

WATERBEACH LEVEL INTERNAL DRAINAGE BOARD

REPORT TO 30th SEPTEMBER, 2015

1. PUMPING HOURS AND RAINFALL SCHEDULE

Note: Rainfall recorded at Stretham

<u>MONTH</u> 2015	<u>RAINFALL</u> <u>M.M.</u>	<u>CAM</u> <u>DIESEL</u>		<u>HOLT</u> <u>FEN</u>	<u>CAM</u> <u>ELECTRIC</u>			<u>LOCKS</u>
		<u>A</u>	<u>B</u>		<u>1</u>	<u>2</u>	<u>3</u>	
APRIL	18.2	0	0	5	8	14	2	2
MAY	40.3	0	0	13	6	0	0	4
JUNE	27.7	0	0	0	0	0	1	0
JULY	102.8	0	0	59	76	83	4	18
AUGUST	66.7	0	0	18	89	28	2	12
SEPTEMBER	<u>66.1</u>	<u>0</u>	<u>0</u>	<u>17</u>	<u>36</u>	<u>0</u>	<u>0</u>	<u>19</u>
TOTALS	321.8	0	0	112	215	125	9	55

- 1.1. This period has been the same as last summer, with a dry start and end to the period, but with some wet weather in between.
- 1.2. April was a relatively dry month with only 18.2mm of rainfall. Water was raised to summer level by the end of the month.
- 1.3. We received 40.3mm of rainfall in May and there was a need for a small amount of pumping to maintain levels.
- 1.4. June was a dry month and as the month went on, temperatures rose, though the temperature throughout the year was generally below average for the summer.
- 1.5. July was a very wet month with 102.8mm of rainfall. Though there was generally rain throughout the whole month, we had three intense days of rain, being the 16th (45mm), the 24th (26mm) and the 26th (20mm). Due to these high amounts, dams had to be altered and pumps were operated. There was flooding in Cambridge and Waterbeach on the 16th July. Cambridgeshire County Council have stated that it was a 1 in 190 year rainfall event. There were 240 hours of pumping across all sites throughout the month.
- 1.6. August was another wet month with most of the rain falling from the middle to the end of the month. This delayed harvest in most areas.
- 1.7. In September we received 66.1mm of rainfall, of which 15.5mm fell on the 1st and 27.1mm on the 16th. It was very dry towards the end of the month, when we were still receiving calls to raise levels again for irrigation.
- 1.8. This period has been similar to 2014, with the need to constantly manage levels to meet the needs of abstractors and maintain land drainage within the District. Over the period

we recorded 321.8mm of rain. As last year, the rain seemed to fall in intense short bursts.

2. PUMPING PLANT

2.1. Cam Pumping Station

2.1.1. Over the period we have had incidents where the new pumps have not cut out at their stop level and pumped the drain almost dry. Luckily, this did not occur when we were struggling for water.

2.1.2. We contacted Interlec Services, who installed the control panel. The problem was that the control panel was overheating, causing the pumps to ignore the control system. Better ventilation in the form of additional fans have been installed to help keep the panel cool. All costs have been met by Interlec as part of the warranty.

2.2. There have been no other major mechanical or electrical problems at any of the other pumping plant.

2.2. Drainage Museum Request

2.2.1. In the summer I took a representative of the Drainage Museum on a tour of the diesel pumps within the Group.

2.2.2. A burner (old heater) at the Cam Pump caught their eye and they have asked if the Board would be willing to donate it to the museum for a display they are setting up.

2.2.3. The burner is surplus to requirement and has not been used for many years. They would remove it themselves under the Board's supervision and there would be no cost to the Board.

3. DRAINS

3.1. Weed Control

3.1.1. Weedcutting started on 4th August and was completed by 4th September. The work was undertaken by the Middle Fen and Mere 360° excavator.

3.2. Maintenance

3.2.1. The maintenance programme detailed in my Report dated 27th April, 2015 will be completed when weedcutting is complete within the Group.

3.2.2. We will need to hire in a long reach excavator to undertake the works.

3.3. Future Maintenance Works

3.3.1. This Board is one of only two within the Group that does not grass cut the drains prior to machine work. I have never established a reason why this is the case.

