

MARCH FIFTH DISTRICT DRAINAGE COMMISSIONERS

At a Meeting of the March Fifth District Drainage Commissioners
hosted at the Middle Level Offices, March on Tuesday the 12th April 2022

PRESENT

T D Hopkin Esq (Chairman)	T E Alerton Esq
A Payne Esq (Vice Chairman)	P Beeton Esq
Miss E Alerton	M Cornwell Esq
Cllr J French	F Yeulett Esq
P Hayes Esq	J Lilley Esq
S Bushell Esq	

Miss Samantha Ablett (representing the Clerk to the Commissioners) and Mr Morgan Lakey (representing the Consulting Engineers) were in attendance.

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

The Chairman welcomed S Bushell Esq and F Yeulett Esq who were both attending their first meeting of the Commissioners

Apologies for absence

An apology for absence was received from G Hopkin Esq

C.1189 Declarations of Interest

Miss Ablett reminded the Commissioners of the importance of declaring an interest in any matter included in today's agenda that involved or was likely to affect them.

Cllr Cornwell and Cllr French declared an interest in all planning matters as members of Fenland District Council

Mr T D Hopkin declared an interest in District Officer matters

Mr and Miss Alerton declared an interest in the planning application (MLC Ref Nos 392 & 396 & 471) for The Wilkinson Family

C.1190 Standing Orders

Miss Ablett reported ADA had obtained agreement from Defra for the flexibility which allowed the Commissioners 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 Commissioners' particular requirements at that time.

RESOLVED

The Commissioners approved the revised Standing Orders.

C.1191 Confirmation of Minutes

RESOLVED

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

C.1192 Appointment of Chairman

RESOLVED

That T D Hopkin Esq be appointed Chairman of the Commissioners.

C.1193 Appointment of Vice Chairman

RESOLVED

That A Payne Esq be appointed Vice Chairman of the Commissioners.

C.1194 Appointment of District Officer

RESOLVED

That T D Hopkin Esq be appointed District Officer to the Commissioners during the ensuing year.

C.1195 Land Drainage Act 1991

Fenland District Council

Miss Ablett reported that Fenland District Council had appointed Councillor F Yeulett to be a commissioner under the provisions of the Land Drainage Act 1991.

C.1196 National Savings & Investments.

Miss Ablett reported that it was necessary to update the authorised signatories.

RESOLVED

That Mr D Thomas, as Clerk to the Commissioners and Mr T D Hopkin, as Chairman, be authorised signatories of the National Savings Investment Account and that the account of the March Fifth District Drainage Commissioners with National Savings and Investments be changed accordingly.

C.1197 Land at the Slamp

Further to minute C.1157, Miss Ablett reported that following last year's meeting a survey of the land had been undertaken and confirmed the boundary between the land at the Slamp and the land

being developed as a Go Kart Track, was the ditch, with the whole of the ditch being in the ownership of the Commissioners. She advised the Assistant Clerk had suggested it may be in the Commissioners' interest to fence along the boundary line to avoid any further encroachment and that the Chairman may wish to visit the site with the Consulting Engineer to agree any works that may be required to establish the boundary and reinstate the entrance through the gate.

Members agreed that a site meeting would take place with the Chairman, Assistant Clerk and operations engineer in attendance.

Miss Ablett reported the entrance to the land at the Slamp had recently been obstructed with soil and debris and she confirmed the Assistant Clerk had reported this to Cambridgeshire Highways and the Head of Legal Services. She added that a plan provided by them showed that the lay-by, which adjoined the gate, was no longer Highways land as it had been subject to a stopping up order upon the application of Cambridgeshire County Council by Peterborough Magistrates in 2004, following which ownership of the land reverted to the adjacent landowner. Miss Ablett advised the Assistant Clerk had confirmed that Mr Bruce Smith or his wife's company now legally owned the lay-by although they had not yet registered their interest at the Land Registry. She advised the Assistant Clerk was disputing this and would be meeting with the Highways Engineer to ascertain why the land had reverted to Mr Smith and not the Commissioners.

