

**MARCH WEST AND WHITE FEN INTERNAL DRAINAGE BOARD**

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28<sup>th</sup> April 2022

**PLEASE NOTE CHANGE OF DAY AND TIME**

Mr Chairman, Ladies and Gentlemen

Meeting of the Board  
9<sup>th</sup> May 2022

I enclose the Agenda for the Meeting of the Board to be hosted at the Middle Level Offices, March at 10.00am on Monday the 9<sup>th</sup> May 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 your attendance as soon as possible.

A Buffet Lunch will be provided at the conclusion of the Meeting and the number required needs to be submitted to the caterer by **Tuesday the 3<sup>rd</sup> May**

To avoid paying for food that is not required please confirm in advance that you **WILL BE STAYING** for the buffet lunch.

Yours truly

D C THOMAS

Clerk to the Board

**To the Members of the March West and White Fen Internal Drainage Board**

## AGENDA

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 held on Tuesday the 4<sup>th</sup> May 2021.

(Copy pages \*\*)

4. Matters arising from the Minutes

5. Proposed Retail Park to the west of Hostmoor Avenue, March – Brossman Mills Ltd

Further to minute B.218, the Chairman to report.

6. Bank Slip – Whittlesey Road, March.

Further to minute B.220, The Chairman to report.

7. White Fen Pumping Station. Business Plan for works required and potential Grant-in-Aid Application.

Further to minute B.225 (v) (6) The Clerk to report.

8. Clerk's Report

The Clerk advises:-

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 an eighth Chair's Meeting was held on the 12<sup>th</sup> April 2022.

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

It was recorded that there had been a number of MLC staff changes over the period. These included the retirement of Deb Watts, Katie Hunt and Malcolm Downes. Also, Sarah Lemmon and Richard Lloyd had handed in their notice. New members of staff replacing them and linked with some restructuring of the finances and admin departments were Dave Bantoft (M&E Engineer), Sarah Bowd (Accounts Assistant), Polly Tombleson (PA Secretarial) and Claire Collings (Secretarial).

It was reported that following the successful telemetry grant bid for Local Levy £125K in grant had been secured and consequently an order had been placed for in excess of 45 new telemetry outstations. The MLC have tested the new system with the six stations they commissioned and were satisfied with its operation.

Training for Board members was covered and it was noted that ADA provide online training videos. Various methods for delivering these and recording attendance was discussed and it was finally resolved that the best way forward would be to ask all members to watch one or two videos a year and to record when they had been viewed. A record of who had watched which video would be retained and this information recorded at Board meetings and used to support DEFRA IDB1 returns.

A proposal to move from time charges to lump sum annual fees for planning and consenting matters was discussed and it was agreed that a proposal to move to this more efficient and effective way of working would be put to each Board. For similar reasons it was resolved that a proposal should be put forward which would reduce the scale of content reported to Boards under planning matters.

Inflationary pressures were touched upon and it was recognised that if this continues there will be pressure placed upon Boards to raise their rates more than has occurred in recent years. It was also recognised that along with these inflationary pressures there were increasing demands (with legal backing) evolving in relation to environmental gains and Boards should be aware of the costs of delivering on these. Examples are the government's commitment to protect 30% of all land by 2030 for the environment and of the Doubling Nature initiative in Cambridgeshire.

An update on work in relation to climate change and carbon reduction was given. Work currently in hand comprises of production of a carbon baseline for the MLC. Once complete the scale of the challenge to target carbon neutrality will be known and work will be undertaken to identify possible opportunities for reduction and mitigation, prior to production of a policy statement. During these next stages it is expected that Boards associated with the MLC will be similarly assessed and plan proposals made for them.

iii) Association of Drainage Authorities

a) Annual Conference

That the 84<sup>th</sup> Annual Conference of the Association was held on Wednesday the 10<sup>th</sup> 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 CO<sup>2</sup> release had shown that a well irrigated peat field of onions released less CO<sup>2</sup> 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 9<sup>th</sup> 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 1<sup>st</sup> 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 please 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 7<sup>th</sup> March 2023.

d) Updating IDB Byelaws

Further to minute B.139, ADA have 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 B.224(v), the Clerk to report.

vi) National Drainage Show & Floodex 2022

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

vii) Water Resources East (WRE)

A draft WRE plan went out for public consultation and responses to it were to be received by 28<sup>th</sup> February 2022. The latest news can be found by visiting [www.wre.org.uk](http://www.wre.org.uk).

viii) 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.

ix) 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.

x) 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.