3.3.2. In the summer, due to the availability of the flail in the Old West District, we grass cut in front of the machine on the following Drains:-

- Upper Mill Akeman
- Upper Mill Denny
- Upper Mill Denny Spur
- Upper Mill Chittering

3.3.3. Our observations have shown that the grass cutting reduced the machine time by 26%.

3.3.4. I would be interested in hearing the Board's view on whether we should consider undertaking grass cutting throughout the whole of the District. I would anticipate that we would cut only one side every year and we would alternate sides each year, depending on access

4. ABSTRACTION/WATER SUPPLY/IRRIGATION

4.1. The period has been one of extreme change.

4.2. A dry period from March into early May saw the need to raise levels to provide a source of abstraction for some crops.

4.3. From then on it rained in varying amounts, resulting in the need to balance the supply of water and the need to pump for land drainage.

4.4. September was very dry which made for a late requirement for irrigation.

5. BANNOLD ROAD, WATERBEACH

5.1. There continues to be flooding problems along Bannold Road during times of heavy rainfall. The cause of the flooding seems to be from the Anglian Water foul sewer along the road. Understandably, residents are very concerned about these ongoing incidents.

5.2. On 26th August, I attended an on-site meeting with the following Agencies:-

- Anglian Water
- South Cambridgeshire District Council
- Cambridgeshire County Council Flood Team
- Cambridgeshire County Council Highways

5.3. Local residents were also in attendance to share their concerns.

5.4. Anglian Water stated that if there was a problem with the sewer, there could be no guarantee that work would be undertaken. The project would have to compete against all their other capital projects. They also indicated that the existing system has the capacity to accept additional flows from new development. This is based on calculation rather than what is happening on the ground.

5.5. It should be noted that the surface water sewer from the Morris Homes site was never adopted by Anglian Water, so Morris Homes are still responsible for it. There is some concern as to whether this system functions correctly or not, as little water discharges

from it. It could be possible that the site sewers were not constructed properly. Anglian Water are responsible for the surface water on site.

- 5.6. Anglian Water has promised to look into the matter, including undertaking a survey of the problem areas. On 29th September, there was a follow up meeting at South Cambs. District Council. This time it was just for the Agencies involved, though it was very unfortunate that Anglian Water did not send a representative.
- 5.7. I will continue to support this group and provide any information and help the Board can offer. I will also closely liaise with the planners at the Council regarding the new developments.

6. EEL REGULATIONS

- 6.1. Following the publicity that the Eel Regulations received, it would appear that the Government are now rethinking their approach to the implementation of the Regulations.
- 6.2. Over the summer, there was a joint ADA/Defra/Environment Agency meeting. The main outcomes of the meeting were:-
 - The Regulations would only apply when there was a major capital scheme at a pumping station.
 - The cost of the measures required would be proportionate to the overall cost of the scheme. This is still to be defined.
 - There is no deadline to implement the Regulations.
- 6.3. ADA is in agreement with this approach which is a more sensible way forward.
- 6.4. Over the summer, I wrote to Lucy Frazer MP on this subject. I attach her reply at Appendix A for information.
- 6.5. On 8th September I met with the Environment Agency and Hull University at the Cam Pumping Station. They wished to undertake a test on our new fish friendly pumps to see the effectiveness of eels passing through them. I agreed that the Board would be happy to allow them to use the pumps for the test.
- 6.6. They plan to undertake the experiment in October, but at the time of writing, I am still waiting for them to inform me of an exact date.
- 6.7. The Agency did set some traps in our Main Drains to see if there were any eels in our system. So far none have been found.

7. WATER VOLES

- 7.1. The Bedford Group of IDBs, the Ely Group of IDBs and the Water Management Alliance have expressed concerns about the introduction of a class licence for displacement of water voles. Water voles are fully protected under the Wildlife and Countryside Act 1981.
- 7.2. Initial legal opinion indicated that the act of displacement was not unlawful and therefore no licence was required. A position statement issued by Natural England in

July, and subsequently in August 2015, extended the protection formerly given to burrows to include the vegetation around the burrow.