Councillor French requested the Assistant Clerk provides her with the name of the contact at Cambridgeshire County Council and Head of Legal Services.

Miss Ablett reminded the Commissioners that Mr Smith had enquired whether they would be willing to sell the land at the Slamp to him as he wished to develop the land in conjunction with a Go Kart Track and erect fishing huts along the river bank. She reported the Consulting Engineer had advised the land was still required operationally by the Middle Level Commissioners and that the Commissioners' own Pumping Station was situated on the land.

Miss Ablett enquired whether the Commissioners were willing to sell the land noting that the Middle Level Commissioners still used the land and would wish to continue with the present lease.

The Members discussed whether the sale of the land would be in the best interests of the Commissioners and it was agreed that the land should not be sold.

Miss Ablett reported that a fence and gate erected at the other side of the site, where there was access down to North Creek Pumping Station remained in situ. She advised the Assistant Clerk had confirmed the Commissioners owned the drain down to the pumping station plus approximately 1.5 metres of land along it. Miss Ablett reported that a retrospective consent application for the fence and gate had been made and a consent drafted. She advised the Clerk had not been satisfied with the plans provided with the application and she was not aware if this was ever signed off. Miss Ablett confirmed the condition of the draft consent was to allow the Commissioners continued access through the gate and that a key to the gate was supplied to them.

Miss Ablett enquired how the Commissioners wished to proceed regarding the contravention of the Commissioners' byelaws.

The Commissioners discussed the byelaw infringement further and agreed a letter should be sent to Mr Smith advising that the erection of the fence and gate were in contravention of the Commissioners byelaws and a consent application must be made.

RESOLVED

- i) That the Clerk write to Mr Bruce Smith advising the Commissioners do not intend to sell the land at the Slamp
- ii) That a letter be sent to Mr Smith advising of the contravention of byelaw relating to the erection of a fence and gate and of the requirement for a consent application to be made.

C.1198 Erection of cold storage building (MLC Ref No. 455) – March Cold Store

Further to minute C.1159, Miss Ablett reported the Planning Engineer had written to the applicant as there was concern over surface water management due to the extra units and he was waiting for a response.

C.1199 Erection of 30 dwellings (max) east of Berryfield, Berryfield, March (MLC Ref Nos. 392 & 396)

Further to minute C.1160, Miss Ablett reported the landowner was not prepared to allow the Commissioners to adopt the watercourse as a District Drain. She further reported the Planning Engineer had asked the Assistant Clerk/Solicitor whether this would affect the previously agreed maintenance documents. The Assistant Clerk/solicitor advised there was no concern regarding the current maintenance agreement with the developer and she confirmed the maintenance of the unadopted drain remained the responsibility of the riparian owners.

Miss Ablett advised that should there be further development then a similar maintenance agreement would be sought.

C.1200 Pipe at Point 29

Further to minute C.1161, the Chairman reported there had been no further change since the previous meeting, but he would continue to monitor the situation.

C.1201 Pump at North Creek Pumping Station

Further to minute C.1163, Miss Ablett referred to her email and quotes relating to the replacement of the pump at North Creek pumping station, which had been forwarded to all members following last year's meeting. She advised that as the quotes had been received in May last year it was likely the costs had since increased and confirmed the Consulting Engineer had requested further quotes, which had been forwarded to the Chairman. Miss Ablett advised the revised quotes had increased by approximately £7,000 and £6,000 respectively.

Miss Ablett apologised the Clerk had not been in contact regarding the funding that had been mentioned by Councillor Cornwell at the last meeting, which had prevented the Commissioners from holding a special meeting to discuss the matter further. She confirmed, however, that a request had been made for the EA to allocate £60,000 GIA for the pump replacement and advised that should the Commissioners wish to proceed a business case would have to be prepared and submitted to the EA, which could be completed between April to July.

