

## **MIDDLE LEVEL COMMISSIONERS AND ADMINISTERED INTERNAL DRAINAGE BOARDS\***



**(\*list available from Middle Level offices and shown under 'Internal Drainage Boards' on our website at [www.middlelevel.gov.uk](http://www.middlelevel.gov.uk))**

### **Common Queries**

1. I have been told that this area is a 'defended floodplain'. What does that mean?

Most of the fens area is at or below sea level and is dependent on the artificial flood defences constructed and maintained by the Middle Level Commissioners and/or other internal drainage boards (IDBs) and the Environment Agency (EA) to evacuate excess surface water and generally protect it from flooding. The Agency have produced maps of the vulnerable, low lying areas where the likelihood of flooding is greater than 1% a year (fluvial inland flows) or 0.5% a year (tidal) which are designated as 'flood plain'. 'Defended floodplain' in simple terms means those parts of those designated areas which are so defended.

2. But is this area still at risk of flooding?

No defences can provide absolute protection and defences can only operate up to the level of protection to which they are designed and maintained. Floods are classified as having a return period and the general level of defence provided in the Middle Level Commissioners' area is against a flood of up to 1:100 years, which is a flood with a 1% chance of occurring in any year. It should also not be forgotten that very local problems can occur which are not within the control of the Commissioners or IDBs, e.g. flooding from sewers.

3. You mentioned the Middle Level Commissioners and IDBs. Who are they?

They are statutory flood defence bodies created within areas of special flood defence need and which provide a flood defence service within those areas, which are called 'Districts'. The area of the District is set under statute. As well as the statutory District, (which is sometimes also called the "rateable area") the Middle Level Commissioners or IDBs are sometimes also able to control certain operations in the catchment area draining to, but outside the statutory District. This part of the catchment area is called "the highland area". To provide this service they maintain and improve watercourses and operate other assets, such as pumping stations and sluices. The Commissioners look after the major rivers of the area, such as the Forty Foot, Sixteen Foot, Whittlesey Dyke, King's Dyke, Old Nene and the Middle Level Main Drain, etc. The smaller IDBs look after the smaller arterial watercourses within their Districts. All of these authorities have produced policy statements indicating the levels of service that they will provide.

4. Who are the Commissioners and IDB members and how do they raise their monies?

Monies are raised primarily from a rate levied directly on agricultural properties within a District and a special levy, payable by the local district council, in respect of all other types of property which replaces the bills previously sent to householders and in respect of other types of property. The membership is, therefore, made up of farming representatives, generally elected for a three-year term, or local authority representatives, numerically basically pro rata to the proportions in which they fund the operations of the Commissioners or the IDB.

5. Where does the Environment Agency (EA) fit in?

The Agency maintains main rivers (in this area, Bury Brook, the Peterborough Nene and the Great Ouse systems) and sea and tidal defences. The Agency is also responsible for the regulation of reservoirs under the Flood and Water Management Act 2010.

6. What is an LLFA?

An LLFA (Local Lead Flood Authority) is a body with a remit to manage and oversee the management of local flood risk: ie risks arising other than for main rivers, tidal stretches or reservoirs. In this area the LLFAs are Peterborough City Council and Cambridgeshire and Norfolk County Councils.

7. Do the Middle Level Commissioners or IDBs maintain all the watercourses in their Districts?

No. The majority of watercourses are 'private', which means that the owner of the watercourse or the owner of property adjoining the watercourse is responsible for the maintenance. The Commissioners maintain the major Drains, as referred to in 3 above, while IDBs will only usually maintain the more important watercourses in their District, designated as District Drains. While they have powers to do

work or require work to be done by third parties on 'private' watercourses, the Commissioners or IDBs will only exercise such powers where the circumstances make it appropriate to do so, since they will be spending public money in doing so.

8. How can I find out if I'm in an IDB District or if a watercourse is a District Drain?

Contact the Middle Level Offices where staff will be pleased to advise you or go to [www.middlelevel.gov.uk](http://www.middlelevel.gov.uk).

9. If my property is not in an IDB District who should I then contact with any queries?

The EA in the first instance. The Middle Level staff will be able to provide contact details. If the problem, however, relates to the condition of a watercourse which is not main river, the query should in the first instance be addressed to the local LLFA.

10. If my property includes or borders a watercourse, do I need consent to do work in or around it?

You will need consent from the Middle Level Commissioners or the local IDB before any works in the channel, eg culverting or filling, are carried out, on a watercourse within their District whether the watercourse is private or a District Drain.

If the watercourse is a District Drain, any work within the statutory byelaw distance requires the specific consent of the Commissioners or the IDB. The byelaw distances are 20 metres (66 feet) for a Middle Level watercourse and 9 metres (30 feet) for an IDB District Drain. You will also need consent to discharge an increased rate or volume of flow to a watercourse, for which a charge, based on the cost of dealing with such extra rate or volume, is levied. The monies so raised are used to help pay for the extra maintenance or capital works required as a result of such development.

Do not forget that other consents, such as planning permission, EA consent, eg for water quality and, where the watercourse is not in an IDB area, LLFA consent for culverting, may also be required.

11. Who is responsible for Flood Hazard mapping?

The EA, for its Flood Map and Surface Water Susceptibility Map, the LLFA for its Surface Water Mapping and the Local Planning Authority, for its Strategic Flood Risk Assessment (SFRA).

12. What is the difference between the Floodplain shown on the EA's Flood Map and the Local Planning Authority's (LPAs) SFRA?

The EA Flood Map shows the indicative natural flood plain for the current day assuming that there are no flood defences. It does not allow for the effects of climate change. The Flood Map can be viewed on the EA's website but is intended for guidance only and cannot provide details for individual properties.

The SFRA is prepared by the relevant LPA and takes into account the effects of the existing defences. They illustrate the estimated actual flood risk allowing for climate change.

The Flood Map and the SFRA only show the failure of larger fluvial/tidal systems but not flooding from minor watercourses or other sources of flooding, such as groundwater, overland flows, surcharging sewers etc.

For this reason, both the EA and the Board's views are important, since the Board's comments will contain local knowledge outside the remit of the EA.

13. How can I find out more?

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