- 7.3. Following the publication of the amended position statement and final draft licence from Natural England in August 2015, the Groups remained concerned about the implications of Natural England's new interpretation, and took legal opinion from Stephen Tromans QC.
- 7.4. There remains some doubt as to the need for a licence, in part depending on the view of the status of the vegetation. However, given Natural England's new broader view, Counsel has identified that, as there is now a real risk that a prosecution might succeed against an IDB, then a class licence could be beneficial. There remain a number of issues with the drafting of the licence and policy statement and representation will be made to Natural England on these points once the formal comments are received from Counsel.
- 7.5. Of fundamental importance, and based on the rationale for the displacement class licence, it has been identified by Stephen Tromans QC that ALL activities that damage or destroy vegetation where there are water voles may also pose a similar risk of legal action, including flailing, weedcutting, chemical spraying, dredging and water level management. His opinion is that IDBs may find it a heavy burden to meet the second test in the defence. Natural England has suggested that best practice would support IDBs but Counsel's opinion is that this is inherently uncertain even if it was updated. Licensing for all watercourse management activities, either class or individual, may be the only viable way forward.
- 7.6. This applies to all managers of watercourse, rivers, waterways, ponds and lakes, not just IDBs.

8. PUBLIC SECTOR CO-OPERATION AGREEMENTS

- 8.1. The agreements have been produced to allow IDBs to undertake works for the Environment Agency and vice versa.
- 8.2. They have been developed by the Agency in conjunction with ADA to enable IDBs to avoid the Agency's bureaucratic procurement procedures. Works included in the agreements range from dredging to weedcutting to the supply of labour in an emergency.
- 8.3. The agreements have been in existence for a year. However, no Board within the Group has signed an agreement yet, as our insurers have had concerns over certain legal aspects of the agreement. This is mainly focused on who is held responsible in the event of a problem/incident on site.
- 8.4. The Agency has made changes to the agreements, which our insurers' legal team are currently looking at. In the meantime, they have indicated that we can start to enter into agreements with the Agency so long as we do not undertake any actual works.

9. WATER TRANSFER LICENCES

- 9.1. For many years, IDBs have transferred water from main rivers to local drains for the benefit of farmers, who then abstract the water for irrigation, and for environmental benefits by augmentation of water levels. Currently this practice is exempt (or at least

not brought into force) but Defra intends for it to be brought into the licensing process. As the Environment Agency has a duty to collect charges to pay for the administration of the licensing scheme, it would look to IDBs to pay those costs.

- 9.2. The water transfers are not in themselves abstractions. The water is not lost to the river network unless it is further abstracted by a landowner. Water abstracted from within an IDB district is licensed by the Agency, therefore there would be a duplication of any licensing/charging – effectively charging for the same water twice! The Agency in effect is dependent on IDBs undertaking these transfers to enable the abstraction licences that they have granted to be sustainable and practical to operate.
- 9.3. The Agency has consulted on charging for water transfers with the following options:-
 - A one-off fee of £1.5k for the licence (irrigation licence fees are £135)
 - A £135 application fee plus an annual subsistence charge.
- 9.4. The Downham Market Group of IDBs and the Ely Group of IDBs have in the region of 50 water transfer points. If the first option was implemented, it would cost both Groups a combined total of £75,000 – a cost that both Groups would have no choice but to pass on to ratepayers. In relation to the second option, the water would effectively be paid for twice, once by the Board and then by the landowner. It could be possible (at least in theory) that IDBs decide to no longer transfer water and therefore not apply for transfer licences. This would not only place the Agency in some difficulty, but would stop the environmental benefits that the Boards’ drains receive from transfers in the summer months.
- 9.5. The Water Act 2003 provided for the removal of most of the exemptions from abstractions that did not require licensing under previous legislation. In particular, it introduced the concept of a transfer licence where water was transferred from one source of supply to another, but not by the end user. However, these provisions, while in the “statute book” for over a decade, have never been brought into force.
- 9.6. It would be the Board’s preference for the status quo to remain. The current system works well as Boards work in close cooperation with local Agency officers to manage the system. If the licences were enabled and charged for, Boards would wish to see a nominal one-off charge (e.g. £50) for a licence.
- 9.7. By going ahead with these proposals, Defra would be adding another layer of bureaucracy to the licensing system as well as introducing a stealth tax on landowners who are already paying the Environment Agency for the water.
- 9.8. I was able to raise this issue with Rory Stewart MP, Parliamentary Under-Secretary of Defra at a meeting held at Denver Sluice. He took a great interest in the subject and following the meeting, I produced a briefing paper on the matter for him.

A Newton
Engineer to the Board
Middle Fen and Mere Internal Drainage Board

19th October, 2015