Miss Ablett advised the expectation was the project would be 100% funded and confirmed the cost of the business case could be claimed as part of the grant, but she warned the Commissioners that if this was not the case, the cost would be payable by them. She further advised the cost of the

business case could be funded from the development charges account should this be necessary, which would not affect the drainage rates payable.

Miss Ablett reported that if the scheme was approved, the GIA funding was likely to be available around September and as the pump would take between 3 to 6 months to obtain, it was unlikely work would be undertaken until next spring. She added that should approval be received it may be best to purchase the pump and control panel as soon as possible so the Commissioners did not suffer from further significant price increases and she confirmed these could be stored until required.

Miss Ablett enquired whether the Commissioners wished to proceed with the preparation of a business case and GIA application.

The Chairman advised that should the pump replacement be 100% funded the Commissioners should go ahead, but if not, the works should be put on hold. Miss Alterton stated that in view of the minimal cost of the business case, in the scheme of things, and the potential for 100% funding being made available the Commissioners should proceed with the GIA application.

Miss Ablett explained that if the application was successful the Commissioners could decide whether to proceed when they were aware of the amount of grant being made available. She advised the contribution that may be due from the Commissioners could still be less than the cost of a pump overhaul. She reported the Consulting Engineer had advised that although the pump could be overhauled, it was not usually cost effective to overhaul submersible pumps of this age and overhauls were less reliable.

Following further discussions, the Commissioners agreed to proceed with a GIA application and to fund the cost of the business case from the development charges account.

RESOLVED

- i) That a business case be developed for the replacement of the pump and control panel at North Creek Pumping Station as soon as possible so as to avoid any further increase in purchasing costs.
- ii) That the cost of the business case be funded from Development Charges Account should the GIA application be unsuccessful.
- iii) That the replacement of the pump be undertaken if 100% GIA funded

C.1202 Clerk's Report

Miss Ablett reported:-

- i) COVID-19 Actions

That the majority of control measures have been removed now and normal office working has resumed (with the exception of trialling a degree of flexible working, which has been shown to be effective following the previous periods of enforced home working). Impacts now are largely confined to the high rates of COVID-19 illness cases in the UK.

- 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 it was 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 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 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 the 9th November 2022, venue yet to be announced.

c) Meeting of the River Great Ouse Branch

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

This was the first face to face meeting held since the COVID-19 outbreak but the format was restricted to the AGM only. It is planned however to reintroduce the popular and useful morning workshops for 2023.

Marc Heading was reappointed as chair with Councillor Doug McMurdo as vice chair. Topics covered included unsurprisingly red diesel, and water resources/the work of WRE.

Sofi Lloyd announced that Brian Stewart and Ian Hodge from the EA had recently joined the ADA Board and that DEFRA had asked ADA to liaise with them on the implementation of schedule 3 of the Flood and Water Management Act. She was also pleased to be able to report that ADA had been instrumental in initiating an all-party parliamentary group with a remit to discuss and consider Sustainable Flood and Drainage Management.

Phil Hulme and Amanda Macloughlan spoke on behalf of the EA covering the challenging associated with significant staff changes at the EA and noted that with the capital program for this six year cycle being double that of the previous one this would be generating considerable additional work load.

It was advised that this coming years revenue (maintenance) budget was £5.3M which was more than the previous year but what could be delivered within this budget could be impacted by inflation.

The date of the next meeting is Tuesday 7th March 2023.

d) Updating IDB Byelaws

Further to minute C.1077, 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.

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.

v) Smart Level System/District Wide Telemetry Bid

Further to minute C.1162(vi), the Clerk will report that an order has been placed for two outstations for the Board's pumping stations and that the final cost to the Board will be just under £5K total (with Local Levy grant matching this). This cost includes equipment, installation and 5 years of mobile data and website hosting.