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

To consider the Report of the Consulting Engineers

(Enc.1)

10. Capital Improvement Programme

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

(Copy pages \*\*)

11. Conservation Officer's Newsletter and BAP Report

The Clerk to refer to the Conservation Officer's newsletter, previously circulated to members, and to consider the most recent BAP Report.

(Copy pages \*\*)

12. Pumping Station duties

To give consideration to the payments in respect of pumping station duties for 2022/2023.

13. State-aided Schemes

To consider whether to undertake further State-aided Schemes and whether any future proposals should be included in the forward capital forecasts provided to the Environment Agency.

14. Environment Agency – Precept

The Clerk will report that at the Environment Agency Flood Defence Committee meeting the Committee voted to adopt an indicative 2% increase in the precepts on Internal Drainage Boards 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 Internal Drainage Boards for the year ending 31st March 2023.

The precept for 2021/2022 was £16,059.

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

The Clerk will report that following his submission of claims for contributions the gross sum of £254.29 (£774.39 less £520.10 paid on account) (inclusive of supervision) has been received from the Environment Agency for the financial year 2020/2021 based on the Commissioners' actual expenditure on maintenance work for that financial year and the sum of £513.86 in respect of 80% of the Commissioners' estimated expenditure for the financial year 2021/22.

16. Association of Drainage Authorities Subscriptions

The Clerk will report that ADA has increased subscriptions by 1% for 2022, from £866 to £875.

17. Determination of annual value(s) for rating purposes

The Clerk will submit the recommendation(s) for the determination of annual value(s) for rating purposes.

(See Confidential Papers)

18. Rate arrears

To consider writing off rate arrears.

(See Confidential Papers)

19. Contributions from Developers

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

(See Confidential Papers)

20. Health and Safety

The Chairman will report.

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

a) To consider the comments of the Auditors on the Annual Return for the year ended on the 31<sup>st</sup> March 2021.

(Copy pages \*\*)

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

(Copy pages \*\*)

22. Defra IDB1 Returns

The Clerk will refer to the completed IDB1 form for 2020/21.

(Copy pages \*\*)

23. Budgeting

The Clerk to refer to the budget update reviewed by the Chairman, with comparison to year end out-turn added, and any actions taken.

(Copy page \*\*)

24. Review of Internal Controls

a) To consider the system of Internal Controls and appointment of Internal Auditor

25. Risk Management Assessment

a) To give consideration to the Board's Risk Management Policy.

Further to minute B.241, The Chairman to report.

b) To review the insured value of the Board's buildings.

(Copy page \*)

26. Exercise of Public Rights

The Clerk to refer to the publishing of the Notice of Public Rights and publication of unaudited Annual Return, Statement of Accounts, Annual Governance Statement and the Notice of Conclusion of the Audit and right to inspect the Annual Return.

27. Annual Governance Statement – 2021/2022

To review and complete the Annual Governance Statement.

(Copy page \*)

28. Payments 2021/2022

The Clerk to report on payments made during the financial year 2021/2022.

(Schedule pages \*\*)

29. Annual Accounts of the Board - 2021/2022

To consider the Annual Accounts and bank reconciliations for the year ended on the 31<sup>st</sup> March 2022 and the completion of Section 2 of the Annual Returns as required in the Audit Regulations.

(Copy pages \*\*)

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

To consider estimates of revenue expenditure and levy and rate requirements in respect of the financial year 2022/2023.

(Copy pages \*\*)

31. Date of next Meeting

32. Any other business