 Consulting Engineers' Report, including Planning and Consenting Matters

The Board considered the Report of the Consulting Engineers.

The Board considered Planning Applications references No 24 (Residential development of up to 5 dwellings on and adjacent to 15 Mill Lane, Bluntisham - Searle), No 25 and 29 (Change of use of land to commercial fish farm and siting of mobile home for a temporary period at land south of White Bridge, Needingworth Road - Mustafa), No 26 (Creation of wetland habitat following excavation and processing of sand and gravel and associated changes to the related s106 agreement at Needingworth Quarry, Bluntisham Road - Hanson Quarry Products Europe Ltd) and No 31 and 34 (8 large houses at land rear of Mill Meadows on land adjacent to 40 Russett Avenue, Needingworth - Morgan) and determined that no further action was required in relation to these applications.

Change of use to form horse paddocks with menage and retrospective application for stable block at Bridge Farm, Overcote Lane, Needingworth – Griffiths (MLC ref No 37)

The Engineer advised that the documents submitted with the application referred to tree planting in close proximity to the Board's drain.

RESOLVED

- i) That the Report and the actions referred to therein be approved.
- ii) Change of use to form paddocks etc (MLC ref no 37)

That no further action was required as the Board can access the drain for maintenance works on the other side of the drain. The Vice Chairman agreed to discuss future maintenance works with the owner of the paddocks.

B.826 Capital Improvement Programme

Members considered the Board's future capital improvement programme.

RESOLVED

That the Capital Programme be approved.

B.827 Conservation Officer's Newsletter

Miss McShane referred to the Conservation Officer's Newsletter, dated December 2021, which had previously been circulated to Members.

B.828 State-aided Schemes

Consideration was given to the desirability of undertaking further State-aided Schemes in the District and whether any future proposals should be included in the capital forecasts provided to the Environment Agency.

RESOLVED

That no proposals be formulated at the present time.

B.829 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss McShane reported that claims for contributions totalling £412.13 (inclusive of supervision) had been submitted (£1,364.44 less £952.31 paid on account for the financial year 2020/2021 and the sum of £909.84 in respect of 80% of the Board's estimated expenditure for the financial year 2021/2022).

B.830 Environment Agency – Precept

Miss McShane advised that the precept had not yet been set by the Environment Agency. The increase was still under discussion but it was likely that the increase would be a minimum of 2.5%. Once the increase had been confirmed, it would be reported to the Chairman and at the summer meeting.

B.831 Association of Drainage Authorities - Subscriptions

Miss McShane reported that ADA had increased subscriptions by 1% for 2022.

RESOLVED

That the increased subscription for 2022 be paid.

B.832 Health and Safety Report

Further to minute B.810 the Vice-Chairman referred to the report received from Cope Safety Management following their visit to the District on 8th October 2021 and reported thereon.

The Vice-Chairman advised that two items on the Site Safety Inspection Report - the provision of a fence to prevent access and edge protection for the weed screen to prevent a Board Member or member of the public from falling into the water – had been actioned.

B.833 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.834 Defra IDB1 Returns

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

B.835 Review of Internal Controls

The Board considered and expressed satisfaction with the current system of Internal Controls and determined that no further controls were required.

B.836 Risk Management Assessment

- a) The Board considered and expressed satisfaction with their current Risk Management Policy.
- b) The Board considered and approved the insured value of their buildings. The insured sum of £470,000 was approved.

B.837 Transparency Code for Smaller Authorities

Miss McShane reported that, as resolved at its' last meeting, the Board will continue with a limited assurance review and not take advantage of the audit exemption available for smaller public bodies with income and expenditure less than £25,000.

RESOLVED

To continue with a limited assurance review as has been carried out in previous years.

B.838 Exercise of Public Rights

Miss McShane referred to the publishing of the Notice of Public Rights and publication of unaudited Annual Return, Statement of Accounts, Annual Governance Statement and the Notice of Conclusion of the Audit and right to inspect the Annual Return.

B.839 Payments to 30th November 2021

The Board considered and approved payments amounting to £17,898.45 which had been made from the 1st April to the 30th November 2021.

B.840 Expenditure estimates and special levy and drainage rate requirements 2022/2023

The Board considered estimates of expenditure and proposals for special levy and drainage rates in respect of the financial year 2022/2023 and were informed by Miss McShane that under the Land Drainage Act 1991 the proportions of their net expenditure to be met by drainage rates on agricultural hereditaments and by special levy on local billing authorities would be respectively 33.45% and 66.55%.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £18,295 be raised by drainage rates and special levy.
- iii) That the amounts comprised in the sum referred to in ii) above to be raised by drainage rates and to be met by special levy are £6,119 and £12,176 respectively.
- iv) That a rate of 13.0p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £12,176 be made and issued to Huntingdonshire District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Board be affixed to the record of drainage rates and special levies and to the special levy referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levy by such statutory powers as may be available.

B.841 Date of Next Meeting

Miss McShane reminded Members that the next Meeting of the Board would be held on Friday 10th June 2022 at 10.30am at Hanson's Site Office, Needingworth.