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) Anglia Farmers

The Clerk will report that following the last meeting of each Board/Commissioners the Anglia Farmers' electricity contract was renewed in October 2021 for a shorter period of 6 months to 31st March 2022 and this was due to the volatile energy market at the time. As there remains an enormous amount of volatility and uncertainty surrounding energy prices and as competition is very limited, it was decided that the Commissioners and Boards should remain within the Anglia Farmers buying group at the moment as there is likely to be little scope for us to negotiate better deals. The Clerk will also report a new contract has been signed for a 12 month period to 31st March 2023 with EDF Energy through Anglian Farmers.

The Anglia Farmers' Energy team does not have to commit to buying energy for years ahead at the current price levels and the flexible contract that they have to buy energy from 1st April 2022 allows them to risk manage the portfolio for their Members, which means they will be well positioned to take advantage of any energy market normalisation ahead. When market conditions have settled down/normalised the Board/Commissioners will be asked whether they wish to remain with Anglia Farmers. But this may not be for several years based upon current market assessments.

viii) Fens Biosphere

The Clerk will report that this project is on hold and will remain so unless and until Fenland District Council is prepared to engage with a redefined brief and vision for it.

ix) Water Resources East (WRE)

A draft WRE plan went out for public consultation and responses to it were to be received by 28th February 2022. The latest news can be found by visiting www.wre.org.uk.

x) Red diesel

Following extensive lobbying and the efforts of ADA, DEFRA and Treasury have softened their stance on the potential loss of access to red diesel use by IDBs. Going forward then as long as the work undertaken by the IDB can be shown to have some agricultural benefit then red diesel use can continue. The exception will be construction works and works where the sole beneficiary is an urban area,

C.1203 Consulting Engineers' Report, including planning and consenting matters

The Commissioners considered the Supplementary Report of the Consulting Engineers.

Mr Lakey reported on the works undertaken last year and of problems being experienced with the syphon breaker at North Creek pumping station. He advised this would normally be included within the pump replacement scheme, but as this was unlikely to commence within the next 12 months the Mechanical & Electrical Engineer had recommended that the syphon breaker was removed and overhauled this summer at a cost in the region of £1,000 to £2,000. Mr Lakey enquired whether the Commissioners wished for the syphon breaker to be overhauled and Members agreed this was the best course of action.

Miss Ablett referred to the planning applications (MLC Ref Nos 436, 475, 484, 508 & 509) for the erection of 4 dwellings on Elm Road and to planning application (MLC Ref No 518) for the erection of 41 dwellings to the west of Elm Road. She also referred to the Planning Engineer's comments regarding the disposal of surface water, treated foul effluent and the potential for flooding in the area relating to both applications.

Miss Ablett advised the only matters of concern for the Commissioners was that of potential flooding issues and whether to accept the surface water discharge into the drain.

Mr Lakey confirmed that issues attached to both applications regarding the disposal of surface water, treated foul effluent and the potential installation of a culvert in order to get the water from one side of Elm Road to the other, were matters for the applicants to resolve at their own expense. He advised the Commissioners had to consider whether they would grant consent for the installation of a culvert and accept the discharge into the Commissioners' drain.

The Chairman enquired how the flow rate would be controlled as he was concerned with the flood risk in the area. In response, Mr Lakey advised the developer planned to use a similar scheme for the erection of the 41 dwellings to that used for the Berryfields development regarding the permeable road. He added there would also be a small swale in the middle and would have a hydro brake so it would be a regulated discharge.

The Commissioners discussed the matter further and agreed that if the water was received at greenfield rate this would not be of concern to them and if a consent application for a new culvert was made, it would be granted, subject to all requirements of the Commissioners being met.

The Right to Connect

Miss Ablett outlined the current position concerning the right to connect to public sewers and enquired whether the Commissioners would support removal of the Right to Connect to public sewers or not.

Following discussions amongst the Commissioners it was agreed the Right to Connect should be opposed.

RESOLVED

i) That the Report and the actions referred to therein be approved

ii) Weed control and drain maintenance

That the maintenance works contained within the report be undertaken

iii) That the syphon breaker at North Creek pumping station be overhauled

iv) That surface water discharged from both developments not to exceed green field rate

v) That a consent application, if received, relating to a new culvert/connection under Elm Road to allow water from the west to enter the Commissioners' system be approved, subject to all the Commissioners' requirements being met

vi) That the Board opposes the Right to Connect be public sewers

C.1204 Capital Improvement Programme

The Commissioners considered their future capital improvement programme.

Miss Ablett referred to the £50,000 included for the replacement of the pumping and control equipment at South Creek pumping stations and a request for this sum to be allocated by EA in the GIA funding programme. She confirmed that following further discussions with the Consulting Engineer he had confirmed the pump had been replaced in 2015 and did not require any work at this time.

The Commissioners agreed it was unlikely, in view of funding being unavailable for the installation of automatic weedscreen cleaners that these would be installed at either pumping station in the short term and requested these be deferred to post 10 years.

RESOLVED

That the Capital Programme be approved in principle and kept under review, subject to the installation of automatic weedscreen cleaners at both pumping stations and the pump replacement at South Creek pumping station being deferred to post 10 years.

C.1205 District Officer's Report

The District Officer provided a report to the Commissioners and this was noted and approved.

C.1206 Conservation Officer's Newsletter and BAP Report

Miss Ablett referred to the Conservation Officer's Newsletter, for 2021/2022, previously circulated to the Commissioners.

The Commissioners considered and approved the most recent BAP report.

C.1207 District Officer's Fee

The Commissioners gave consideration to the District Officer's fee for 2022/2023.

RESOLVED

That the Commissioners agree that the sum of £870.00 be allowed for the services of the District Officer for 2022/2023.

(NB) – Mr T Hopkin declared a financial interest when this item was discussed.

C.1208 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, other than that already resolved relating to the pump replacement at North Creek pumping station.

C.1209 Environment Agency – Precepts

Miss Ablett reported that at the EA Flood Defence Committee meeting the committee voted to adopt an indicative 2% increase in the precepts on IDBs for the next 6 years commencing from 2022/23 with the ability to revisit annually should exceptional circumstances indicate this is required.

The committee voted for a 0% increase (for exceptional circumstances) above the indicative 2% increase for the year ending 31st March 2023 – total of a 2% increase on the level of precept on IDBs for the year ending 31st March 2023.

Miss Ablett reported that the Environment Agency had issued the precept for 2022/2023 in the sum of £2,160.07 (the precept for 2021/2022 being £2,118.00).

C.1210 Claims for Highland Water Contributions – Section 57 Land Drainage Act 1991

Miss Ablett reported that following his submission of claims for contributions the gross sum of £202.30 (£1,757.29 less £1,554.99 received on account) (inclusive of supervision) has been received from the Environment Agency for the financial year 2020/2021 based on the Board's actual expenditure on maintenance work for that financial year and the sum of £1,551.70 in respect of 80% of the Board's estimated expenditure for the financial year 2021/2022.

C.1211 Association of Drainage Authorities Subscriptions

Miss Ablett reported that ADA had increased subscriptions by 1% for 2022 from £565 to £571.

RESOLVED

That the requested increased ADA subscription for 2022 be paid.

C.1212 Rate arrears

Consideration was given to writing off rate arrears amounting to £16.70.

RESOLVED

That the arrears be written off.

C.1213 Contributions from Developers

The Clerk reported the contributions received from developers.

C.1214 Health and Safety

Further to minute C.1174 the Chairman referred to the report received from Cope Safety Management following their visit to the District on the 14th September 2021.

The Chairman reported the district was in good order and confirmed there was very little to be concerned about at this time. He added that COPE Safety Management were satisfied with the work being carried out.

C.1215 Completion of the Annual Accounts and Annual Return of the Commissioners – 2020/2021

- a) The Commissioners considered and approved the comments of the Auditors on the Annual Return for the year ended on the 31st March 2021.
- b) The Commissioners considered and approved the Audit Report of the Internal Auditor for the year ended on the 31st March 2021.

C.1216 Defra IDB1 Returns

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

C.1217 Budgeting

Miss Ablett referred to the budget comparison of the forecast out-turn and the actual out-turn for the financial year ending 31st March 2021.

C.1218 Review of Internal Controls and appointment of Internal Auditor

The Commissioners considered and expressed satisfaction with the current system of Internal Controls.

Miss Ablett reported it had been hoped other auditors would be invited to tender during 2021-2022, but due to the continued restrictions caused by COVID-19 this had not been possible. Following discussions with Whiting and Partners it had therefore been agreed that the current arrangement would be extended by a further year to allow sufficient time for the tender process to be carried out.

RESOLVED

That the Commissioners approve the one-year extension of the appointment of Whiting & Partners as Internal Auditor.

C.1219 Risk Management Assessment

- a) The Commissioners considered and expressed satisfaction with their current Risk Management Policy.
- b) The Commissioners considered and approved the insured value of their buildings.

C.1220 Transparency Code for Smaller Authorities

Miss Ablett 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 should the income or expenditure fall below £25,000 in future years.

C.1221 Exercise of Public Rights

Miss Ablett 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.

C.1222 Annual Governance Statement – 2021/2022

The Commissioners considered and approved the Annual Governance Statement for the year ended on the 31st March 2022.

RESOLVED

That the Chairman be authorised to sign the Annual Governance Statement, on behalf of the Commissioners, for the financial year ending 31st March 2022.

C.1223 Payments 2021/2022

The Commissioners considered and approved payments amounting to £40,681.27, which had been made during the financial year 2021/2022.

(NB) – The District Officer declared an interest in the payment made to him

C.1224 Annual Accounts of the Commissioners – 2021/2022

The Commissioners considered and approved the Annual Accounts and bank reconciliation for the year ended on the 31st March 2022 as required in the Audit Regulations.

RESOLVED

That the Chairman be authorised to sign the Return, on behalf of the Commissioners, for the financial year ending 31st March 2022.

C.1225 Expenditure estimates and special levy and drainage rate requirements 2022/2023

The Commissioners 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 Ablett 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 11% and 89%.

Councillor Cornwell expressed his concerns regarding the ever-increasing drainage rates being levied on Fenland District Council. He advised that a vast majority of Council tax payers may face financial difficulties in the coming years due to the significant increase in the cost of living being experienced at this time. He proposed there should be no increase in the rate for the coming year and proposed that it remained at 5.3p. Councillor Yeulett, together with Councillor French agreed with the comments made by Councillor Cornwell and advised they would not be supporting any increase in the rate.

Miss Ablett advised that should the rate remain unchanged and the net expenditure for the coming year come in as estimated this would result in the level of funds being reduced further. She added the Commissioners' general fund already had less than 1 year's net expenditure in hand.

The Chairman reported that until the rate had increased last year to 5.3p it had remained unchanged at 3.5p for over 5 years, which had contributed to a reduction in the level of funds held. He added

that in view of this it was necessary to increase the rate to 6p to meet the estimated net expenditure for the coming year.

RESOLVED

- i) That the estimates be approved.
- ii) That a total sum of £29,020 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 £3,191 and £25,829 respectively.
- iv) That a rate of 6p in the £ be laid and assessed on Agricultural hereditaments in the District.
- v) That a Special levy of £25,829 be made and issued to Fenland District Council for the purpose of meeting such expenditure.
- vi) That the seal of the Commissioners be affixed to the record of drainage rates and special levies and to the special levies referred to in resolution (v).
- vii) That the Clerk be authorised to recover all unpaid rates and levies by such statutory powers as may be available.

C.1226 Date of next Meeting

RESOLVED

That the next Meeting of the Commissioners be held on Tuesday the 11th April 2023.

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Chairman
11th April 2023